2. CLAIMS FOR SOLATIUM

Act of Sederunt (Claims for Solatium) 1948

1948 No. 372 (S. 25)

Made - - - - 24th February, 1948

The Lords of Council and Session, under and by virtue of the powers conferred by section 16 of the Administration of Justice (Scotland) Act, 1933 and of all other powers competent to them in that behalf, for the removal of doubts, do hereby enact and declare that, when any case to which Section 5 sub-section (*c*) of the Law Reform (Contributory Negligence) Act, 1945 applies is tried with a jury, the jury shall determine the total damages or *solatium* which would have been recoverable by the pursuer or the several pursuers respectively if the deceased had not been in fault, and the extent to which such damages or *solatium* is to be reduced. 23 & 24 Geo. 5. c. 41. 8 & 9 Geo. 6. c. 28.

This Act may be cited as the Act of Sederunt (Claims for Solatium) 1948.

And the Lords appoint this Act of Sederunt to be inserted in the Books of Sederunt and to be printed and published in common form.

T. M. Cooper, I.P.D.

Edinburgh: 24th February, 1948.

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3. SESSIONS OF COURT, 1949

Act of Sederunt (Sessions of Court) 1948

1948 No. 2824 (S. 208)

Made - - - - 18th December, 1948
Coming into Operation 18th December, 1948

The Lords of Council and Session by virtue of the powers conferred by section 2 of the Administration of Justice (Scotland) Act, 1948, considering that subsection (1) of section 4 of the Administration of Justice (Scotland) Act, 1933, has been repealed and that it is necessary to make immediate provision for the ordinary sessions of the Court during the year 1949, do hereby enact and declare as follows, videlicet :— 12 & 13 Geo. 6. c. 10. 23 & 24 Geo. 5. c. 41.

1. The ordinary sessions for 1949 shall be:—

From Tuesday, 4th January to Saturday 26th March ;
From Tuesday, 3rd May to Saturday 16th July ; and
From Tuesday, 11th October to Saturday 17th December.

2. This Act of Sederunt may be cited as the Act of Sederunt (Sessions of Court) 1948.

And the Lords appoint this Act of Sederunt to be inserted in the Books of Sederunt and to be printed and published in common form.

T. M. Cooper,
I.P.D.

Edinburgh,
18th *December*, 1948.

SHERIFF COURT, SCOTLAND

1. *Certificate for Admission to Poor's Roll.*
2. *Liquidations*, p. 3987.
3. *Unopposed Executry Petitions*, p. 3989.

1. CERTIFICATE FOR ADMISSION TO POOR'S ROLL

Act of Sederunt (Certificate for Admission to Poor's Roll in Sheriff Courts) 1948

1948 No. 1678 (S. 148)

Made - - - - 13*th July*, 1948
Coming into Operation 13*th July*, 1948

23 & 24 Geo. 5. c. 41. 7 Edw. 7. c. 51.

The Lords of Council and Session, under and by virtue of the powers conferred by section 34 of the Administration of Justice (Scotland) Act, 1933 and of all other powers competent to them in that behalf, do hereby enact and declare that Rule 162 of the First Schedule to the Sheriff Courts (Scotland) Act, 1907 shall be and is hereby repealed and that the following Rule shall be substituted:—

" 162. Along with his application for the benefit of the poor's roll the applicant shall produce an affidavit setting forth his circumstances in terms of the Form appended hereto, such affidavit to be sworn before a Justice of the Peace, Notary Public, Sheriff Clerk or Depute Sheriff Clerk or before any person entitled to administer oaths in Scotland, no fee being exigible in respect thereof."

Form of Affidavit

" At ..... on ..... in presence of ..... Justice of the Peace (or as the case may be) compeared ..... (name, designation and address of applicant), who, being solemnly sworn, depones:—

That he is an applicant for the benefit of the Poor's Roll to enable him to carry on an action in the Sheriff Court at ..... at his instance against ..... (*or* against him at the instance of ..... *or* as the case may be).

That he is ..... years of age, married (or unmarried) having the following persons wholly (or partially) dependent on him (state family circumstances, giving number and ages of children or dependants).

That his occupation is that of ..... and his weekly earnings are .....

That he is possessed of (state total estate).

That he is in receipt of ..... (state weekly amount of any pension, allowance, benefit or grant and its nature).

That he has not at present any other action depending at his instance or against him in any Scottish Court.

All which is truth as the deponent shall answer to God.

..... (Signature of applicant).

..... (Signature of J.P. or Commissioner)."