(*c*) The proceedings in any cases which were pending before the Court of the Railway and Canal Commission on the first day of April, 1949, in so far as they extend to Scotland, shall be adopted as Court of Session processes; but before any such case may be further proceeded with a petition must be presented under paragraph (*a*) of this Rule.

(*d*) Any person liable to make periodical or other payments under any order of the Court of the Railway and Canal Commission extending to Scotland and made before the first day of April, 1949 shall apply by petition under this Rule for directions regulating future payments under the said order."

2. This Act of Sederunt may be cited as the Act of Sederunt (Transferred Functions of the Railway and Canal Commission) 1949 and shall come into operation on the 12th day of July, 1949.

And the Lords appoint this Act of Sederunt to be inserted in the Books of Sederunt.

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

Edinburgh.
12th July, 1949.

EXPLANATORY NOTE

(This Note is not part of the Act of Sederunt, but is intended to indicate its general purport.)

Section 1 of the Railway and Canal Commission (Abolition) Act, 1949 transfers the functions of the Commission in Scotland to the Court of Session and section 2 of that Act confers jurisdiction on the Court of Session in relation to appeals and references under certain of the Telegraph Acts. This Act of Sederunt prescribes the procedure to be followed in connection with applications and appeals formerly dealt with by the Railway and Canal Commission and now to be dealt with by the Court of Session and makes special provision for certain proceedings pending before the Commission on the date on which the said Act of 1949 came into force (i.e. 1st April, 1949).

SHERIFF COURT, SCOTLAND

1. *Appeals.*
2. *Fees*, p. 3961.
3. *Jury Trials*, p. 3966.
4. *Sittings and Distribution of Business*, p. 3967.

1. APPEALS

Act of Sederunt (Sheriff Court Appeals), 1949

1949 No. 2062 (S. 144)

Made - - - - *4th November*, 1949
Coming into Operation *1st January*, 1950

The Lords of Council and Session under and by virtue of the powers conferred on them by section 34 of the Administration of Justice (Scotland)

Act, 1933(a), with a view to removing doubts as to the conditions under which certain appeals may be taken from a sheriff-substitute to the sheriff or from a sheriff-substitute or sheriff to the Court of Session, do hereby enact as follows:—

1. Application for leave to appeal against interlocutors of a sheriff or sheriff-substitute shall only be competent if lodged within seven days of the date of the interlocutor against which it is desired to appeal.

2. Where leave to appeal is granted the appeal may be taken within fourteen days of the date of the interlocutor to be appealed against or within seven days of the date of the interlocutor granting leave to appeal, whichever period expires at the later date.

3. An application for a certificate under section 28 (1) (D) of the Sheriff Courts (Scotland) Act, 1907(b), as amended by the Sheriff Courts (Scotland) Act, 1913(c), shall be treated for all purposes as an application for leave to appeal.

4. This Act of Sederunt may be cited as the Act of Sederunt (Sheriff Court Appeals), 1949, and shall come into operation on 1st January, 1950.

And the Lords appoint this Act of Sederunt to be inserted in the Books of Sederunt.

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

Edinburgh.
4th November, 1949.

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2. FEES

(1) *Court Fees.* | (2) *Officers' Fees,* p. 3962.

(1) COURT FEES

Act of Sederunt (Sheriff Court Fees) 1949

1949 No. 9 (S. 1)

Made - - - -	*4th January,* 1949
Laid before Parliament	*6th January,* 1949
Coming into Operation	*7th January,* 1949

The Lords of Council and Session, under and by virtue of section 40 of the Sheriff Courts (Scotland) Act, 1907, considering that by section 50 of, and Part II of the Ninth Schedule to, the National Health Service (Scotland) Act, 1947, the provisions of section 31 of the Lunacy (Scotland) Act, 1857 have been repealed, do hereby, with the concurrence of the Treasury, enact and declare:

7 Edw. 7. c. 51.
10 & 11 Geo. 6. c. 27.
20 & 21 Vict. c. 71.

1. The provisions of the Act of Sederunt of 16th July 1929(d), in so far as prescribing fees to be collected by Sheriff Clerks and accounted for to the General Board of Control in respect of proceedings under the Lunacy Acts, shall be and are hereby repealed.

(a) 23 & 24 Geo. 5. c. 41. (b) 7 Edw. 7. c. 51. (c) 2 & 3 Geo. 5. c. 28.
(d) S.R. & O. 1929 (No. 585) p. 1308.