



CHAPTER 48

SUMMARY JURISDICTION (SCOTLAND) ACT 1954 (REPEALED 1.4.1996)

1—43
44	Transfer of fine orders.
45—73
74
75
76	Acts of Adjournal making rules, etc.
77	Interpretation.
78
79	Short title, commencement and extent.

SCHEDULES

FIRST SCHEDULE —

.....

SECOND — Forms of Procedure SCHEDULE

Part I — INCIDENTAL APPLICATIONS

Examples of Craves for Warrants and Orders of Court

- (a) To grant warrant to officers of law to search...
- (b) To seize and destroy the carcass referred to in...
- (c) To order the property mentioned in the petition to...
- (d) To remit the accused to the sheriff of [place]...

Form of Warrant or Order to be written on such Petition

[Place and date.] The court having considered the foregoing petition...

Changes to legislation: There are currently no known outstanding effects for the Summary Jurisdiction (Scotland) Act 1954 (Repealed 1.4.1996). (See end of Document for details)

Part II — FORMS OF COMPLAINT AND CHARGES

Under the Summary Jurisdiction (Scotland) Act 1954

In the Court of at

The Complaint of Procurator Fiscal (or Burgh Prosecutor) (or other...

A.B. (Name and address sufficient to distinguish person) (or at...

The Complaint will be signed thus—

C.D. Procurator Fiscal (or Burgh Prosecutor
or Justice of the Peace Fiscal)

or

E. F. Complainer

or

G.H. Solicitor for Complainer.

The following Forms are additional to those contained in Schedule...

You did assault C.D. and strike him with your fists...

You did conduct yourself in a disorderly manner and commit...

You did threaten violence to the lieges and commit a...

You did fight and commit a breach of the peace....

You did publicly expose your person in a shameless and...

You did obtain from C.D. board and lodging to the...

You did maliciously knock down 22 yards of the coping...

You did maliciously place a block of wood on the...

You did drive a horse and cart recklessly to the...

You did break into a poultry house and steal three...

You did steal a coat which you obtained from C.D....

having received from C.D. £6 to hand to E.F., you...

having received from E.F. a watch in loan, you did...

having found a watch, you did, without trying to discover...

You did receive from C.D., a private in the Third...

You did obtain credit from C.D. to the extent of...

You, being the occupier of the said house, did use...

You did frequent and loiter in the said street for...

You, having on been convicted on indictment of the crime...

You, being a dealer in old metals, did purchase from...

You did assault C.D., a constable of the Police, while...

You did cruelly ill-treat a horse by causing it to...

You did wilfully neglect your children E.B., aged seven years;...

You, being a debtor in a process of sequestration and...

You are the owner of a dog which is dangerous...

You, being the parent of A.B., a child of school...

being an unauthorised place you did keep for sale 150...

You did keep 156 lbs. of gunpowder, and did not...

, being master of the steam trawler G.N., you did...

, being master of the steam trawler G.N., you did...

You did sell and deliver to E.F. to his prejudice...

You did induce J.P. to engage in an unlawful game...

You did by night enter on the said land with...

You did by night unlawfully take six rabbits; contrary to,...

You did in the daytime trespass on the said land...

You were found in the possession of five hares, a...

You did present or cause to be presented to C.D.,...

A.B., hotelkeeper, Hotel, you are charged, &c., that on Sunday...

You did sell a half gill of whisky to C.D.,...

You were found in a state of intoxication and incapable...

Changes to legislation: There are currently no known outstanding effects for the Summary Jurisdiction (Scotland) Act 1954 (Repealed 1.4.1996). (See end of Document for details)

You did knowingly sell a glass of whisky to C.D.,...
You did ride upon a bicycle without carrying a lamp...
You did drive a motor car recklessly (or at a...
You did fail to enter in your Pledge Book the...
You did act as a pedlar without having obtained a...
At one o'clock on the morning of the said date...
You did play at football, to the annoyance of the...
You kept and still keep nine hens and a cock,...
Being a known (or reputed) thief, you were found in possession...
You did place in a Post Office letter box a...
You did consign, for the food of man, to E.F....
You did travel in a railway carriage without having previously...
having on within the house No. Street, given birth to...
You did take two salmon during the annual close time...
You did carry off from the said premises the following...
You had in your possession for use for trade a...

Part III — FORMS OF NOTICES TO ACCUSED AS TO PENALTY FOR
STATUTORY OFFENCE AND PREVIOUS CONVICTIONS

Notice as to penalty for statutory offence

A.B. Take notice that in the event of your being...
C.D. Procurator Fiscal
[or Burgh Prosecutor]
[or Justice of the Peace Fiscal]
[or E.F. Complainer]
[or G.H. Solicitor for Complainer]
(Date)
Form No. 2

Notice of Previous Convictions in charge of Statutory Offence

A.B. Take notice that in the event of your being...

List of Previous Convictions

C.D. Procurator Fiscal
[or Burgh Prosecutor]
[or Justice of the Peace Fiscal]
[or E.F. Complainer]
[or G.H. Solicitor for Complainer]
(Date)
Form No. 3

Notice of previous convictions in charge of Common Law offence

A.B. Take notice that in the event of your being...
C.D. Procurator Fiscal
[or Burgh Prosecutor]
[or Justice of the Peace Fiscal]
[or E.F. Complainer]
[or G.H. Solicitor for Complainer]
(Date)

Part IV — WARRANTS OF CITATION, APPREHENSION, &C.

Changes to legislation: There are currently no known outstanding effects for the Summary Jurisdiction (Scotland) Act 1954 (Repealed 1.4.1996). (See end of Document for details)

This form only necessary if special diet is required

Edinburgh, 9th January 19 .—The court grants warrant to apprehend...

If search warrant desired, it may be in the following terms:—

Grants warrants to search the person, dwelling—house, and repositories of...

A.B., above designed, you are hereby summoned to appear personally...

Served by me on 9th January 19.

C.D., Police Constable.

A note in the following or similar terms may be...

NOTE.—If you plead not guilty to the above charge your...

To E.F. [name and designation].

You are hereby cited to appear personally on 16th January...

Note to be subjoined to Citations of Witnesses

Witnesses failing to attend the court without lawful excuse are...

Edinburgh, 16th January 19 .—The Court, in respect E.F. a witness...

Edinburgh, 9th January 19 .—The Court on the motion of the...

Officer's Execution of Service of Complaint on an Accused Person

I, officer of law, upon the day of lawfully summoned...

Officer's Execution of Citation of a Witness

I, officer of law, upon the day of lawfully cited...

Part V — MINUTES OF PROCEDURE, &C.

Bail Bond

I, C.D., do hereby judicially enact and bind and oblige...

E.F., Witness.

G.H., Witness.

The court, in respect of the failure of the accused to...

The court, in respect of the failure of the accused to...

To C.D., I, officer of law, Edinburgh, hereby charge you...

This charge served by me on 21st January 19 .E.F.,...

If you desire to obtain an extension of time for...

Forms similar to those applicable to the finding and forfeiture...

Extract

Under the Summary Jurisdiction (Scotland) Act 1954

In the court of at .

Name of accused

Date of conviction

Offence of which convicted

Sentence. Imprisonment days.

In respect of which sentence warrant is hereby granted to...

Sentence, £ fine or days' imprisonment. In respect of which sentence...

Sentence, £ fine (payable within days) or days' imprisonment.

In respect of which sentence, the period allowed for payment...

Sentence, £ caution for good behaviour for six months (from date...

Changes to legislation: There are currently no known outstanding effects for the Summary Jurisdiction (Scotland) Act 1954 (Repealed 1.4.1996). (See end of Document for details)

In respect of which sentence warrant is hereby granted to...
Sentence, £ fine or days' imprisonment
and
£ caution for good behaviour formonths (from payment of the...
In respect of which sentence warrant is hereby granted to...
Sentence. Imprisonment daysand £ caution for good behaviour for
months...
In respect of which sentence warrant is hereby granted to...
Sentence £, fine payable within days or days' imprisonment. Inrespect...
The necessary variations to meet different sentences will be made...
Part VI — FORMS OF PROCEDURE IN APPEALS

Stated Case

In the Court of held at
Case for the opinion of the High Court of Justiciary...
In causa A.B. v. C.D.
This is a cause [here state concisely and without argument...
The question submitted for the opinion of the Court is:—...
[Here state the question or questions seriatim, for the opinion...
This case is stated by me [or us].
(Signature of the Inferior Judge, or preses if more than...

Minutes of Procedure

Edinburgh, January, 19 .—The said A.B. craves the court to...
Eo diethe court fixes £ as the sum to be...
Eo die£ consigned.
January, 19 .—Draft case sent to appellant and duplicate thereof...
February, 19 .—Last date for receipt of adjustments.
March, 19 .—Case signed and sent to appellant and complaint...

Where Prosecutor consents to Conviction being set aside

January, 19 .—The prosecutor consents to the conviction in this...
(To be signed by the prosecutor or his Solicitor.)
January, 19 .—The Appellant intimated that he did not desire...
Eo die case transmitted to clerk of justiciary.
The above Minutes of Procedure will, except where otherwise stated,...

THIRD SCHEDULE — Table of Fees

FOURTH SCHEDULE —

.....

Changes to legislation:

There are currently no known outstanding effects for the Summary Jurisdiction (Scotland) Act 1954 (Repealed 1.4.1996).