



Court of Session Act 1821

1821 CHAPTER 38

XXIII Act of Sederunt to be made with regard to unextracted Processes.

And whereas by the said Acts passed in the Fiftieth and Fifty-" fifth Years of His said late Majesty's Reign, certain Regulations were made with regard to unextracted Processes, which have not been found effectual; and it is expedient that the Court of Session should be empowered to make a new Regulation as to that Matter, and also to provide for and facilitate an Arrangement of extracted Decrees, according to the Dates of the last Interlocutors in the Processes; be it enacted, That the said Court shall be empowered; by Act or Acts of Sederunt, from Time to Time to make such Regulations with regard to the Disposal and Arrangement of Processes remaining unextracted, whether final Decree may or may not have been pronounced therein, as shall be deemed fit and expedient; and to order and direct, if they shall see fit, that all extractable Processes shall be extracted in such Form and Manner as may seem expedient, and to make Provision for Payment out of the Fee Fund of the Charge, at the ordinary Rate for copying, for making the Record Copies of such Decrees as the Parties may not require to be extracted; and to make Regulations with regard to the Manner and the Person by whom Extracts of Decrees shall be authenticated after the Transmission, of Processes to the Keeper of the Records, and also with regard to the Manner and the Person by whom Extracts shall be authenticated, of all registered Deeds and Probative Writings, Charters, Precepts, and Instruments whatsoever issued after the Transmission thereof to the General Register House ; all which Orders and Regulations shall be valid and effectual; any thing in the said Two Acts contained to the contrary notwithstanding : Provided always, that Copies of all such Acts of Sederunt shall be transmitted by the President of the Court of Session to His Majesty's Secretary of State for the Home Department, to be by him laid before both Houses of Parliament, at or immediately after the Commencement of the ensuing Session, and no such Act or Acts of Sederunt shall become in force or receive effect until the Expiration of Three Calendar Months after the First Day of the Meeting of such Session of Parliament.