



Criminal Law (Scotland) Act 1830

1830 CHAPTER 37 11 Geo 4 and 1 Will 4

An Act to amend an Act of the ninth year of His late Majesty King George the Fourth, to facilitate Criminal Trials in Scotland, and to abridge the Period now required between the pronouncing of Sentence and Execution thereof, in cases importing a Capital Punishment. [16th July 1830]

Modifications etc. (not altering text)

- C1 Short title given by [Short Titles Act 1896 \(c. 14\)](#)
- C2 Preamble omitted under authority of [Statute Law Revision \(No. 2\) Act 1890 \(c. 51\)](#)

1 F1

Textual Amendments

- F1 S. 1 repealed by [Statute Law Revision Act 1873 \(c. 91\)](#)

2 **When sentence of capital punishment is passed, a day to be named for carrying it into execution.**

Every sentence of any criminal court importing a capital punishment, if pronounced in Edinburgh or in any other part of Scotland to the southward of the firth or river of Forth, shall specify a day for having the same put to execution, not being less than fifteen days or more than twenty-one days after the date of such sentence; and if pronounced in any place to the northward of the said firth or river of Forth, the day to be so specified shall not be less than twenty days or more than twenty-seven days after the date of such sentence.

3 F2

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Criminal Law (Scotland) Act 1830. (See end of Document for details)

Textual Amendments

F2 S. 3 repealed by [Circuit Courts and Criminal Procedure Scotland Act 1925 \(c. 81\)](#), **Sch.**

4, 5. **F3**

Textual Amendments

F3 Ss. 4, 5 repealed by [Summary Jurisdiction \(Scotland\) Act 1908 \(c. 65\)](#), **Sch. A.**

6 Transmission of prisoners.

It shall be lawful for any officer of the law, when lawfully conveying any prisoner to any gaol or before any magistrate, to convey such prisoner through any county adjoining to that over which the magistrate possesses jurisdiction before whom such prisoner is to be carried for examination, or to that in which the gaol is situated to which such prisoner is to be committed, in the same way in all respects as if such officer had been an officer of the county through which he may so pass, and as if the warrant under which he is acting had been granted or indorsed by a magistrate of such county.

7 Officers may cite jurors and witnesses, without witnesses.

It shall be sufficient for the legal citation of any juror or witness in any [^{F4}civil cause or proceeding], that such citation be given by any officer of the law duly authorized, without witnesses; and the oath of such officer in support of the execution shall be held and received as sufficient evidence of such citation when the same shall be questioned in a court of law.

Textual Amendments

F4 Words substituted by [Criminal Procedure \(Scotland\) Act 1975 \(c.21\)](#), **Sch.9 para.5.**

8 **F5**

Textual Amendments

F5 S. 8 repealed by [Criminal Procedure \(Scotland\) Act 1975 \(c. 21\)](#), **Sch. 10 Pt. I**

9 **F6**

Textual Amendments

F6 Ss. 9 repealed by [Statute Law \(Repeals\) Act 1989 \(c. 43\)](#), s. 1(1), **Sch. 1**

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Criminal Law (Scotland) Act 1830. (See end of Document for details)

10 F7

Textual Amendments

F7 S. 10 repealed by Statute Law (Repeals) Act 1977 (c. 18), Sch. 1 Pt. IV

11 F8

Textual Amendments

F8 Ss. 11, repealed by Statute Law (Repeals) Act 1989 (c. 43), s. 1(1), Sch. 1

12 F9

Textual Amendments

F9 S. 12 repealed by Criminal Procedure (Scotland) Act 1975 (c. 21), Sch. 10 Pt. I

13 **Provisions of 9 Geo. 4. extended to inferior judges, &c. in certain cases**

The ^{M1}Circuit Courts (Scotland) Act 1828 in so far as it provides for rendering all inferior judges and magistrates more safe in the execution of their duty, shall extend to all acts done by any such judge or magistrate in apprehending any party, or in regard to any criminal cause or proceeding, or to any prosecution for a pecuniary penalty.

Marginal Citations

M1 1828 c. 29.

14 F10

Textual Amendments

F10 Ss. 14 repealed by Statute Law (Repeals) Act 1989 (c. 43), s. 1(1), Sch. 1

15 F11

Textual Amendments

F11 S. 15, Sch. repealed by Police (Scotland) Act 1956 (c. 26), Sch. 3

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Criminal Law (Scotland) Act 1830. (See end of Document for details)

F12F12 SCHEDULE

Textual Amendments

F12 S. 15, Sch. repealed by [Police \(Scotland\) Act 1956 \(c. 26\), Sch. 3](#)

..... F12

Status:

Point in time view as at 01/02/1991.

Changes to legislation:

There are currently no known outstanding effects for the Criminal Law (Scotland) Act 1830.