



Exchequer Court (Scotland) Act 1707

1707 CHAPTER 53 6 Ann

XI Power of Barons to take Recognizances, &c. to have force. according to Stat. 33 H. VIII. c. 39. 1541 c. 39 Suits upon such Recognizances, &c. to have Preference in the Court of Exchequer, according to the said Stat. 33 H. VIII. c. 39.

And the said Barons of the Court of Exchequer in Scotland or any one or more of them either in Court or out of Court shall have full Power and Authority to take all Manner of Recognizances and Securities for Debts and that all Obligations Recognizances Specialties and other Securities for any the Revenues Rents Debts Duties Accounts Profits or other Things accruing or which shall or may become due or accrue to the Queen's Majesty Her Heirs or Successors within Scotland or which shall in any wise concern or relate thereto or any the Officers Ministers or Accountants thereof or for the same or which shall be taken in or by the Order of the said Court of Exchequer in Scotland or upon any other Account for the Use or Benefit of the Crown or for securing any the Revenues Debts or Duties of the Crown shall be taken in the Name of the Queen's Majesty Her Heirs and Successors and to be paid to the Queens Majesty Her Heirs and Successors with other proper Words and with and under such Conditions as shall be suitable to the Matter for which they shall be taken and shall have the full Force and Effect of any Obligations Recognizances and Specialties which have been or may be taken or acknowledged in the Court of Exchequer in England according to the Purport true Intent and Meaning of the ^{M1}Crown Debts Act 1541 or any other Law or Statute or any Practice Custome or Usage in the Court of Exchequer in England or by virtue of the Royal Prerogative and that all Suits and Prosecutions upon any the said Obligations Recognizances and Specialties or for any Revenues Debts or Duties any Ways due or payable to the Queens Majesty Her Heirs and Successors within Scotland shall be in the said Court of Exchequer in Scotland and Her Majesty Her Heirs and Successors shall be preferred and have Preference in all Suits and Proceedings in the said Court of Exchequer in Scotland according to the ^{M2}Crown Debts Act 1541 and according to the Usage Course and Practice of the Court of Exchequer in England and shall have and enjoy such and the same Prerogatives as well in and about Pleadings and in all other Matters and Things as by any the Laws in England or Course of Exchequer in England have been are or ought to be allowed and as well the Bodies as the Lands and Tenements Debts Credits and Specialties Goods Chattels and Personal Estate of all Debtors or Accountants to the Crown or their Debtors in Scotland shall be subject and liable and shall and may be made subject and liable by Extent Inquisition and

Changes to legislation: There are currently no known outstanding effects for the Exchequer Court (Scotland) Act 1707, Section XI. (See end of Document for details)

Seizures or by any other Process Ways or Means to the Payment of such Debts Duties or Revenues to the Crown and in such and the same Manner and Form to all Intents and Purposes as hath been or is used in the Court of Exchequer in England in like Cases.

Modifications etc. (not altering text)

- C1** Jurisdiction of Court of Exchequer in England now exercisable by the High Court of Justice: [Supreme Court of Judicature \(Consolidation\) Act 1925 \(c. 49\), s. 18 \(2\)](#)

Marginal Citations

- M1** 1541 c. 39.
M2 1541 c. 39.

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