



Declinature Act 1681

1681 CHAPTER 79

Act

concerning

Declinatures

Modifications etc. (not altering text)

- C1 Short title given by [Statute Law Revision \(Scotland\) Act 1964 \(c. 80\)](#), [Sch. 2](#)
- C2 This Act is listed in 12mo edition as [1681 c. 13](#).
- C3 The whole Act so far as relating to the Court of Session repealed by [Court of Session Act 1988 \(c. 36, SIF 36:1\)](#), s. 52(2), [Sch. 2 Pt. 1](#)

Our Sovereigne Lord Considering that by the Declinature Act 1594 It is expressly statute and Ordained that no Senatour of the Colledge of Justice . . . ^{F1} shall sit or vote in the Causes of their Father Brother and Son Doeth with advice and consent of his Estates of Parliament Statute and Ordain that this Declinatour shall for the future be farder extended to degrees of Affinity as well as Consanguinity So that in all time coming No Senatour of the Colledge of Justice . . . ^{F1} shall sit or vote in Causes wher the pursuer or defender is either ffather Brother or Son in Law to him And also that he shall not sit or vote in any cause where he is Uncle or Nephew to the Pursuer or Defender And it is heirby declared that this Act shall be extended to . . . ^{F1} the Commissioners of the Justiciary And to all other Judges and Judicatures in the Kingdom who may be declined wher they are related to the party pursuer or Defender in the Degrees forsaid

Textual Amendments

- F1 Words repealed by [Statute Law Revision \(Scotland\) Act 1964 \(c. 80\)](#), [Sch. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the Declinature Act 1681.