



Court of Session Act 1825

1825 CHAPTER 120

XXVII Proceedings in Classes of Actions in which the Forms of Process are different from Ordinary Causes.

And whereas, according to the Forms now observed in the Court of Session, there are certain Classes of Actions in which the Forms of Process and the Mode of preparing and discussing the Cause are different from those observed in the Class of Causes called Ordinary Causes ; but it is expedient that all Classes of Causes should, as nearly as may be, consistently with the Nature and Object of the Action, be prepared for Decision, and discussed according to the Method and on the Principles above laid down ; be it therefore enacted by the Authority aforesaid, That all Rescissory Actions, except Reductions of the Decrees of the Court of Admiralty in Maritime Causes, shall, from arid after the said Eleventh Day of *November* next, shall be inrolled and continue before the Junior Lord Ordinary without being taken by Avizandum to the Inner House, and thence remitted for Discussion ; arid before the Lord Ordinary the said Actions shall, with such Exceptions as the Judges under the Powers herein-after delegated to them shall think necessary, be prepared and discussed according to the Form and Method already directed with regard to ordinary Actions, but without Prejudice to the present Forms of Actions of Reduction in other Respects, and in regard to Suspensions and Reductions of Decrees pronounced by the Court of Admiralty in Maritime Causes, notwithstanding the Provisions of an Act passed in the First and Second Year of His present Majesty, intituled *An Act for the Better Regulation of the Court of Admiralty in Scotland*; and in respect to all other Actions whether originating in the Outer House or originating by Petition, or by Petition and Complaint, or otherwise, in the Inner House, the Court of Session are hereby required, under the Powers hereafter expressed, to establish by Act of Sederunt such Forms of Process suited to those several Causes as shall be most expedient and best adapted for preparing for Decision such Causes, and for duly separating the Matters of Fact from the Matter of Law involved therein, according to the Principles and Mode of Proceeding above provided with regard to ordinary Causes, and with Power to the Court to order such Causes to be prepared, discussed, and in the First Instance determined in the Outer House, or reported to the Inner House, as may seem best calculated for the due Investigation and Decision of such Causes.