



Jurors (Scotland) Act 1825

1825 CHAPTER 22 6 Geo 4

An Act to regulate the Qualification and the Manner of enrolling Jurors in Scotland, and of choosing Jurors on Criminal Trials there; and to unite Counties for the Purposes of Trial in Cases of High Treason in Scotland. [20th May 1825]

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 Act 1890 \(c. 33\)](#)

[1.] F1

Textual Amendments

- F1 Ss. 1, 2 repealed by [Law Reform \(Miscellaneous Provisions\) Act 1980 \(c. 55, SIF 72:2\)](#), s. 28(2), [Sch. 3](#)

2 F2

Textual Amendments

- F2 Ss. 1, 2 repealed by [Law Reform \(Miscellaneous Provisions\) Act 1980 \(c. 55, SIF 72:2\)](#), s. 28(2), [Sch. 3](#)

[^{F3}3] **General jury book.**

[^{F4}(1)]The sheriff principal of each sheriffdom shall, in respect of each sheriff court district in his sheriffdom, maintain [^{F5}in such form as may be approved by the Lord Justice-General, two lists (to be known as the “lists of potential jurors”) containing

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the names, [^{F6}addresses] and dates of birth of such number as the sheriff principal considers appropriate of—

- (a) in the first list, men; and
- (b) in the second list, women

within the district who appear to him to be qualified and liable to serve as jurors; and those lists]shall be kept in the sheriff clerk’s office for the district and shall be open on all lawful days to the inspection of any person]

- [^{F7}(2) For the purpose of maintaining lists of potential jurors under subsection (1) above, a sheriff principal may require any person in the sheriff court district in question who appears to him to be qualified and liable to serve as a juror to provide such information, and in such form, as the Secretary of State may by order prescribe.
- (3) A statutory instrument containing an order by virtue of subsection (2) above shall be subject to annulment pursuant to a resolution of either House of Parliament.
- (4) Any person who fails to comply with a requirement under subsection (2) above shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 1 on the standard scale.
- (5) In proceedings against a person for an offence under subsection (4) above it is a defence to prove that he had reasonable excuse for the failure.]

Textual Amendments

F3 S. 3 substituted by [Local Government \(Scotland\) Act 1973 \(c. 65\), Sch. 27 Pt II para. 4](#)

F4 S. 3 renumbered as s. 3(1) (S.) (31.3.1996) by [1995 c. 20, s. 6\(a\)](#); S.I. 1996/517 art. 3(2) (which amendment falls (1.4.1996) by reason of the repeal of s.6 of the amending Act by [1995 c. 40, ss. 6\(1\), 7\(2\), Sch. 5](#) (with [s. 4, Sch. 3 para. 16\(3\)](#))) and s. 3 renumbered as s. 3(1) (1.4.1996) by [1995 c. 40 ss. 5, 7\(2\), Sch. 4 para. 1\(a\)](#).

F5 Words substituted by [Law Reform \(Miscellaneous Provisions\) \(Scotland\) Act 1985 \(c. 73, SIF 36:1\), s. 23\(1\)](#)

F6 Word in [s.3\(1\)](#) substituted (31.3.1996) by [1995 c.20, s. 6\(b\)](#); S.I. 1996/517 art. 3(2) (which substitution falls (1.4.1996) by reason of the repeal of s. 6 of the amending Act by [1995 c. 40, ss. 4, 6\(1\), 7\(2\), Sch. 3 para. 16\(3\), Sch. 5](#)) and word in s. 3(1) substituted (1.4.1996) by [1995 c. 40 ss. 5, 7\(2\), Sch.4 para. 1\(b\)](#).

F7 [S. 3\(2\)-\(5\)](#) inserted (5.3.1996 for specified purposes and 31.3.1996 insofar as not already in force) by [1995 c. 20, s. 6\(c\)](#); S.I. 1996/517, [art. 3](#) (which insertion falls (1.4.1996) by reason of the repeal of s. 6 of the amending Act by [1995 c. 40, ss. 4, 6\(1\), 7\(2\), Sch. 3 para. 16\(3\), Sch. 5](#)) and s. 3(2)-(5) inserted (1.4.1996) by [1995 c. 40 ss. 5, 7\(2\), Sch.4 para. 1\(a\)](#).

4 ^{F8}

Textual Amendments

F8 S. 4 repealed by [Juries Act 1949 \(c. 27\), Sch. 3](#)

5, 6. ^{F9}

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Textual Amendments

F9 Ss. 5, 6 repealed by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 29](#)

[^{F10} Jurors for High Court and Court of Session trials in Edinburgh.

[^{F11}The Court of Session may by Act of Sederunt], specify the areas from which and the proportions in which jurors are to be summoned for trials in [^{F11}that court], and for any such trial the sheriff principal of the sheriffdom in which the trial is to take place shall requisition the required number of jurors from the areas and in the proportions so specified.]

Textual Amendments

F10 S. 7 substituted by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 27 Pt II para. 5](#)

F11 Words substituted by [Criminal Procedure \(Scotland\) Act 1975 \(c. 21\)](#), [Sch. 9 para. 1](#)

8, 9.^{F12}

Textual Amendments

F12 Ss. 8, 9 repealed by [Criminal Procedure \(Scotland\) Act 1975 \(c. 21\)](#), [Sch. 10 Pt I](#)

10 Order in which names of jurors are to be taken.

Provided always, that the sheriffs, in all returns of jurors made by them to any [^{F13}civil court], shall take the names in regular order, beginning at the top of the lists [^{F14}of potential jurors], in each of the [^{F15}sheriff court] districts foresaid respectively, as required; and as often as any juror shall be returned to them, they shall mark or cause to be marked, in the said [^{F14}lists]of their respective [^{F15}sheriff court districts] . . .^{F16}, the date when any such juror shall have been returned to serve; and in all such returns they shall commence with the name immediately after the last in the preceding return, without regard to the court to which the return was last made, and taking the subsequent names in the order in which they shall have been entered, as herein directed, and so to the end of the lists respectively.

Textual Amendments

F13 Words substituted by [Criminal Procedure \(Scotland\) Act 1975 \(c. 21\)](#), [Sch. 9 para. 2](#)

F14 Words substituted by [Law Reform \(Miscellaneous Provisions\) \(Scotland\) Act 1985 \(c. 73, SIF 36:1\)](#), ss. 23, 59(1), [Sch. 2 para. 1](#)

F15 Words substituted by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 27 Pt II para 8](#)

F16 Words repealed by [Juries Act 1949 \(c. 27\)](#), [Sch. 3](#)

11^{F17}

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Textual Amendments

F17 Ss. 11, 14 repealed by [Law Reform \(Miscellaneous Provisions\) \(Scotland\) Act 1985 \(c. 73, SIF 36:1\)](#), s. 59(2), [Sch. 4](#)

12 **F18**

Textual Amendments

F18 S. 12 repealed by [Juries Act 1949 \(c. 27\)](#), [Sch. 3](#)

13 Jurors as returned to serve on trials.

The lists returned as herein directed by the sheriffs to the clerks of court, and none other, shall be used for the several [^{F19}civil jury] trials for which the same shall have been required.

Textual Amendments

F19 Words inserted by [Criminal Procedure \(Scotland\) Act 1975 \(c. 21\)](#), [Sch. 9 para. 3](#)

14 **F20**

Textual Amendments

F20 Ss. 11, 14 repealed by [Law Reform \(Miscellaneous Provisions\) \(Scotland\) Act 1985 \(c. 73, SIF 36:1\)](#), s. 59(2), [Sch. 4](#)

15, 16. **F21**

Textual Amendments

F21 Ss. 15, 16, 18, 20 repealed by [Criminal Procedure \(Scotland\) Act 1975 \(c. 21\)](#), [Sch. 10 Pt I](#)

17 **F22**

Textual Amendments

F22 S. 17 repealed by [Criminal Procedure \(Scotland\) Act 1975 \(c. 21\)](#), [Sch. 10 Pt I](#) and expressed to be repealed (S.) by [Court of Session Act 1988 \(c. 36, SIF 36:1\)](#), s. 52(2), [Sch. 2 Pt. I](#)

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18 F23

Textual Amendments

F23 Ss. 15, 16, 18, 20 repealed by Criminal Procedure (Scotland) Act 1975 (c. 21), Sch. 10 Pt I

[^{F24}19 **Jurors may be excused.**

The several [^{F25}civil] courts foresaid shall respectively have power to excuse any one or more jurors from serving on any trial or trials, the grounds of such excuse being stated in open court.]

Textual Amendments

F24 S. 19 repealed (S.) by Court of Session Act 1988 (c. 36, SIF 36:1), s. 52(2), Sch. 2 Pt. I

F25 Word inserted by Criminal Procedure (Scotland) Act 1975 (c. 21), Sch. 9 para. 4

20 F26

Textual Amendments

F26 Ss. 15, 16, 18, 20 repealed by Criminal Procedure (Scotland) Act 1975 (c. 21), Sch. 10 Pt I

21 F27

Textual Amendments

F27 S. 21 repealed by Treason Act 1945 (c. 44), Sch.

22 F28

Textual Amendments

F28 S. 22 repealed by Statute Law Revision Act 1873 (c. 91)

Changes to legislation:

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