



# Court Of Session Act 1830

1830 CHAPTER 69 11 Geo 4 and 1 Will 4

1—3. .... F1

## Textual Amendments

F1 Ss. 1–3, 9, 11, 15, 16, 19 repealed (S.) by [Court of Session Act 1988 \(c. 36, SIF 36:1\)](#), s. 52(2), [Sch. 2 Pt. 1](#)

4 ..... F2

## Textual Amendments

F2 S. 4 repealed by [Statute Law Revision Act 1873 \(c. 91\)](#)

5—7. .... F3

## Textual Amendments

F3 Ss. 5–7 repealed by [Administration of Justice \(Scotland\) Act 1933 \(c. 41\)](#), [Sch.](#)

8 ..... F4

## Textual Amendments

F4 S. 8 repealed by [Statute Law Revision Act 1873 \(c. 91\)](#)

*Status: Point in time view as at 01/04/1996.*

*Changes to legislation: There are currently no known outstanding effects for the Court Of Session Act 1830. (See end of Document for details)*

9 ..... F5

**Textual Amendments**  
F5 Ss. 1–3, 9, 11, 15, 16, 19 repealed (S.) by Court of Session Act 1988 (c. 36, SIF 36:1), s. 52(2), **Sch. 2 Pt. I**

10 ..... F6

**Textual Amendments**  
F6 S. 10 repealed by Administration of Justice (Scotland) Act 1933 (c. 41), **Sch.**

11 ..... F7

**Textual Amendments**  
F7 Ss. 1–3, 9, 11, 15, 16, 19 repealed (S.) by Court of Session Act 1988 (c. 36, SIF 36:1), s. 52(2), **Sch. 2 Pt. I**

12 ..... F8

**Textual Amendments**  
F8 S. 12 repealed by Statute Law Revision Act 1873 (c. 91)

13, 14. .... F9

**Textual Amendments**  
F9 Ss. 13, 14 repealed by Administration of Justice (Scotland) Act 1933 (c. 41), **Sch.**

15, 16. .... F10

**Textual Amendments**  
F10 Ss. 1–3, 9, 11, 15, 16, 19 repealed (S.) by Court of Session Act 1988 (c. 36, SIF 36:1), s. 52(2), **Sch. 2 Pt. I**

17 ..... F11

*Status: Point in time view as at 01/04/1996.*

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**Textual Amendments**

**F11** S. 17 repealed by [Statute Law Revision Act 1873 \(c. 91\)](#)

**F12** **18** .....

**Textual Amendments**

**F12** S. 18 repealed (S.)(1.4.1996) by [1995 c. 40, ss. 6, 7\(2\), Sch. 5](#) (with [Sch. 3 para. 1](#))

**19** ..... **F13**

**Textual Amendments**

**F13** Ss. 1–3, 9, 11, 15, 16, 19 repealed (S.) by [Court of Session Act 1988 \(c. 36, SIF 36:1\), s. 52\(2\), Sch. 2 Pt. I](#)

**20** ..... **F14**

**Textual Amendments**

**F14** S. 20 repealed by [Administration of Justice \(Scotland\) Act 1948 \(12, 13 & 14 Geo. 6 c. 10\), Sch.](#)

**21 Transference of Admiralty Jurisdiction.**

..... **F15** the Court of Session shall hold and exercise original jurisdiction in all maritime civil causes and proceedings of the same nature and extent in all respects as that held and exercised in regard to such causes by the High Court of Admiralty before the passing of this Act;..... **F16**

**Textual Amendments**

**F15** Recital omitted under authority of and words repealed by [Statute Law Revision \(No. 2\) Act 1890 \(c. 51\)](#)

**F16** Words repealed by [Statute Law Revision Act 1963 \(c. 30\)](#)

**22—** ..... **F17**

**24.**

**Textual Amendments**

**F17** Ss. 22–24 repealed by [Sheriff Courts \(Scotland\) Act 1907 \(c. 51\), Sch. 2](#)

*Status: Point in time view as at 01/04/1996.*

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25 ..... F18

**Textual Amendments**  
F18 Ss. 25, 26 repealed by Statute Law Revision Act 1873 (c. 91)

26 ..... F19

**Textual Amendments**  
F19 Ss. 25, 26 repealed by Statute Law Revision Act 1873 (c. 91)

**27 Sheriff clerks to act as clerks to sheriffs in maritime causes.**

The sheriff clerks of the several counties of Scotland shall respectively act as clerks to the sheriffs in maritime causes: Provided always, that neither that officer, nor any other person appointed to any office, or acquiring right to any fees or emoluments in virtue of the provisions of this Act, shall be entitled to prefer any claim to compensation in consequence of the subsequent abolition of such office or fees, or of any alteration therein.

28 ..... F20

**Textual Amendments**  
F20 S. 28 repealed by Statute Law Revision Act 1874 (c. 35)

**[<sup>F21</sup>29 As to inferior Admiralty jurisdiction.**

All inferior Admiralty jurisdiction, not dependent upon the High Court of Admiralty, shall continue as heretofore, but the judgments of such courts shall be subject to review solely in the courts of Session and Justiciary respectively: Provided always, that nothing herein contained shall extend or be construed to extend to lessen or take away any salary or allowance now payable to the sheriff substitute of the district of the town of Leith by the commissioners of police of the said town, but the same shall continue to be paid as heretofore.]

**Textual Amendments**  
F21 S. 29 repealed (S.), so far as relating to the Court of Session, and the proviso by Court of Session Act 1988 (c. 36, SIF 36:1), s. 52(2), Sch. 2 Pt. I

30 ..... F22

*Status: Point in time view as at 01/04/1996.*

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**Textual Amendments**

**F22** S. 30 repealed by Statute Law Revision Act 1873 (c. 91) and Statute Law Revision Act 1950 (c. 6), **Sch. 1**

**31** ..... **F23**

**Textual Amendments**

**F23** S. 31 repealed by Statute Law Revision Act 1890 (c. 33)

**32** ..... **F24**

**Textual Amendments**

**F24** S. 32 repealed by Sheriff Courts (Scotland) Act 1907 (c. 51), **Sch. 2**

**33** **Consistorial actions to be instituted in the Court of Session.**

[<sup>F25</sup>Subject to section 5(2B) of the Sheriff Courts (Scotland) Act 1907, all]actions of declarator of marriage, and of nullity of marriage, . . . <sup>F26</sup>, and all actions of divorce, . . . <sup>F27</sup> shall be competent to be brought and insisted on only before the Court of Session.

**Textual Amendments**

**F25** Words substituted by Divorce Jurisdiction, Court Fees and Legal Aid (Scotland) Act 1983 (c.12, SIF 47), s. 6(1), **Sch. 1 para. 1**

**F26** Words repealed (S.) by Law Reform (Parent and Child) (Scotland) Act 1986 (c. 9, SIF 49:8), ss. 9, 10(2), **Sch. 2**

**F27** Words repealed by Sheriff Courts (Scotland) Act 1907 (c. 51), **Sch. 2**

**Modifications etc. (not altering text)**

**C1** S. 33 extended by Court of Session Act 1850 (c. 36), s. 16 and Matrimonial Proceedings (Polygamous Marriages) Act 1972 (c. 38), s. 2

**34** ..... **F28**

**Textual Amendments**

**F28** Ss. 34, 38 repealed by Statute Law Revision Act 1873 (c. 91)

**35** ..... **F29**

*Status: Point in time view as at 01/04/1996.*

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**Textual Amendments**

**F29** S. 35 repealed (S.) by [Court of Session Act 1988 \(c. 36, SIF 36:1\)](#), s. 52(2), **Sch. 2 Pt. I**

**36** ..... **F30**

**Textual Amendments**

**F30** S. 36 repealed (S.) by [Civil Evidence \(Scotland\) Act 1988 \(c. 32, SIF 47\)](#), s. 10(1)(3), **Sch.**

**37** ..... **F31**

**Textual Amendments**

**F31** Ss. 37, 40 repealed (S.) by [Court of Session Act 1988 \(c. 36, SIF 36:1\)](#), s. 52(2), **Sch. 2 Pt. I**

**38** ..... **F32**

**Textual Amendments**

**F32** Ss. 34, 38 repealed by [Statute Law Revision Act 1873 \(c. 91\)](#)

**39** ..... **F33**

**Textual Amendments**

**F33** S. 39 repealed by [Statute Law Revision Act 1874 \(c. 35\)](#)

**40** ..... **F34**

**Textual Amendments**

**F34** Ss. 37, 40 repealed (S.) by [Court of Session Act 1988 \(c. 36, SIF 36:1\)](#), s. 52(2), **Sch. 2 Pt. I**

**41—** ..... **F35**  
**43.**

**Textual Amendments**

**F35** Ss. 41–43 repealed by [Statute Law Revision Act 1873 \(c. 91\)](#)

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44 ..... F36

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**Textual Amendments**

**F36** S. 44 repealed by [Statute Law Revision Act 1890 \(c. 33\)](#)

45 ..... F37

.....  
**Textual Amendments**

**F37** S. 45 repealed by [Statute Law Revision Act 1873 \(c. 91\)](#)

46 ..... F38

.....  
**Textual Amendments**

**F38** S. 46 repealed by [Statute Law Revision Act 1874 \(c. 35\)](#)

**Status:**

Point in time view as at 01/04/1996.

**Changes to legislation:**

There are currently no known outstanding effects for the Court Of Session Act 1830.