



Court of Session Act 1850

1850 CHAPTER 36 13 and 14 Vict

48 Lord Ordinary may try special facts without a jury.

.....^{F1} In any cause before the Court of Session it shall be competent to the Lord Ordinary before whom such cause depends, without adjusting an issue or issues, to pronounce an interlocutor, stating distinctly any such question or questions to which the parties are to address their proof, and appointing such question or questions for trial by himself, without a jury; and the proof to be adduced by the parties shall in such case be limited to the points so stated, and shall proceed at such time and place as shall be appointed, unless on review of such interlocutor it shall appear to the court that such course of procedure is not in the circumstances of the case expedient, or the interlocutor be otherwise altered by the court; and the Lord Ordinary shall find on each such question separately, and his findings on such questions shall be final, subject always to such review, correction, and objections as would have been competent there-against under this Act if the cause had been tried by such Lord Ordinary on issues.

Textual Amendments

F1 Recital omitted under authority of [Statute Law Revision Act 1891 \(c. 67\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Court of Session Act 1850, Section 48.