



Court of Session Act 1868

1868 CHAPTER 100 31 and 32 Vict

VII.—APPEALS FROM INFERIOR COURTS

72 Proof and judgment upon appeals.

The Court may, if necessary, order proof or additional proof to be taken in any appeal under this Act, such proof to be taken in the same manner as proof may be competently taken in any cause depending before the Inner House, and shall thereafter, or without any such order (if no such proof or additional proof is necessary), give judgment on the merits of the cause according to the law truly applicable in the circumstances, although such law is not pleaded on the record; and the record may, with leave of the Court, be amended at any time, on such conditions as to the Court shall seem proper.

Modifications etc. (not altering text)

C1 Ss. 50–101 repealed (S.) by [Court of Session Act 1988](#) (c. 36, SIF 36:1), s. 52(2), [Sch. 2 Pt. I](#) (and re-enacted in part as referred to in [Sch. 2 Pt. II](#) of that Act)

Changes to legislation:

There are currently no known outstanding effects for the Court of Session Act 1868, Section 72.