



Evidence Further Amendment (Scotland) Act 1874

1874 CHAPTER 64 37 and 38 Vict

4 Short-hand writers may be employed to record evidence in sheriff courts.

In every case of a proof in a civil cause or proceeding in a sheriff court in Scotland, and in every case of evidence being taken in any such cause or proceeding to lie in retentis, the following provisions shall have effect:

- (1) It shall be competent to the sheriff, on the motion of any party to the cause or proceeding and if he sees fit, to cause the evidence to be taken down and recorded in short-hand by a writer skilled in short-hand writing, to whom the oath de fideli administratione shall be administered, provided that the sheriff shall himself dictate to the short-hand writer the evidence which he is to record, and a note of the documents adduced and any admissions made by the parties:
- (2) When a short-hand writer is so employed he shall be appointed by the sheriff and paid by the parties in the first instance equally, and the extended notes of such short-hand writer, certified by him as correct, shall be the record of the oral evidence in the case; provided that, should the correctness of the said record of evidence be questioned it shall be competent to the sheriff to satisfy himself in regard thereto, by the examination of witnesses or otherwise, and, if necessary, to amend the said record.

Changes to legislation:

There are currently no known outstanding effects for the Evidence Further Amendment (Scotland) Act 1874, Section 4.