



# Criminal Procedure (Scotland) Act 1887

## 1887 CHAPTER 35

### **3 Procedure on resignation, death, or removal of Lord Advocate**

The Lord Advocate and his Deputes shall not demit office on the resignation of the Lord Advocate, but shall continue in office until their successors respectively receive their appointments, and the Lord Advocate shall enter upon the duties of his office immediately on receiving his appointment, and may take the oaths of office before any Secretary of State or any Lord Commissioner of Justiciary ; and all indictments which have been raised by any Lord Advocate shall continue in force and effect notwithstanding such resignation, and may be taken up and proceeded with by his successor; and where any Lord Advocate shall die during his tenure of office, or otherwise be removed from office, it shall be lawful to indict persons accused in name of the Solicitor General then in office, until another Lord Advocate is appointed, and the Advocates Depute and Procurators Fiscal shall have power, notwithstanding such death or removal from office of the Lord Advocate, to take up and proceed with any indictments already raised in name of such Lord Advocate, and any indictments that may be raised in name of such Solicitor General.