

1700. *June 22.*

BRUCE, Supplicant.

No 128.

AN advocation being craved from Bruce of Buguian, Admiral-depute of Fife, about the property of a young whale called a springer, that was taken there, whether it was *inter regalia* or not, it was *alleged*, That all advocations of processes before the Admiral, by the act 16th, parliament 1681, are discharged; but the LORDS having considered that act, which had extended the jurisdiction of that Court too far, they found *that* was only of pursuits before the High Admiral, and not of inferior deputes, who, either on the head of partiality, injustice, or being parties, may be stopped. Yet the LORDS thought they could not advocate these causes to themselves, but to the High Admiral, even as the Lords did with advocations of criminal causes; and sometimes they give directions to the Commissaries, even in divorces, &c. where they are not judges in the first instance.

*Fol. Dic. v. 1. p. 497. Fountainball, v. 2. p. 98.*

## S E C T. V.

## Whether the Court can suspend Decrees of Sovereign Courts.

No 129.

1545. *June 13.* MARION TOURIS *against* The LAIRD of WEMYSS.

THE Lordis of Sessioun ar not jugeis competent in the cause of suspensioun of ony letteris of horning direct and gevin be the Lordis of Secretit Counsall, conform to ane decreit gevin be thame, the quhilk the ane partie refusis to obey, and thairfoir desyris the letteris and executioun thairof to be suspendit agains the uther partie; because the Lordis of Secretit Counsall, quha wer the gevaris of the decreit, ar jugeis to all letteris, and uther contraversies or debaitis quhilk flowis and arises upon the said decreit.

1546. *April 1.*—GIF the partie fulfillis and obeyis the said decreit, the Lordis of Counsall may suspend the letteris and proces of horning gevin be the Lordis of Secretit Counsall.

*Fol. Dic. v. 1. p. 498. Balfour, p. 267.*