

given in, setting forth that at Bremen no decret bore faith, nor was regarded, unless it bore the seal of the Court by which it was pronounced; and therefore praying, that the seal of this Court might be appended to this decret; which the Lords granted, and ordered the seal to be appended accordingly.

See Fount., *29th March* 1683. They had done so also in the Commission for the proof in the *Douglas Cause*, *21st July* 1764.

1778. *February 24.* COLTART of ARREEMING *against* MAXWELL of NITHSDALE, &c.

EXCEPT in the two cases mentioned in the regulations 1695, § 17, unless there is special authority, no partial decret can be extracted; or, in other words, no decret can be extracted in parts. Coltart of Arreeming brought a process of non-entry against Maxwell of Nithsdale, and many other defenders, concluding that they were his vassals, and were liable in full maills from the citation. After a very tedious litigation, the Lords finally found so; *i. e.* That the defenders held their lands of Mr Coltart: but they gave the full maills only from the date of the interlocutor. Two of the defenders reclaimed, and insisted that they were sub-feuars, and held their lands not of Mr Coltart, but of Walker, one of the feuars. The Lords remitted their petition to an Ordinary to hear further upon them. Mr Coltart, having appealed as to the decision on account of the restriction of the maills and duties, applied to the clerks for an extract of the decree against all the defenders except the two who had reclaimed. The clerks offered an extract of interlocutors, but they hesitated to give it out as a decret, the process not being at an end, and the exception of the two reclaiming sub-feuars going to the principal libel. But, upon a petition presented by Mr Coltart, and intimated, the Lords allowed the extracted decret to be given out as to the whole defenders except the two above-mentioned.

1778. *March 6.* MACKAY *against* BARCLAY.

THE Lords, having adhered to the interlocutor of an Ordinary, gave expenses from the date of his interlocutor; which they modified to £5. A petition was given in craving full expenses; but it was found to be incompetent, and contrary to the Act of Sederunt 1715.

The Lords were of the same opinion, *6th March* 1778, *Mackay against Barclay*. They refused the petition as incompetent.