

1731. *January.*      BLACKWOOD *against* HALIDAY.

No 6.

IN a process before the Sheriff, upon a contract wherein several parties were bound, compearance was made for one of the defenders, and a declinator offered that he was not subject to the jurisdiction of the Sheriff, he living in another shire. The Sheriff *ob contingentiam causæ* appointed him to be cited by letters of supplement, and that being done, decerned against him. In a suspension of this decree, the LORDS found it intrinsically null, as pronounced against one not subject to the Sheriff's jurisdiction, nor was this defect supplied by the letters of supplement. The Lords may assist inferior judges in explicating their jurisdiction, but they cannot give them any new jurisdiction. *See APPENDIX.*

*Fol. Dic. v. I. p. 547-*

See APPENDIX.

VOL. XX.

45 Z