



Court of Session Act 1868

1868 CHAPTER 100

VI.—INNER HOUSE PROCEDURE.

52 Effect of a Reclaiming Note against a Final Judgment.

Every Reclaiming Note, whether presented before or after the whole Cause has been decided in the Outer House, shall have the Effect of submitting to the Review of the Inner House the whole of the prior Interlocutors of the Lord Ordinary of whatever Date, not only at the Instance of the Party reclaiming, but also at the Instance of all or any of the other Parties who have appeared in the Cause, to the Effect of enabling the Court to do complete Justice, without Hindrance from the Terms of any Interlocutor which may have been pronounced by the Lord Ordinary, and without the Necessity of any counter Reclaiming Note; and after a Reclaiming Note has been presented, the Reclaimer shall not be at liberty to withdraw it without the Consent of the other Parties as aforesaid; and if he shall not insist therein, any other Party in the Cause may do so, in the same Way as if it had been presented at his own Instance.