

HYPOTHEC.

1735. *February 20.* GARDEN of Troup *against* DR GREGORY.

HYPOTHEC not pleadable by cautioners for the tack-duty against an arrester, without an assignment, not even though paid by them.

No. 1

1735. *December 4.*

CREDITORS of M'LELLAN *against* BURNS and OTHERS.

JOURNEYMEN employed in building and finishing a tenement have no hypothec nor preference for their wages, nor action *de in rem verso*, and therefore an infertment for relief of debts preferred to them, though some of the work was after the infertment.

No. 2.

1736. *February 17.* NIEL M'VICAR *against* LADY KIRNAN.

HYPOTHEC of writers in their clients' writs sustained in land rights, but only against their employer. *Vide* No. 15. *infra*, where the contrary was found.

No 3.

1736. *June 29.*

SIR JOHN RUTHERFOORD *against* SCOTT of Bonchester.

A MASTER pursuing for his rent one who intromitted with and poided the tenants' goods; the Lords sustained the defence, that the defender left

No. 4.