No. 10. of intimation to him of assignations) for affecting a debt due by the hospital, though not used in the hands of the Governor and Directors; and preferred to another in their hands according to its date; because by the constitution of the Hospital, he was the proper officer for granting bonds to bind the Hospital. *Vide* Creditors of Hardie, 22d June 1742, No. 19, *infra*. (See DICT. No. 69, p. 738.)

1739. *February* 7.

Mrs. FRANCES SINCLAIR *against* CREDITORS of Her Husband.

No. 11. ARRESTMENT by the husband's creditors of an heritable debt of the wife's (a bond bearing annualrent;) the Lords found, that the arrestment did not affect the whole *jus mariti*, (as they had found 5th July 1726, Spruel against Sir James Grant,) but only the bygone annualrents. (See DICT. No. 49, p. 713.)

1739. *June* 26.

JOHN TUACH of Logiereoch *against* M'KENZIE of Dundonald.

No. 12. ARRESTMENT being used in the hand of the consigner of money for redemption of a wadset at the instance of the reverser's creditors; in the declarator of redemption, a forthcoming being repeated, the Lords found that the arrestment did not so affect the consigned money as to prejudge the redemption or hinder the declarator. (See DICT. No. 3. p. 3078.)

1739. *November* 20. CREDITORS of SCOTT of Blair *against* E. of ABERDEEN.

No. 13. ARRESTMENT in the hands of an apparent heir not served or entered at the time (though he was afterwards served) found to affect a debt due by his predecessor, albeit that heir was not debtor himself at the time of the arrestment; because an apparent heir sustained *personam defuncti et hereditatem jacentem*; and most of the Lords thought there was no other habile diligence whereby a creditor of a defunct can affect a moveable debt due by the defunct. *Vide inter eosdem*, No. 9, *supra*. (See DICT. No. 70, p. 738.)