No. 4. as many goods as would satisfy the rent, and that these goods were intromitted with and poinded by the pursuer for another debt. Indeed, they once altered this interlocutor, and repelled the defence, in respect of the answer, that at the term of payment of the rent there did not remain goods sufficient for the rent, and repelled the reply, that these goods that were left were intromitted with by the master the pursuer, in respect he lawfully poinded them for former rents, though he had no hypothec for these rents; but thereafter they returned again to the first interlocutor, and sustained the defence above. (See DICT. No. 35. p. 6226.)

1736. *July* 22. PRINGLE *against* SCOTT of Harden.

No. 5.

UPON the question, Whether *currente termino* a master may upon his hypothec stop poinding of his tenants cattle till security be given him for his rent, though there are then corns on the ground sufficient for payment of his rent? First it carried that he could not in that case stop the poinding; but thereafter that interlocutor was altered, and it carried that he could stop it. (See DICT. No. 20. p. 6216.)

1737. *February* 18.
PATRICK CRAWFURD of Auchnames *against* The TACKSMEN of Langtown.

No. 6

EACH crop is hypothecated only for the rents of that year or crop, but not for rents of a preceding crop, though only payable the year after, (but as to the cattle, not decided;) and therefore a poinding in October 1736 of the crop then in the yard, could not be stopped upon the hypothec for the rent of the crop 1735, though it was by paction payable only at Candlemas and Lammas 1736. *2dly*, The creditor having for the master's security of the rent of that crop 1736, not then fallen due, offered to the master himself a bond with sufficient caution, and also to consign bank notes to the value in the Sheriff's hands; the Lords found the offers *separatim* sufficient for the master's hypothec for that crop.—Affirmed in Parliament. *Vide* Information Turnbull of Houndwood, and Cockburn, against these Tacksmen, 25th January 1749. (See No. 7.)