

ample manner as such causes could be heard and determined by the laws of England, in the Ecclesiastical Courts there." February, 1777, ch. 22, s. 14. Hence, I take it to be clear, that as the Ecclesiastical Courts of England would, in all cases of cruelty and adultery, pass a sentence of divorce *a mensa et thoro*, and grant alimony as a necessary and proper incident of such a sentence; or that the Court of Chancery, after such a divorce, would award to the wife alimony, or a separate maintenance out of the husband's estate, *Oxenden v. Oxenden*, *Gilb. Eq. Rep. 1*; *Hobbs v. Hull*, 1 *Cox*, 445; *Ball v. Montgomery*, 2 *Ves. Jun.* 195; *Duncan v. Duncan*, 19 *Ves.* 395; so here, although this Court has no authority to pass any such sentence of divorce; or in any manner to meddle with the

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spects until such time as His Grace's answer to the appeal be had; whereof the defendant is to take notice at his peril.

On the 18th of October, 1707, the sheriff made return, that he had served the order on Thomas Macnamara, who said that he would not obey it, neither could the law or any one oblige him to do it. Upon which, an attachment was issued, and after some efforts to oppose or evade the process, he was taken into custody, and brought before the Court, and submitted to obey the order.—*Chancery Proceedings, lib. P. C. fol. 579.*

This appears to have been the first suit of the kind here, in Chancery, by a wife against her husband for alimony; of which it had been previously determined, that the County Courts had no jurisdiction—4 H. & McH. 477. It appears by the preamble of the Act of 1718, ch. 16, (Parks' Laws of Maryland,) that this Thomas Macnamara, who had come into the Province as an Irish papist, and afterwards declared himself to be of the Church of England, was a practitioner of the law in several of the Courts of the Province, and had been sundry times suspended here, and in the Province of Pennsylvania, for his misdeeds, and readmitted here on his fair promises of amendment, under the authority of the Act of 1715, ch. 48, s. 12. But having then on a late suspension from his practice, (for a full account of the very grossly offensive causes of which, see *Chancery Proceedings, lib. P. L. fol. 397, 413,*) obtained Queen Anne's order to be restored to it: and relying upon that royal order, as exempting him from the operation of the Act of 1715, had treated the Courts in the most indecent manner, despised their authority, and affronted their persons, which they had been cautious in punishing him for; being partly deterred by his great interest in England, and partly by his threatening, litigious, and revengeful temper, as well as his method of practising upon many unthinking people, to surprise them into certificates and affidavits in his favor, &c.; by which he had, at length, arrived to so intolerable a degree of pride and arrogance, that he had even attacked the Governor himself in his character and government, and affronted the Governor and Chancellor publicly in the execution of his office, &c. &c. Whereupon, it was enacted, that Thomas Macnamara should be disabled from practising as an attorney or solicitor in any Court of judicature of the Province. And moreover, in general, that the magistrates should observe with strictness the demeanor of practitioners, &c. Dropping what related merely to Macnamara, the general provisions of this law were a short time after re-enacted, and yet remain in force, 1719, ch. 4.