

of this court, has been placed beyond all further question, by an act of assembly, which declares, 'that the Chancellor shall and

of the said Thomas Macnamara towards his wife, manifested not only to the Chancellor, but to all Her Majesty's council in assembly, before whom appeared, not long since, the said Margaret, so battered, bruised, and inhumanly beaten in most parts of her body, that had she not been of a constitution more than ordinarily strong, she could hardly have recovered it: and finding by daily expressions the said Thomas to be of a mad, turbulent, furious, and ungovernable temper; therefore, for the preservation of the poor petitioner's life,

It is *Ordered*, that during the time the said Thomas and Margaret shall continue separate, and until they shall mutually reconcile themselves to each other, and cohabit, he, the said Thomas, shall allow and pay to the said Margaret his wife, £15 sterling *per annum*, by quarterly, or at least by half-yearly payments, to commence from the sixteenth day of October. And it is further *Ordered*, that he forthwith deliver unto her the wearing clothes and other small necessaries to her belonging, herein particularly specified, *viz*: one gown, &c. &c. *Ordered*, likewise, that the aforesaid order be served immediately by the sheriff of Anne Arundel county upon the said Thomas, and that the said sheriff make return thereof.

From this order the said Thomas prayed an appeal to His Grace the Lord Archbishop of Canterbury in the Arches; and that he might have a copy of the aforesaid order to transmit to England.

16th October, 1707.—SEYMOUR, *Chancellor*.—Let the appeal be granted, as prayed; the said defendant performing, notwithstanding, the said order in all respects 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 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 re-admitted 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 sur-