

may hear and determine, all causes for alimony, in as full and ample manner, as such causes could be heard and determined by the laws of England, in the ecclesiastical courts there.' (x) 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; (y) so here, although this court has no authority to pass any such sentence of divorce; or in any manner to meddle with the contract of marriage itself; yet, according to the provisions of this act, it cannot allow itself to receive any matter as a sufficient ground for granting alimony alone, which would not be a sufficient foundation in England, for granting a divorce *a mensa et thoro*, together with its incident alimony. (z)

prise them into certificates and affidavits in his favour, &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 demeanour 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.

(x) February, 1777, ch. 22, s. 14.—(y) *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.—(z) *Wallingsford v. Wallingsford*, 6 H. & J. 485.

LYNTHCUMB'S CASE.—This case was a bill filed by Jane Lynthcumb against Gideon Lynthcumb, her husband.

14th March, 1738.—OGLE, Chancellor.—Upon hearing counsel of both sides, it is Ordered, that the defendant pay unto the complainant after the rate of three thousand pounds of tobacco *per annum*, as a separate maintenance for her during the continuance of this suit, or until further order, if the estate of John Ford, late husband of the complainant, be left under the care and management of the defendant.

Some time after which, the case appears to have been again brought before the court.

December, 1739.—OGLE, Chancellor.—Upon motion of the complainant's counsel, it is Ordered, that the defendant do not take from the complainant her bed, bed-clothes, furniture to the bed, and her wearing apparel.—*Chancery Proceedings*, lib. J. R. No. 4, fol. 65, 146.

SCOTT'S CASE.—This bill was filed on the 20th day of August, 1746, by Mary Scott, against Andrew Scott. In which it is stated, that the plaintiff had been married to John Abington, who by his will appointed her his executrix, and soon after died seized and possessed of a very large real and personal estate, of which she ob-