

having brought means with her to her husband, it was lawful to the husband, *quocumque tempore* before his death, to grant a provision to his wife, either before or upon deathbed, for her necessary aliment, and to supply the want of a contract of marriage. The Lords, before answer, ordained the defender to condescend what means her husband got with her, where, and by whom paid, and how she is able to prove the payment thereof.

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1665. November. ELIZABETH RIG *against* THOMAS BEG.

IN the declarator of redemption, in June last, pursued by Thomas Beg against John, his son, thereafter compeared Elizabeth Rig, spouse to the said Thomas, who was infest in the liferent of the said tenements for implement of her contract of marriage, and to whom, for security of her liferent, the said reversion and order of redemption was assigned; and it was alleged for her, That she concurred to the pursuit. Answered, That she could not concur, being clad with a husband, who could not give her *personam* to pursue where he himself is excluded. 2. Her assignation was not registrate in the register of reversions. 3. Her infestment was not *habilis modus*, to transmit the right of reversion in her favours, without an assignation registrate. Replied, That the wife, with or without the husband's concurrence, might defend and make good her own right. 2. A disposition and procuratory of resignation, whereupon infestment followed, needs not to be registrate: her seazine being *debite* registrate, at least in the town of Edinburgh's books; which is sufficient. 3. Such a right denudes the granter of *omne jus*, and consequently of the right of reversion; as has been often found. The Lords, having heard the cause *in præsentia*, sustained the order at the wife's instance, *ad hunc effectum* that she may bruik her liferent after her husband's death, in case she survived him.

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1666. January. MR GEORGE CLAPERTOUN *against* The LAIRD of TORSONCE.

THERE was a comprising deduced at the instance of the Laird of Torsonce, or James Brown of Colstoun, to his behoof, of the lands of Wyllicleugh, against Ramsay, as lawfully charged to enter heir to the deceased Sir George Ramsay of Wyllicleugh, his father, and George his brother, in June 1616. After which, there was a second comprising led, within fourteen days, at the instance [of] Mr Alexander Kinnier: to which Mr George Clappertoun, having right, used an order of redemption of the first comprising against Torsonce, and others having interest, before Whitsunday 1664; to which term the legal reversions of all comprising, whereof the legal was not expired in January 1662, was prorogated by Act of Parliament 1661. And now he craves that the order may be declared, and that the first comprising may be found satisfied, either by disposition made by the first compriser, of some of the lands, the worth whereof doth far exceed the sum due by the first comprising, [or] by his intromission with the