No. 23. 1744, June 26. EARL of WIGTON *against* COUNTESS DOWAGER of WIGTON.

WE found by a great majority that a disposition by Earl of Wigton to his Lady in 1741 of what cash she should have in her custody at his death, and of the bed and table-linen and sewings, tea-plate, and dressing-plate, was not revoked by a general trust-disposition in 1742, naming his trustees executors, and conveying to them all gold and silver coined and uncoined, goods and gear, that he should have at his death, with directions to sell the whole except the household furniture, which was appointed to remain in the house: Therefore we affirmed the Commissaries' interlocutor, ordering these to be given up to the Lady on caution. But we thought that did not extend to bonds or obligations granted the Lady for money by third parties during the marriage, and we gave no opinion on the allegeance that these obligations arose from money given in presents to the Lady with the husband's knowledge at entering vassals and granting leases, because we had no evidence of the fact, (only the President seemed to think it not relevant) and therefore would not order Mr Lockhart's two notes that were found in the Lady's strong box to be delivered up, but we ordered them to be registrated (since they had no clause of registration) in the register of probative writs, and themselves put into the Earl's repositories. There was also a pretty new question, whether dressing-plate was *paraphernalia*, Lady Clementina having claimed them as belonging to her mother the last Lady Wigton, and therefore not alienable by her father. I thought that they were not *paraphernalia*, and that nothing was such but the attire or ornaments of the wife's person. The President on the other hand thought them *paraphernalia*, and instanced the patch box. However, as Lady Clementina had not proved her right, we agreed that they also should be delivered to the Lady Wigton on caution.

No. 24. 1744, July 18. CAMERON *against* LAWSON.

WE gave a like judgment as we did 5th January last, Crawfurd against Campbell, (No. 20.) finding that a man's wife could not be adduced against him; but at same time we found that a son of 14 years old might be adduced against his father to prove facts that happened two years ago.

No. 26. 1747, July 22. BURTON *against* AGNES CORSE, HIS WIFE.

THE Lords refused to stop an inhibition at the husband's instance against his wife, but thought he could not do it upon false and injurious narratives, and therefore ordered it to be seen as to that.

No. 27. 1747, Nov. 11, 21. EARL of CAITHNESS *against* THE COUNTESS of CAITHNESS.

THE question was, Whether a husband can *ad libitum* inhibit his wife? Tinwald thought he could not. Arniston thought that he could not without settling a reasonable maintenance for the family whereof she had the managemcnt, or in case of living sepa-