

1735. *February 1.*A. *against* B.

No. 5.

WIFE decerned in L.30 scots for a scandal, wherein her husband was assoilzied, horning was given against her alone, and not against the husband for his interest.—Milton, Reporter. (See No. 1. *voce* HORNING.)

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1736. *February 16.*Mrs SINCLAIR of Brabster *against* SINCLAIR of Barrack.

No. 6.

A MAN having given his wife a liferent of certain lands in satisfaction of the provisions in her contract of marriage, (whereby she had been provided to a share of conquest and of moveables,) by a disposition signed only by her husband, but which was found in the wife's cabinet at her death many years thereafter, but before her husband's death;—a proof being brought of the wife's acceptance of this disposition, the Lords first found that disposition not binding on her executors, 4th November, (but signed the 10th) 1736; but afterwards they found the disposition binding on her executors, though her acceptance was proven only by witnesses, no infestment taken on it, and though thereafter, and during the wife's life, the husband gave an heritable security upon these new liferent lands, with several other lands, for a large sum of money, but on which there was not either any infestment taken.

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1737. *January 20.*FOSTER *against* FERGUSON.

No. 7.

WIFE being *præposita* in keeping a shop, found to be no sufficient *præpositura* to borrow money so as to bind the husband.

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1787. *July 5.*CUMING *against* CUMING.

No. 8.

A HUSBAND who was in straits, pledged his wife's gold watch, &c. for the loan of money, six months before his death, which the wife did not quarrel at that time. The Lords, because of these circumstances, presumed the wife's knowledge and consent, and sustained the pledge; though they thought in general, that a husband's possession of his wife's *paraphernalia* is not sufficient to enable him to impignorate or dispose of them.