

MOORE v. MEYNELL.

Lord Cowper, C. 1 August 1716.

A writ of *ne exeat regno* against a feme covert, the administratrix of her late husband, who had come to England to get in his property.

By an order (the order is not entered.—J. D.) dated the 11th of April 1719, on an application for the wife to go to her husband, who was at Antigua, it appeared that the plaintiff had had dealings with the late husband of the defendant Ann Meynell, who was his administratrix, and had possessed what effects she could; that she had intermarried with the defendant John Meynell; that she had come to England upon business, and meant to return; that a writ of *ne exeat regno* had issued against her until answer, and further order; that having given bail, and put in her answer, she had applied to have the writ discharged, which the Court had ordered, upon her giving security to abide the event of the suit; and that she had given security accordingly.

N.B.—The Court upon this application put terms upon the plaintiff to speed the cause.

[Mew's Dig. *Ne exeat regno*, 2.]

[31] LORD HOWARD v. LORD ABERGAVENNY.

6 August 1717. *Shepherd v. Shepherd*, 25 May 1732; *Tribe v. Teal*, 27 May 1745; *Billers v. Billers*, 1 August 1751, S. P.

A testamentary guardian for an infant, who is abroad, to answer and defend the suit.

[Mew's Dig. *Infant*, G, 6. g.]

DEARDAN v. HALSEY.

28 Jan. 1718.

The defendant ordered to be committed for a contempt; but not being to be found, a sequestration issued; the sequestrators having returned *nulla bona*, liberty was given to execute the want of commitment.

PERISHAL v. SQUIRE.

Hil. 1718. Lord Macclesfield, C. *Vid.* *Dickenson, v. Marie inf.* [Dick. 582].

The plaintiff, a pauper, claimed as heir at law; the defendant claimed under a will not proved, and a deed disputed: the bill was retained, with liberty to bring an action. The tenants ordered to pay the plaintiff £150 to enable him to go to trial.

[Mews' Dig. II, Practice, II, h; 2, XXI, a. See *Nye v. Maule*, 1839, 4 My. & Cr. 342.]

[32] DAVIS v. DAVIS.

(Reg. Lib. A. fol. 619.) 3 May 1718. 2 Eq. Abr. 554, S. C.

An executor having voluntarily paid legacies, and the assets afterwards proving deficient, the legatee was decreed to refund. The like determination in *Roberts* against *Roberts* (Bro. C. C. 487), by Lord Thurlow, C., and the like in *Deschamps v. Tomkins*, at the sittings after Trinity Term, 1789. *Vid.* also *Dagly v. Crump inf.* [Dick. 35].

CRESWELL v. RADCLIFFE.

(Reg. Lib. A. 557.) 15 Oct. 1718. .

The bill was brought without the consent of one of the plaintiffs: upon application to dismiss the bill, it was ordered that his name should be struck out as one of the plaintiffs.