

Agreement" does not reveal the name of the "person", as the act calls him, who was her intended husband.

The matter came before the Assembly in the form of a petition by Mary, her father and mother, and her uncle, praying for the passage of an act legalizing the proposed settlement (pp. 291, 292). The preamble of the act recites that Henry Darnall, Jr., and his wife, Rachel, Mary's parents, and her uncle, Robert Darnall, have represented that Mary, "an Infant of the Age of 19 years—[had had] an advantageous offer of Marriage—and the sum of 300 pounds Sterling a year is proposed to be settled on the said Mary during her natural Life in lieu and in Bar of Dower and of the Right she might have to any Part of the Personal Estate of her intended Husband which Settlement the Petitioners approve of and are willing and desirous that the same should be executed." The preamble goes on to say that the intended Marriage is delayed because the petitioners are doubtful whether the acceptance of the settlement for securing the jointure by her, an infant, without legislative authority can bar her from the right of dower and that part of her husband's personal estate she might be entitled to. The act recites that Mary may, with the consent of her father, mother, and uncle, accept a marriage settlement by which she will receive £300 sterling annually, secured by sufficient land during her life after the "Death of the Person with whom she may intermarry", this barring her from any claim of dower or share of the personal estate (pp. 422-423).

When the bill came up in the Lower House it was passed and sent to the Upper House, which also approved it, Daniel Dulany dissenting. He said that while he thought the settlement proposed was unusual and liberal, he was against the bill on legal grounds because it is a "Standing Rule of this House not to pass Acts in Consequence of private Petitions, where the remedy or purpose sought is sufficiently provided for by the general existing Laws." He cited several English statutes which he considered validated a jointure of this kind barring a wife from dower when made by a lady between nineteen and twenty years of age. He feared that a settlement such as this, hitherto deemed valid, hereafter "may unless great Care be taken, be affected by a particular Interposition of the Legislature, either on the Ground of its being necessary, or Proper" (pp. 291-292, 293).

One cannot help speculating why Charles Carroll of Carrollton, the wealthiest man in Maryland, should wish to bar his widow from her dower and one-third interest in his personal estate, and why the Assembly acted contrary to the opinion of that outstanding lawyer, Daniel Dulany, which was against the advisability of legislative approval of the marriage settlement. Did the members feel that the realist, Charles Carroll, might refuse to marry the young lady did he not have his way? Certainly everyone must have known whom Mary Darnall was to marry, although the prospective groom's name nowhere appears in the act, or in the journal of either house. That Carroll outlived his wife many years and never remarried, is not without interest in this connection.

FISH CONSERVATION

The first Maryland laws for the conservation of fish were enacted in 1768. Fish preservation had come up for consideration at the November-December,