

241. 1 Anders. 84. 2 Roll. 105, 245. 7 Co. 39. Dyer, f. 349. Moor. 196, pl. 345. Jones, 179.

V. Land assured to the use, that Rent should be paid out thereof to some other. 1 Anders. 275, 338.

VI. A Woman shall not have both a Jointer and Dower of her Husband's Lands. Co. pl. f. 171, 172. Co. 1. 4, f. 1, &c. Dyer, f. 61, 97, 228, 248, 266, 317, 340. Co. Inst. 36 b.

VII. A Woman shall be endowed, whose Jointer is recovered. Moor. 717.

IX. A Jointer after Marriage may be taken or refused by the Wife. Co. 1. 3, f. 27. Moor. 721.

X. This Statute shall extinguish no Statute or Recognizance, &c.

XIV. *Cestuy que use* may take all such Advantages as his Feoffees might have had.

The 11th, 12th, 13th, 15th, 16th, 17th and 18th sections are not in force and are therefore not included in this collection.

**Who can be seised.**—I. II. The King, and by consequence the State, cannot be seised to an use, and the word "person" is understood to prevent corporations taking by conveyance to the use of another,<sup>1</sup> but they may acquire and pass their own estates by conveyances operating only by the Statute of Uses; and aliens and persons attainted are likewise disqualified for holding property for this as other purposes, 1 Sand. Us. 62 *et seq.*<sup>2</sup>

**Word "seised" excludes personalty.**—The word "seised" likewise excludes chattels and rights.<sup>3</sup> Thus where an existing term of years is assigned to A. to the use of B., it has been uniformly held that the provisions of the Statute do not apply, and that the use therefore will remain unexecuted, for of such estates the termor is not seised but only possessed. Of course a term may be newly created by a conveyance operating under the Statute, that is, a freehold may be limited for a term of years to an use, which is the common English case of a bargain and sale for a year, *Waters v. Tazewell*, 9 Md. 291; but if a trust is created in personalty and the purposes of the trust are at an end, then, upon a plain meaning and intent of the instrument creating the trust, the absolute estate will be in the person entitled to the last use, *Denton v. Denton*, 17 Md. 403.<sup>4</sup>

<sup>1</sup> But see *Rogers v. Sisters of Charity*, 97 Md. 550.

<sup>2</sup> But see now Act of 1874, ch. 354, (Code 1911, Art. 3, sec. 1.)

<sup>3</sup> *Warner v. Sprigg*, 62 Md. 14; *Long v. Long*, 62 Md. 66; *Byrne v. Gunning*, 75 Md. 30; *Hooper v. Felgner*, 80 Md. 271; *Prince de Bearn v. Winans*, 111 Md. 475.

<sup>4</sup> **Duration of title of trustee—Personal property.**—The rule laid down in *Denton v. Denton supra* has been affirmed in several later cases. While the Statute of Uses does not apply to personal property, a trust in regard thereto will continue only so long as the purposes of the trust require; and when all of its objects have been accomplished the person entitled to the beneficial use will be regarded as the absolute owner and as such entitled to the possession of the property. And the minority of the *cestui que trust* in remainder will not cause the trust to continue longer, the guardian of the