

The other part of the Statute, relating to the widow's other lands and tenements, is in affirmance of the common law, and extends to lands which she has in frank marriage, or of any other estate or inheritance, the corn or grass growing thereupon she may lawfully dispose, 2 Inst. 81.

**Crops raised on mortgaged land.**—When crops are planted on land which is subject to a mortgage, a purchaser of the land at foreclosure sale before actual physical severance and gathering of the crops is entitled to the same as against a third party to whom the mortgagor had previously executed a bill of sale of the crops as well as against the mortgagor himself. *Wootton v. White*, 90 Md. 64. Cf. *Chelton v. Green*, 65 Md. 272.

But now by the act of 1900 ch. 457 it is provided that where any real or leasehold estate is encumbered by a mortgage, except when otherwise agreed by its terms, no annual crops pitched or cultivated by any debtor therein, or those claiming under him, shall pass with said property at any sale under said mortgage, but such crops shall remain the property of said debtor, or those claiming under him, subject to a lien on said crops for the rental of the part of the property occupied by them, said rental to be agreed upon by the parties or determined by appraisers appointed by the court having jurisdiction over such sale, the purchaser having also the right of distress for said rental. Code 1911, Art. 66, secs. 26-28.

## CAP. IX.

**He is a Bastard that is born before the Marriage of his Parents.**

To the King's writ of Bastardy, Whether one being born before Matrimony may inherit in like manner as he that is born after Matrimony, all the Bishops answered, That they would not, nor could not, answer to it; because it was directly against the common Order of the Church. (2) And all the Bishops instanted the Lords, that they would consent, that all such as were born afore Matrimony should be legitimate, as well as they that be born within Matrimony, as to the succession of Inheritance, forsomuch as the

*Ad breve regis de Bastardia, utrum aliquis natus ante matrimonium habere poterit hæreditat', sicut ille qui natus est post matrimonium, responderunt omnes episcopi, quod nolunt nec possunt ad istud breve respondere, quia hoc esset contra communem formam ecclesie. Et rogaverunt omnes episcopi magnates, ut consentirent, quod nati ante matrimonium essent legitimi, sicut illi qui nati sunt post matrimonium, quantum ad successionem hæreditariam, quia ecclesia tales habet pro legitimis. Et omnes comites*