of opinion that the case was within it, because L. D., the lessor of the plaintiff in the ejectment, had a term in reversion in the land and so was a reversioner within the very letter of the Statute, and that a remainderman was within the equity of the law. And the defendant not being able to prove that J. D. the father was alive at any time within seven years last past, the plaintiff had a verdict.

Presumption of life.—Where a man has been proved to be once alive, the first general presumption is the continuance of his life until the contrary is proved, Thomas v. Visitors, &c., 7 G. & J. 369.[1] In one case, the Court of Q. B. said that they could not assume judicially that a person alive in 1034 was not still living in 1827, Atkins v. Warrington, 1 Chitty Plead. 288, 6th edit. But this preliminary presumption is rather only this, that a man who is alive at one period is alive at some subsequent period within a reasonable limit, unless that presumption is rebutted by evidence or by counter-presumption. There may be circumstances which destroy the first general presumption of life and induce the contrary presumption of death, as where it would be contrary to the ordinary course of nature that the party should be living, Sprigg v. Moale, 28 Md. 497. Thus in Stevenson v. Howard's lessee, 3 H. & J. 554, A. in 1744 devised to B. in tail after his mother's death, and died in 1746. B. in 1780, being then in possession, conveyed to C. under whom the plaintiff claimed, and it was held in an action brought in 1808 that, the mother having been at least twenty-five years of age in 1744, from the length of time that had elapsed the life estate must be considered to have expired before the ejectment was brought. This case was approved in Thomas v. Visitors, &c. *supra*. There the question was whether a party, who had died intestate, left relations within the fifth degree of consanguinity. He had left Ireland in 1798, and shortly before his death, which occured in 1826, he spoke of an aunt in Ireland who had been much advanced in years when he came to this country, and declared that he knew of no other relations. The Court thought that the jury might presume that this aunt was dead at the time of his death, which appeared to have been his own opinion, and that the presumption might extend further to the non-existence of any relations within the fifth degree. However, in Hammond's lessee v. Inloes, 4 Md. 138, the Court observed, that though death may be presumed after a long lapse of time, as if the party, if alive, would be one hundred and fifty years old, yet, when persons have lived to the age of ninety or one hundred years, the Court could not say that others have died earlier without proof on the subject; but the grant of letters of administration to *his estate is **502** *prima facie* evidence of the death of a person, *ibid.* In general, therefore, less than an extraordinary lapse of time does not raise the presumption of death, without going further, and shewing that the party has been absent and not heard of by those who would have heard of him if he had returned. In an ejectment in 1849 by a reversioner for premises demised in

[1] Shriver v. State, 65 Md. 286. Where a trust is declared by a deed in favor of a named person, he must, until the contrary is shown, be presumed to have been alive at the date of the deed. The burden of proving his death before that lies on the person asserting it. *In re* Corbishley's Trusts, 14 Ch. D. 846.