

to her son Frederick, and to any other child or children of her's, who may, by the law of Maryland, take, as such, from her.

A settlement of this kind, is the peculiar creature of equity; the chief purpose of it is to save a married woman from the evil consequences of the misconduct, negligence, or misfortune of her husband. And, as in this instance, there is much reason to believe, that the wife may stand in need of all the safeguards the Court can place about her; I shall limit her power of alienation, during coverture, by directing the rents and profits or income only, of the amount to be invested for her separate use, to be paid to her from time to time, and not by anticipation; so that she may not, by any undue influence, be deprived of that means of support, which it is the intention of the Court to have most effectually secured to her. *Parkes v. White*, 11 Ves. 210; *Brandon v. Robinson*, 18 Ves. 429; *Jackson v. Hobhouse*, 2 Meriv. 486; *Barton v. Briscoe*, 4 Cond. Cha. Rep. 283; *Woodmeston v. Walker*, 6 Cond. Cha. Rep. 457; *Jones v. Salter*, 6 Cond. Cha. Rep. 463; *Brown v. Pocock*, 6 Cond. Cha. Rep. 464.

The claims of Sumwalt and McFarren, and of Flagler, only remain to be disposed of.

It is well settled, that a married woman is fully competent to come into this Court and make a valid release of whatever she may be entitled to have awarded to her, upon the ground of "the wife's equity;" and consequently, this plaintiff Anna, must be held, by this her bill, to have completely released all her claims and pretensions to the full extent of the mortgage or assignment of such her interest to Sumwalt and McFarren; and her husband Lewis Helms, having by his answer expressly admitted the validity of their claim, the whole of it, principal and interest, must be decreed to be paid to them, when the amount shall have been stated by the auditor.

With regard to Flagler's petition, as he does not pretend to give his claim any other or stronger foundation, than that of an assignment * from Lewis Helms, after the 29th of August, 1823; and as Lewis Helms could not after that time, when he had **584** consented to the settlement of the whole upon his wife, have been, nor cannot now be allowed to take any part of this legacy; Flagler, who only claims under him, cannot be permitted to take any part of it. And consequently, without saying anything of the propriety of Flagler's petition, in other respects, it is perfectly evident that it must be dismissed with costs.

Whereupon it is Decreed, that the said executors, John Franciscus and Philip B. Sadtler, account with Anna G. M. Helms and Lewis Helms, her husband, of and concerning the personal estate of the late Carsten Newhaus, including as a part of the said residuary legacy, so much of the personal estate as was given by the last will of the late Carsten Newhaus, to Betsy A. Bauers, —