

ground of malconduct of the husband.—The jurisdiction of this court as to alimony.—This court may give to the wife a separate maintenance out of her own estate.—The making of a settlement upon the ground of what is called ‘the wife’s equity.’—How an infant may become a ward of court.—In general, the court settles only a part of the wife’s fortune upon her; but, in some cases, or with the consent of her husband, the whole of her fortune may be settled on her.—The settlement is made upon the wife and her legitimate and illegitimate children; the act of assembly having given to bastards a capacity to take from their mother as heirs or next of kin.

THIS bill was filed on the 14th of September, 1818, by *Anna Gebetha Margaretha Wandelohr*, formerly of Chambersburg, in the state of Pennsylvania, but then of the city of Baltimore, against *John Franciscus* and *Philip B. Sadtler*. The bill stated that the plaintiff’s brother, *Carsten Newhaus*, on the 20th of June, 1816, made his last will, according to law, in which he disposed of his estate in the following words:

‘I give and bequeath unto my nephews, *Carsten Newhaus*, *John Newhaus*, and *Jacob Newhaus*, all of Baltimore county aforesaid, children of my deceased brother, *John Newhaus*, the sum of \$4,000, to be equally divided between and amongst them, that is to say, to each of them the sum of \$1,500. *Item*, I give and bequeath unto nieces and nephews, namely, *Anna G. Bowers*, *Betsey A. Bowers*, ——— *Bowers*, *Henry A. Bowers*, and *John D. Bowers*, the three daughters and two sons of my late sister, ——— *Bowers*, of Bremen, deceased, the sum of \$7,500, to be equally divided between and amongst them, that is to say, to each one of them the sum of \$1,500. *Item*, I give and bequeath unto *John Rathean*, of Baltimore county aforesaid, the sum of \$600; and I do request and direct, that the several legacies herein before bequeathed be paid out of my estate, by my executors, herein after named, as soon as conveniently may be after my decease. *Item*, I give, devise and bequeath unto my sister, *Anna G. M. Newhaus*, of Chambersburg, in the state of Pennsylvania, her heirs and assigns, all the rest, residue, and remainder of my estate and property of every description, of whatsoever it may consist, or wheresoever situated or being; to hold the same to my said sister, *Anna G. M. Newhaus*, her heirs and assigns forever. And lastly, I do hereby constitute and appoint *John Franciscus* and *Philip B. Sadtler* executors of this my last will and testament.’

The bill further stated, that on the 24th of June, 1816, after having made this will, *Carsten Newhaus* died; that the will was proved on the 29th day of the same month, and letters testamen-