

to be made upon his mother. Because it is evident, from the general spirit of the cases in relation to this subject, that the fortune of the wife is settled upon her and her children, looking to her blood, and confining the descent or distribution to those who would lawfully take from her as her immediate descendants. This bastard son *Frederick* is a child who, upon those principles, would take according to our law; and consequently, the settlement upon the plaintiff *Anna* must be extended 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. (x)

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 assign-

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(x) *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.