

MARYLAND GAZETTE.

T H U R S D A Y, M A Y 4, 1786.

By the SENATE, March 7, 1786.

ON motion, RESOLVED, that the consideration of the bill, entitled, An act to direct descents, be postponed to the next session of the general assembly, and that the said bill be published in the Baltimore and Annapolis news-papers.

By order,

J. DORSEY, clk.

A bill, entitled, An ACT to direct descents.

WHEREAS the law of descents, which originated with the feudal system and military tenures, is contrary to justice and ought to be abolished;

Be it enacted, by the General Assembly of Maryland,

That if after the commencement of this act, any person seized of an estate in any lands, tenements, or hereditaments, lying or being in this state, in fee simple or fee simple conditional, heretofore or hereafter acquired, or of an estate in fee tail, to the heirs of the body generally, created and acquired after the commencement of this act, shall die intestate thereof, such lands, tenements, or hereditaments, shall descend to the kindred, male and female, of such person, in the following order, to wit: first to the child or children and their descendants, if any, equally until failure, and if no child or descendant, and the estate descended to the intestate on the part of the father, then to the father, and if no father living, then to the brothers and sisters of the intestate of the blood of the father, and their descendants equally, and if no brother or sister as aforesaid, or descendant from such brother or sister, then to the grand-father on the part of the father, and if no such grand-father living, then to the descendants of such grand-father and their descendants in equal degree equally, and if no descendant of such grand-father, then to the father of such grand-father, and if none such living, then to the descendants of the father of such grand-father in equal degree, and so on, passing to the next lineal male paternal ancestor, and if none such, to his descendants in equal degree without end, and if no paternal ancestor or descendant from such ancestor, then to the mother of the intestate, and if no mother living, to her descendants in equal degree equally, and if no mother living, or descendants from such mother, then to the maternal ancestors and their descendants in the same manner as is above directed as to the paternal ancestors and their descendants, and if the estate descended to the intestate on the part of the mother, and the intestate shall die without any child or descendant as aforesaid, then the estate shall go to the mother, and if no mother living, then to the brothers and sisters of the intestate of the blood of the mother and their descendants in equal degree equally, and if no such brother or sister, or descendant of such brother or sister, then to the grand-father on the part of the mother, and if no such grand-father living, then to his descendants in equal degree equally, and if no such maternal ancestor or descendant from any maternal ancestor, then to the father of the intestate, and if no father living, to his descendants in equal degree equally, and if no father living, or descendant from the father, then to the paternal ancestors and their descendants in the same manner as is above directed as to the maternal ancestors; and if the estate is or shall be vested in the intestate by purchase, and not derived from or through either of his ancestors, and there be no child or descendant of such intestate, then the estate shall descend to the brothers and sisters of such intestate of the whole and half blood without distinction, and their descendants in equal degree equally, and if no brother or sister, or descendant from a brother or sister, then to the father, and if no father living, then to the mother, and if no mother living, then to the grand-father on the part of the father, and if no such grand-father living, then to the descendants of such grand-father in equal degree equally, and if no such grand-father or any descendant from him, then to the grand-father on the part of the mother, and if no such grand-father, then to his descendants in equal degree equally, and so on without end, alternating the next male paternal ancestor and his descendants, and the next male maternal ancestor and his descendants, and giving preference to the paternal ancestor and his descendants, and if there be no descendants or kindred of the intestate as aforesaid to take the estate, then the same shall go to the husband or wife,

as the case may be, and if the husband or wife be dead, then to his or her kindred in the like course as if such husband or wife had survived the intestate, and then had died entitled to the estate by purchase, and if the intestate has had more husbands or wives than one, and all shall die before such intestate, then the estate shall be equally divided among the kindred in equal degree of the several husbands or wives.

And be it enacted, That no right in the inheritance shall accrue to or vest in any person other than to children of the intestate and their descendants, unless such person is in being and capable in law to take as heir at the time of the intestate's death, but any child or descendant of the intestate born after the death of the intestate shall have the same right of inheritance as if born before the death of the intestate.

And be it enacted, That if in the descending or collateral line any father or mother may be dead, the child or children of such father or mother shall, by representation, be considered in the same degree as the father or mother would have been if living, and shall have the same share of the estate as the father or mother if living would have been entitled to and no more, and in such case where there is more children than one the share aforesaid shall be equally divided among such children.

And be it enacted, That any child or children of the intestate, or their issue, having received from the intestate any real estate by way of advancement, may elect to come into partition with the other parceners, on bringing such advancement into hotchpot with the estate descended; but such child or children, or their issue, shall not be entitled to claim a share by descent, without bringing such advancement into the common stock or hotchpot, if there be another child or children unprovided for.

And be it enacted, That nothing herein contained shall be construed or taken to alter, or in any manner change the course of descent as heretofore used and established, so as to affect the case of any entail or limitation entail whatever, made, created, and in being before the commencement of this act, but the same shall, during the continuance of the estate entail or limitation entail, and until the same may be legally destroyed or barred, descend according to the course of descent heretofore used and established, nor shall any thing herein be taken or construed to interfere with, or alter any limitation or gift by devise or otherwise, to special or particular heirs in a different course of descent from what is by this act specified, but in such cases the descent shall be according to the limitation or form of the gift or grant, until the entail shall be legally barred or destroyed.

And be it enacted, That if any man shall have one or more children by any woman, whom he shall afterwards marry, such child or children, if acknowledged by the man, shall in virtue of such marriage and acknowledgment be hereby legitimated, and capable in law to inherit and transmit inheritance as if born in wedlock.

This act to commence on the first day of September seventeen hundred and eighty-six.

Provided always, and be it enacted, That if any citizen of this state shall be out of the state at the time when this act takes place, so that such citizen cannot have notice of the same, that then this act, and the course of descent thereby established, shall not extend to such citizen or his estate if he shall die intestate, during his absence from this state, nor shall this act affect the estate of any citizen of this state, absent as aforesaid, until three months after his return into the state.

M A D R I D, January 7.

HIS majesty, in order to prevent the accidents which happen to navigators on the coast of Spain, owing to the use of erroneous and imperfect charts of the coast, published by foreigners, has ordered new and accurate surveys to be taken and published for the benefit of the commercial world trading to his dominions; this task is assigned to Don Vincent Tosno de St. Michael, brigadier of the naval armies, and director of the three academies of marine forces. That officer has applied himself to the business with indefatigable industry, he has surveyed all the coast from Cape St. Vincent, as far as the straits of Gibraltar, and from thence as far as Cape de Creux on the coast of Catalonia, including the adjacent islands, and part of the coast of Barbary. These charts will be shortly published; in the mean time the author is busily employed in perfecting those of the other Spanish coasts on the sea.

P A R I S, February 14.

We have accounts from Villedieu, that a person was lately interred at St. Vigor les Montier, near that place, who, although a woman, had passed for a man for forty-five years without being discovered till she died. All that is known of her origin is, that she was early left an orphan, and most likely thought she would gain a living easier in man's than woman's cloaths; she first served as a shepherd, and when she became stronger, went to Paris, where she worked as a paviour, which business she became so well acquainted with, that she was soon put at the head of the work, she passed every winter at the place where she died, and worked at farming, returned in summer to work at Paris. The better to conceal her sex she made proposals of marriage to several girls at different times; she has left 1400 livres in bills.

The king's letters patent passed the 18th ult. at Versailles, for a new coinage of guineas, was registered in the mint the 27th. The old ones will pass till the 1st of January, 1786, and will be received at the mint until that period, at the rate of 750 livres the mark.

L O N D O N, January 2.

They write from Beaumaris, in Anglesea, that a Dutch ship, supposed to be a smuggling vessel, was drove on shore in a hard gale of wind at north-east, and was entirely lost; the crew were saved, as was some part of the cargo, consisting of spirits, which was carried off by the country people, the crew not being able to oppose them. This is the third ship which has been lost since the dreadful storm they had about a month ago.

A running footman to the grand duke, in repairing the floor of a house he had lately purchased, which had belonged to the clergy, found in a hole in one of the beams 350 pieces of gold, wrapped up in scraps of linen, each containing six pieces. About 300 of them are the coin of Louis XI. Charles VIII. Louis XII. and Francis I. There are among them also florins of the regency of Florence, and crowns of duke Alexander, and of the doge of Venice Andre Gretti.

A commodore, with two or three men of war, will be sent into the Baltic early in the spring, as a squadron of observation; and it is even said that commodore Gower, who was lately in the Hebe frigate, of 36 guns, in her cruise to the north with prince William Henry, will have the command, which is expected to be of no small importance: commissioners are already sent to Denmark to provide for the victualling the ships.

Commerce and power, says a correspondent, are always in a state of fluctuation; there is no permanency in either; and therefore a maritime state ought always to be jealous of every power that appears formidable at sea, and to be perpetually on their guard, instead of despising the weakness of others, or relying on its own strength.

Our ministers seem to be ambassadormad; sending ambassadors every where, and duplicates some where, yet doing nothing, or what is worse than nothing, any where!—Not content with letting the Hanoverian minister manage the German affairs, they have put their ambassadors at the court of Berlin in motion on the same subject, which we fear will be productive to something ominous to Great-Britain.

Captain Drinkwater's account of Gibraltar, among much other amusing matter, gives us the following anecdote:—In an early period of the siege, when prince William Henry was there, and had made his first naval essay in its relief, the Spanish admiral, Don Juan de Langara, visiting admiral Digby, was introduced to his royal highness. During the conference between the admirals prince William retired; and when it was intimated that Don Juan wished to return, his royal highness appeared in the character of a midshipman, and respectfully informed the admiral that the boat was ready.—The Spaniard also wished to see the son of a monarch acting as a warrant officer; could not help exclaiming, "Well does Great-Britain merit the empire of the sea, when the humblest stations in her navy are filled by princes of the blood."

Jan. 10. The following are the authentic particulars of the melancholly loss of the Halfwell East Indiaman, as conveyed to us by a correspondent, on whom we can rely. She left the Downs on Monday the second instant, with a fair wind, and proceeded down the Channel, and on Wednesday last had got so far westward, as to be nearly off the coast of Cornwall, when by contrary winds and a violent storm coming on, she was driven back, and the violence of the storm increasing and continuing with