in the year 1870; and shall further find, that on the 6th day of July, 1871, said Margaret Armstrong was united in marriage to George G. Woelper; and shall further find, on the thirty-first day of July, A. D., 1876, said Margaret Woelper and George G. Woelper, her husband, by assignment, recorded among the Land Records of Baltimore City, in Liber G.R., No. 748, folio 492, &c., assigned said property described in the plaintiff's declaration to Charles McIlvolgan, subject to a yearly ground-rent of one cent; and shall further find, that on the twentieth day of October, 1876, by sub-lease, recorded among the Land Records of Baltimore City, in Liber G.R., No. 755, folio 526, &c. said Charles McIlvolgan sub-leased to said Margaret Woelper, the property described in the plaintiff's declaration, subject to the yearly sub-ground rent of eighty-four dollars; and shall further find that Margaret Woelper departed this life in the Spring of year 1878; and shall further find, that George G. Woelper, husband of said Margaret Woelper is still living, and has never been divorced from said Margaret, either a mensa et thoro or a vinculo matrimonii; and shall further find, that letters of administration on the estate of said Margaret Woelper has been granted by the Orphans Court of Baltimore City, to the plaintiffs, then the plaintiffs are entitled to recover, and the verdict must be in their favor.

Plaintiffs' 6th Prayer.-(Refused.)

If the Court shall find from the evidence in this cause, that Charles McIlvolgan, by sub-lease, dated 20th October 1876, and recorded among the Land Records of Baltimore City, in Liber G.R. No. 755, folio 526, &c. sub-leased the property described in the plaintiffs' declaration for ninety-nine years, renewable forever, to Margaret Woelper subject

to a yearly ground-rent of eighty-four dollars; and shall further find, that at the time said Margaret Woelper was a married woman, the wife of George G. Woelper, and that said Margaret was married on the 6th July, 1871. to said George G. Woelper; and shall further find, that said Margaret Woelper departed this life in the Spring of year 1878; and shall further find, that George G. Woelper, husband of said Margaret Woelper, is still living, and has never been divorced from the said Margaret, either a mensa et thoro or a vinculo matrimonii; and shall further find, that letters of administration on the estate of said Margaret Woelper has been granted by the Orphans Court of Baltimore City to the plaintiffs, then the plaintiffs are entitled to recover, and the verdict must be in their favor.

Plaintiffs' 7th Prayer.-(Refused.)

The plaintiffs pray the Court to rule and decide, that by the time-construction of the sub-lease from Charles McIlvolgan to Margaret Woelper, an estate to the separate use of the lessee was vested in her under the Statute of this State, and that the rights of the husband under the Statute were not thereby excluded, and the mortgage made by said Margaret to the Border State Perpetual Building Association was invalid, and passed no title to the mortgagee, and the plaintiffs are therefore, entitled to recover in this case.

Plaintiffs' 8th Prayer.-(Refused.)

That if the Court shall find for the plaintiff, then the plaintiff is entitled to a verdict for the property described in the plaintiffs' declaration, and for such rents and profits as the Court shall find that the defendants have collected from the property described in the plaintiffs' declaration, less the amount the