

BENJAMIN CRANE AND OTHERS  
 vs.  
 ANNE E. SEYMOUR AND OTHERS. } SEPTEMBER TERM, 1850.

[ACT OF 1842, CH. 293, RELATING TO MARRIED WOMEN.]

WHEN a creditor proceeds under the 9th Section of the Act of 1842, ch. 293, to reach the property of a married woman, he must show that she earned it by her skill, industry, or personal labor, and must prove his claim according to the course of the attachment law, proceeding by way of attachment from the County Court.

The questions of fact and of law which may arise under this act, and the proceedings it authorizes, are intended and peculiarly fitted for decision by Courts of law aided by juries.

The question whether the property was earned by the married woman, and is liable for her debts, must be passed upon by a jury, and equity can only interfere to preserve the property from waste or destruction pending the litigation at law.

A peculiar and special mode of proceeding, to be pursued by creditors who attempt to reach the property of married women under this Act, is prescribed by the Act itself, and to this mode creditors are restricted.

[The facts of this case are fully stated in the opinion of the Chancellor.]

THE CHANCELLOR:

It appears by the record in this case, that on the 24th of October last, the complainant, Crane, sued out of Baltimore County Court the writ of attachment against the defendant, Anne E. Seymour, a married woman, founding his right so to proceed upon the 8th section of the Act of 1842, ch. 293; and that the writ so issued was returned by the sheriff, laid in the hands of Bardolph, and Boulding, and others, on the following day, being the 25th of the month.

The attachment was issued to recover the sum of \$134 89, for sundry articles of merchandise sold and delivered by the plaintiff to Mrs. Seymour (according to the petition filed by