

estate of his wife by joint or separate deed, or may authorize an agent or attorney to relinquish the same by a power of attorney executed jointly with his wife or by himself without the joinder of his wife.

Where land is sold for partition by a proper proceeding in equity, the inchoate dower of the wife of one of the tenants in common will be barred; *contra*, if the bill does not ask for partition, and there is no proof that the land can not be divided. How the wife's dower can be released or lost; plea of "*bona fide* purchaser for value without notice." A joint note prior to the act of 1872, ch. 270, held not to be a release of dower. *Mitchell v. Farrish*, 69 Md. 237.

Prior to the act of 1888, ch. 329, a married woman under age could not relinquish her dower by uniting in a mortgage. *Glenn v. Clark*, 53 Md. 603.

How the wife released her dower at common law, and under the code of 1860. A deed under the latter without acknowledgment, held invalid. *Grove v. Todd*, 41 Md. 639.

See sections 6 and 7.

1904, art. 45, sec. 13. 1888, art. 45, sec. 2. 1860, art. 45, sec. 2. 1872, ch. 270.
1896, ch. 243. 1898, ch. 457, sec. 13.

13. Where any married man or married woman is a lunatic or insane, and has been so found upon inquisition and the said finding remains in force, or where any married man or married woman has been absent or unheard of for seven years, the husband or wife of such lunatic or insane or absent person may grant and convey by his or her separate deed, whether the same be absolute or by way of lease or mortgage, as fully as if he or she were unmarried, any real estate which he or she may have acquired since the finding of such inquisition or since the beginning of such absence.

Where a husband has been found insane in a criminal case and is confined accordingly, this section applies. *Hadaway v. Smith*, 71 Md. 321.

The application of this section to a marriage subsequent to the code of 1860 and prior to the act of 1872, ch. 270, discussed. *Herbert v. Gray*, 38 Md. 536 (dissenting opinion).

Cited but not construed in *Klecka v. Ziegler*, 81 Md. 484.

As to administration upon the estates of persons unheard of for seven years, see art. 93, sec. 235.

Ibid. sec. 14. 1888, art. 45, sec. 17. 1880, ch. 253. 1898, ch. 457, sec. 14.

14. No husband shall be liable in any manner for any debts of his wife contracted or for any claims or demands of any kind against her arising prior to marriage, but she and her property shall remain liable therefor in the same manner as if the marriage had not taken place.

This section held to have no application. *Davis v. Carroll*, 71 Md. 571.

Ibid. sec. 15. 1888, art. 45, sec. 18. 1880, ch. 253. 1898, ch. 457, sec. 15.

15. Proceedings at law or in equity, according to the nature of such debts, claims or demands may be taken against such married women, notwithstanding her coverture in her married name, joining her husband therein as defendant; but no judgment or decree shall pass against the husband or his estate, but such judgment or decree shall be passed against the wife only; and it shall operate only upon her estate held and owned by her prior or subsequent to said marriage.

See sections 5 and 20.