

Formerly a wife could not sue her husband during coverture at law, though she could sue his executor. *Barton v. Barton*, 32 Md. 223.

Where a husband appropriated his wife's separate estate (held under section 7 of the codes of 1888 and 1860), a creditor of the wife might attach in the husband's hands. *Odend'hal v. Devlin*, 48 Md. 446.

As to how the relation of debtor and creditor between husband was established prior to this section, see *Farmers' Natl. Bank v. Jenkins*, 65 Md. 248; *Sabel v. Slingluff*, 52 Md. 132; *Odend'hal v. Devlin*, 48 Md. 446; *Oswald v. Hoover*, 43 Md. 370; *Hill v. Hill*, 38 Md. 184; *Edelen v. Edelen*, 11 Md. 420.

This section may have grown out of the query in *Barclay v. Barclay*, 98 Md. 375 (involving a deed of separation).

See sections 5 and 15.

As to a married woman taking the benefit of the insolvent laws, see art. 47, sec. 35.

1904, art. 45, sec. 21. 1898, ch. 457, sec. 20.

21. Nothing in this article shall be construed to relieve the husband from liability for the debts, contracts or engagements which the wife may incur or enter into upon the credit of her husband or as his agent or for necessaries for herself or for his or their children; but as to all such cases his liability shall be or continue as at common law.

The husband is liable under this section for medical attendance upon his wife, for her funeral expenses and for the cost of a tombstone. *Stonesifer v. Shriver*, 100 Md. 31.

This section referred to in construing section 5—see notes thereto. *Lyell v. Walbach*, 113 Md. 578.

As to the prevention of the wife from pledging the husband's credit, see art. 16, sec. 48, *et seq.*