

ARTICLE XLV.

HUSBAND AND WIFE.

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| <p>4. Married women to hold property as if they were unmarried and to have same power to convey as husbands.</p> | <p>7. Husband's dower; provisos; liens and conveyance.</p> |
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1.

No acquisition of property passing to the wife from the husband after coverture is valid if the same has been made in prejudice of the rights of the latter's subsisting creditors, and a deed by the husband to the wife for a simulated consideration will be treated as a fraud upon his creditors. Conveyance held void. *Reismeyer v. Norwood*, 117 Md. 333.

Voluntary conveyances from a husband to his wife are void as against existing creditors. Necessary parties. *Sudler v. Sudler*, 121 Md. 59.

2.

See notes to section 1.

1904, art. 45, sec. 4. 1898, ch. 457, sec. 4. 1914, ch. 406.

4. Married women shall hold all their property of every description for their separate use, as fully as if they were unmarried, and shall have all the power to dispose of by deed, mortgage, lease, will or any other instruments that husbands have to dispose of their property, and no more.

To the third note to this section on pages 1167-1168 of volume 1 of the Annotated Code, add the case of *Beinbrink v. Fox*, 121 Md. 112.

See notes to this section (as it stood in 1911) in volume 1 of the Annotated Code.

See notes to section 7.

5.

Even prior to this section, a married woman was a competent purchaser of property and upon her failure to comply with the purchase, the property could be sold at her risk, she being personally liable for any deficiency. *Whitely v. Whitely*, 117 Md. 546.

This section referred to in a suit against a decedent's executors for board and lodging, where the defense was that the agreement to pay was with the decedent's wife. *Herman v. Oehrl*, 116 Md. 515.

Married women are entitled to letters testamentary or of administration as though unmarried—article 93, section 58.

Ibid. sec. 7. 1898, ch. 457, sec. 7. 1904, ch. 151. 1914, ch. 516.

7. A widower shall be entitled to an estate for his life in one-third of the lands held by equitable as well as legal title in the wife at any time during the coverture, or whether held by her at the time of her

See article 3, section 43, of the Md. Constitution.