

do if the lessee were *feme sole* and had covenanted for the payment of said rents and to suffer such re-entry to be made.

Prior to the act of 1898, a married woman might be sued under this section without the joinder of her husband. *Cruzen v. McKaig*, 57 Md. 458; *Worthington v. Cooke*, 52 Md. 309.

As to distress, see art. 53, sec. 9.

An. Code, sec. 18. 1904, sec. 18. 1888, sec. 15. 1867, ch. 223. 1898, ch. 457, sec. 18.

18. In all deeds made to married women since March 19, 1867, of real estate or chattels real, it shall be competent for the grantee or lessee to bind herself and her assigns by any covenant running with or relating to said real estate or chattels real, the same as if she were a *feme sole*.

The husband should not be joined in a suit against the wife under this section; the remedy is at law. *Worthington v. Cooke*, 52 Md. 307.

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

Prior to this section, a married woman was not capable of binding herself by a covenant. *Armstrong v. Kerns*, 61 Md. 366.

Cited but not construed in *Cruzen v. McKaig*, 57 Md. 462.

An. Code, sec. 19. 1904, sec. 19. 1888, sec. 13. 1798, ch. 101, sub-ch. 5, sec. 8.
1898, ch. 457, sec. 19.

19. A husband bringing a personal action to recover in right of his wife after her death may declare specifically setting forth in the usual manner how the debt or right accrued to his wife, and stating further that by marriage the debt or right devolved on him.

For a case apparently now inapplicable by reason of changes in the law, see *Hubbard v. Barcus*, 38 Md. 181.

Cited but not construed in *In re. Lee's Estate*, 76 Md. 111.

An. Code, sec. 20. 1904, sec. 20. 1900, ch. 633, sec. 19A.

20. A married woman may contract with her husband and may form a copartnership with her husband or with any other person or persons in the same manner as if she were a *feme sole*, and upon all such contracts, partnership or otherwise, a married woman may sue and be sued as fully as if she were a *feme sole*.

Prayers in a suit to hold a married woman as a partner of her husband by estoppel, held to be supported by Maryland cases and this section. *West v. Driscoll*, 142 Md. 210.

This section referred to in construing art. 56, secs. 42 and 43—see notes to sec. 43. *Crew Levick Co. v. Hull*, 125 Md. 10.

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 sec. 7 of Codes of 1888 and 1860), a creditor of wife might attach in husband's hands. *Odend'hal v. Devlin*, 48 Md. 446.

As to how relation of debtor and creditor between husband and wife 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 secs. 5, 15 and 12, and notes.

As to married women taking benefit of insolvent laws, see art. 47, sec. 35.