

An. Code, sec. 73. 1904, sec. 69. 1892, ch. 244, sec. 62B.

**75.** The husband and wife may file a petition jointly praying the court to decree the adoption by them jointly of any child, but no decree of adoption shall pass where the petitioner is a married person unless it be shown that the husband or wife of the petitioner consents to the adoption, or is hopelessly insane, or that the parties are living apart under such circumstances as would entitle the petitioner to a divorce.

An. Code, sec. 74. 1904, sec. 70. 1892, ch. 244, sec. 62C.

**76.** The effect of such decree of adoption shall be to entitle the child so adopted to the same rights of inheritance and distribution as to the petitioner's estate, and the same rights of protection, education and maintenance as if born to such petitioner in lawful wedlock, and the natural parents of such child shall be freed from all legal obligation towards it, provided that where such child inherits property from its adopted parent or parents, upon it dying intestate without issue the property thus inherited shall descend and be distributed to the same persons who would take the same by inheritance and in course of distribution if the child had been the child of the adopted parents born to them in lawful wedlock; provided, however, that this shall not be construed to limit or interfere with the power of disposition over such property by gift, grant, devise, bequest or otherwise by said adopted child.

Neither by virtue of this section nor of sec. 78 is a child adopted by "A" under sec. 74, entitled to take under a will whereby certain property is left to the testatrix's son "A" for life and after his death to his children equally, and if there are no children then to "the right heirs" of the testatrix. *Eureka Life Ins. Co. v. Geis*, 121 Md. 199.

This section referred to in holding that an illegitimate child was not entitled to workmen's compensation benefits—see notes to art. 101, sec. 65. *Scott v. Independent Ice Co.*, 135 Md. 350 (decided prior to the act of 1920, ch. 456).

See notes to sec. 74.

An. Code, sec. 75. 1904, sec. 71. 1892, ch. 244, sec. 62D.

**77.** If the petition contains a prayer to that effect, the court may also decree that the name of the child be changed.

As to proceedings for change of name, see sec. 113.

An. Code, sec. 76. 1904, sec. 72. 1892, ch. 244, sec. 62E.

**78.** The term "child" or its equivalent in a deed, grant, will or other written instrument shall be held to include any child adopted by the person executing the same, unless the contrary plainly appears by the term thereof, whether such instrument be executed before or after the adoption.

See notes to sec. 76.

An. Code, sec. 77. 1904, sec. 73. 1892, ch. 244, sec. 62F.

**79.** Any inhabitant of any other State adopted as a child in accordance with the laws thereof shall upon proof of such fact be entitled in this State to the same rights of inheritance and distribution as he or she would have enjoyed in the State where adopted except in so far as they may conflict with the provisions of the five preceding sections.