

## ARTICLE 50.

### JOINT OBLIGATIONS AND JOINT TENANCY.

#### Joint Obligations.

12A. Judgment in actions *ex delicto*.

#### Joint Obligations.

1.

Will held to gratify requirements of this section so far as it applies. Will leaving property in trust for children for life and upon death of last survivor in fee to grandchildren, construed. *Marshall v. Security Storage Co.*, 155 Md. 652.

10.

This section and sec. 14 recognize the right to recover judgment against one of several obligors. *Gott v. State, use of Barnard*, 44 Md. 337.

This section apparently grew out of the decision in *Moale v. Hollins*, 11 G. & J. 14.

Art. 26, sec. 21, which was identical with this section, has been repealed.

12.

In action against two defendants, recovery may be against one. See art. 5, sec. 26. *Canton Co. v. Seal*, 144 Md. 181.

1927, ch. 539.

12A. Where a judgment has been entered against two or more joint defendants in an action *ex delicto*, said defendants shall be subject to contribution between them. The judgment debtor or debtors paying such joint judgment shall be entitled to receive from the judgment creditor or creditors, in addition to any acquittance papers which such parties may mutually agree upon between themselves, an order to enter the plaintiff's judgment to the use of the defendant or defendants so paying the same, setting forth the date of such payment, the amount so paid in satisfaction, and the name or names of the judgment debtor or debtors so paying the same, and upon the filing of such order of entry to use in the case in which said judgment was obtained, said judgment shall be entered on the docket to the use of the judgment debtor or debtors who shall have paid the same, against the judgment debtor or debtors who have not contributed thereto, to the extent of the pro rata share or shares of said non-contributing defendant or defendants in said judgment debt, and to such extent said entry shall constitute a lien against the property of such non-contributing defendant or defendants, upon which the defendant or defendants who shall have paid said judgment may issue execution or attachment as the case may be.

See art. 75, sec. 94. and art. 26, sec. 14.

#### Joint Tenancy.

13.

Words "joint tenancy" not necessary to create such estate if intention is manifest. *Michael v. Lucas*, 152 Md. 513.