

the time of making such deed or agreement the parties were living together or apart; provided, that whenever any such deed or agreement shall make provision for or in any manner affect the care, custody, education or maintenance of any infant child or children of the parties the court shall have the right to modify such deed or agreement in respect to such infants as to the court may seem proper, looking always to the best interests of such infants.

40.

Applicant for divorce for causes outside of State failed to submit satisfactory evidence of residence in State for 2 years next preceding application. *Willingham v. Willingham*, 162 Md. 539.

See notes to sec. 37.

41.

One who has obtained divorce *a mensa* on ground of abandonment which was of character and duration entitling to divorce *a vinculo* cannot thereafter secure latter on ground of abandonment. *Miller v. Miller*, 153 Md. 219.

Divorce *a mensa* in favor of the wife on the ground of abandonment does not prevent absolute divorce for wife's subsequent adultery. *Williams v. Williams*, 156 Md. 10.

Dower.

43.

If the land is susceptible of division, widow has right to be assigned her dower and court cannot make pecuniary allowance in lieu thereof. See notes to art. 93, sec. 316. *Rickwood v. Smith*, 146 Md. 190.

45.

See notes to sec. 47.

46.

See notes to sec. 47.

47.

Surviving wife entitled to have her dower assigned and laid off, if susceptible of division, without the encumbrance of a deed fraudulently made by the husband in order to defeat, by way of anticipation, her prospective inchoate right to dower therein. *Scher v. Becker*, 163 Md. 199.

Examination of Insolvents.

1933, ch. 201.

47A. Whenever any assignment is made for the benefit of creditors by any person, firm or corporation, and the Court assumes jurisdiction thereof, and whenever a receiver is appointed by any Court of equity for any insolvent firm or corporation, the Court, upon the petition of any two or more creditors, shall by order refer the cause to one of the standing commissioners or examiners of the Court, who shall, at the request of said creditors, fix a day for the holding of a hearing for the examination of said insolvent person, firm or corporation, and shall summon said insolvent individual, the members of the firm or the officers of the corporation, as the case may be, to be examined fully as to the condition and