This section referred to in construing art. 56, secs. 40 and 41—see notes to sec. 41. 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).

Cited in dissenting opinion in Tizer *v.* Tizer, 162 Md. 500.

Cited in Noel *v.* Noel, 173 Md. 160.

See secs. 5, 15 and 12, and notes.

As to married women taking benefit of insolvent laws, see art. 47, sec. 37.

An. Code, sec. 21. 1904, sec. 21. 1898, ch. 457, sec. 20.

21. Nothing in this article shall be construed to relieve the husband from liability for the debts, contracts or engagements which the wife may incur or enter into upon the credit of her husband or as his agent or for necessaries for herself or for his or their children; but as to all such cases his liability shall be or continue as at common law.

This section referred to in deciding that alimony *pendente lite* would not be allowed where the wife had ample means of her own, and though it is primarily the duty of the father to support infant children. Hood *v.* Hood, 138 Md. 358.

Sec. 5 has no application to contracts made by the wife in accordance with this section. The question of agency *vel non* is for the jury where the evidence is conflicting. Noel *v.* O'Neill, 128 Md. 204; Hood *v.* Hood, 138 Md. 358.

The husband is liable under this section for medical attendance upon his wife, for her funeral expenses and for cost of tombstone. Stonesifer *v.* Shriver, 100 Md. 31.

This section referred to in construing sec. 5—see notes thereto. Lyell *v.* Walbach, 113 Md. 578.

Cited in dissenting opinion in Tizer *v.* Tizer, 162 Md. 500.

As to the prevention of the wife from pledging the husband's credit, see art. 16, sec. 53, *et seq.*