

An. Code, 1924, sec. 86. 1922, ch. 492, sec. 83.

**114.** (Insurance for Wife's Sole Use.) Any married woman by herself and in her name, or in the name of any other person, with his assent, as her trustee, may insure in any life insurance company formed under the provisions of this article, for her sole use, the life of her husband for any definite period or for the term of his natural life; and in case she shall survive her husband, the sum or net amount of the insurance becoming due and payable by the terms of the policy shall be payable to her and for her own use, free from the claims of the representatives of the husband or of any of his creditors; and in case of the death of the wife before the decease of the husband, the amount of the insurance may be made payable, after death, to her children for their use, and to their guardian if under age.

See art. 45, sec. 8, *et seq.*

An. Code, 1924, sec. 87. 1922, ch. 492, sec. 84.

**115.** (Misrepresentation in Application.) Whenever the application for a policy of life insurance contains a clause of warranty of the truth of the answers therein contained, no misrepresentation or untrue statement in such application, made in good faith by the applicant, shall effect a forfeiture or be a ground of defense in any suit brought upon any policy of insurance issued upon the faith of such application, unless such misrepresentation or untrue statement relates to some matter material to the risk.

Matter of misrepresentation in case involved should have been left to the jury and failure to do so required reversal and new trial. *Schloss v. Life Ins. Co.*, Daily Record, Dec. 8, 1939.

Cited but not construed in *Mut. Life Ins. Co. v. Held*, 157 Md. 558.

An. Code, 1924, sec. 88. 1922, ch. 492, sec. 85.

**116.** (Misstatement of Age in Application.) Whenever it shall be made to appear that a wrong age has been given in good faith in any application for a policy of life insurance, the company shall not be required to pay the face value of the policy, but such sum as the premium paid would have purchased at the applicant's real age at the time of effecting the insurance.

An. Code, 1924, sec. 89. 1922, ch. 492, sec. 86.

**117.** (Postponement of Dividends on Policies.) No life insurance company authorized to transact business in this state shall hereafter issue to or upon the life of any resident of this state any policy participating in the profits or surplus, under which the accounting, apportionment and distribution of surplus to the policyholders shall be delayed for a longer period than five years from the date at which the insurance first went into effect, or from any preceding accounting, apportionment or distribution of surplus.

No such company shall be permitted to enter into any agreement with any policyholder or applicant for insurance, intended as a waiver of any of the provisions of this section, and it shall be the duty of the commissioner to revoke the authority of any such company to transact business in this state, for failure to comply with any of the requirements of this section.