

ARTICLE XLV.

INTERESTS AND ESTATES.

DOWER AND CURTESY.

- 1 Widow's dower in equitable estate | 2 Curtesy in equitable estate.

JOINT TENANCY

3. When created by deed or will

RIPARIAN RIGHTS.

- 4 Right of riparian proprietors to construct wharves, fishing and navigation. | 5 Wharves on west side of Susquehanna river how constructed.

MERGER

- 6 Remedy of owner against lessee where reversion expectant on lease merges | 7 Conveyance by mortgage or assignment of mortgage to lessor not to work merger

ALIENS.

- 8 Right to take and hold lands, to sell, devise, etc

DOWER AND CURTESY.

1. A widow shall be entitled to dower in lands held by equitable title in the husband; but such right of dower shall not operate to the prejudice of any claim for the purchase-money of such lands, or other lien on the same.

2. A tenant by the curtesy shall be entitled for life to lands held by equitable title, but not to the prejudice of any claim for the purchase-money of such lands, or other lien on the same.

Art 45, s 5
1818, c 193, s 10
Widow's dower
in equitable
estate
27 Md 547, 666,
34 Md 643, 2
Gill 359, 3 Gill
304

Id s. 6
1818, c 193, s 10
Curtesy in
equitable estate
7 Md 26, 38 Md
284

JOINT TENANCY.

3. No deed, devise, or other instrument of writing shall be construed to create an estate in joint tenancy, unless in such deed, devise, or other instrument of writing, it is expressly provided that the property thereby conveyed is to be held in joint tenancy.

Art 49, s 12
1822, c 162
When created
by deed or will
1 Md 171, 3 Md.
190, 3 Md Chan
553, 28 Md 635,
30 Md 552, 4
Gill 505, 8 Gill.
424.

RIPARIAN RIGHTS.

4. Any person owning real estate in fee simple, or having therein an estate for years renewable forever, on any of the navigable waters of this State, may construct wharves thereon, and extend the same such a distance into the stream as may be required to admit the safe approach thereto of any vessel navigating said waters; *provided*, said wharves be not extended so as to interfere with the fishing or navigation of said waters.

Art 97, s 21
1833, c 168,
1836, c 27
Right of ripa-
rian proprietors
to construct
wharves
Fishery and
navigation
22 Md 381, 590;
23 Md 432