

1888, art. 16, sec. 44. 1860, art. 16, sec. 33. 1839, ch. 23.

**44.** In all suits by joint owners to sell lands, the court may decree a sale free from the claim of dower by the wife of any of the parties.

Warren *v.* Twilley, 10 Md. 39. Rowland *v.* Prather, 53 Md. 232

Ibid. sec. 45. 1860, art. 16, sec. 34. 1816, ch. 154, sec. 11.  
1820, ch. 191, sec. 27. 1880, ch. 222

**45.** Where there is a decree for the sale of lands, and a widow is entitled to dower therein, and will not consent to a sale of her dower, the court may, if it appears advantageous to the parties, appoint five commissioners to assign and lay off the dower of such widow; and any person holding land by descent, devise or purchase, subject to a widow's dower therein, may apply to the court sitting in chancery for the assignment of such dower, and the court thereupon shall appoint five commissioners to assign and lay off the same, subject in either case to confirmation or rejection by the court.

Stein *v.* Stein, 80 Md. 308.

#### Fraudulent Conveyances.

Ibid. sec. 46. 1860, art. 16, sec. 35. 1835, ch. 380, sec. 2. 1898, ch. 254.

**46.** In no case of a proceeding in equity to vacate any conveyance or contract, or other act, as fraudulent against creditors, shall it be necessary for any creditor or plaintiff in the cause to have obtained a judgment at law on his demand, in order to the relief sought in the case, either in his own behalf or in the behalf of any other creditors who shall claim to participate in the benefit of the decree in the case; but when the debt of such plaintiff shall not be admitted by the pleadings in the case on the part of the defendant interested in contesting the same, the court shall, on application of any of the parties, send to any court of law an issue for determining the fact of such indebtedness, subject to the rules usually applied to issues out of chancery; provided this section shall not apply to any case pending in court in this State on April 7, 1898.

Farrow *v.* Teakle, 4 H & J. 271. Heighe *v.* Farmers' Bank, 5 H. & J. 68. Birely *v.* Staley, 5 G. & J. 432. Griffith *v.* Frederick Co. Bank, 6 G. & J. 424. Swan *v.* Dent, 2 Md. Ch. 111. Wylie *v.* Basil, 4 Md. Ch. 327. Richards *v.* Swan, 7 Gill, 376. Uhl *v.* Dillon, 10 Md. 500. Sanderson *v.* Stockdale, 11 Md. 584. Hubbard *v.* Hubbard, 14 Md. 359. Mahaney *v.* Lazier, 16 Md. 69. Hyde *v.* Ellery, 18 Md. 496. Schaferman *v.* O'Brien, 28 Md. 565. Flack *v.* Charion, 29 Md. 311. Wanamaker *v.* Bowes, 36 Md. 42. Goodman *v.* Wineland, 61 Md. 449. Morton *v.* Graffin, 68 Md. 563. Frederick Co. Bank *v.* Shafer, 87 Md. 57. High Grade Brick Co. *v.* Amos, 95 Md. 601. Speck *v.* Logan & Uhl, 97 Md. 159.