

In subsection (b)(2) of this section, the phrase "powers of the trustee" is substituted for the former clause "uses and trusts for which the trustee holds the property", for clarity and brevity.

The Commission to Revise the Annotated Code notes, for consideration by the General Assembly, that the Married Women's Property Acts, such as former Article 45, § 4, which now appears as subsection (a) of this section, removed by statute in the late 19th century the common law disabilities of married women. Former Article 45, § 3, which now appears as subsection (b) of this section, codifies a technique developed in 17th century England, but rarely used in the United States, to reach the same result as the Married Women's Property Acts. Therefore, the General Assembly may wish to delete subsection (b) of this section as obsolete.

4-204. MARRIED WOMAN'S RIGHT TO DEAL AS IF UNMARRIED.

A MARRIED WOMAN MAY DO ANY OF THE FOLLOWING, AS IF SHE WERE UNMARRIED:

- (1) ENGAGE IN A BUSINESS;
- (2) MAKE A CONTRACT WITH ANY PERSON, INCLUDING HER HUSBAND, WHETHER OR NOT SHE IS ENGAGED IN BUSINESS;
- (3) BIND HERSELF AND HER ASSIGNS BY A COVENANT RUNNING WITH OR RELATED TO REAL PROPERTY OR CHATTELS REAL DEEDED TO HER ON OR AFTER MARCH 19, 1867;
- (4) FORM A PARTNERSHIP WITH ANY PERSON, INCLUDING HER HUSBAND;
- (5) SUE ON ANY CONTRACT, INCLUDING A CONTRACT MADE WITH HER HUSBAND;
- (6) SUE FOR THE RECOVERY, SECURITY, OR PROTECTION OF HER PROPERTY;
- (7) SUE FOR ANY TORT COMMITTED AGAINST HER; AND
- (8) APPOINT COUNSEL TO REPRESENT HER IN AN ACTION BROUGHT UNDER § 4-205(B) OR (C) OR § 4-301(B) OF THIS TITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 45, § 16, § 18, § 20, except as the last clause of that section related to a woman being sued, and the first clause of the first sentence of § 5.

In the introductory language of this section, "may" is substituted for the former language "shall have power to" and "it shall be competent for", for brevity.