having enacted, that the Statute of Limitations does not run whenever the jury are satisfied that a fraud has been practiced to prevent its operation, it would not only give rise to much litigation, but to that which the law abhors, continual litigation; *Interest reipublicæ ut sit finis litium.* The statute has been called the Statute of Peace, but if the construction here contended for by the plaintiffs were to prevail, whenever there was a case of hardship or suggestion of fraud, you would have an action brought, though the statute had expired, and have it urged that the matter was for the jury, and not for the Court." And Alderson B. added that there would be no Statute of Limitations against a widow with six children. These are strong observations. But now, by the Act of 1868, ch. 357,[45] it is provided, that in all actions to be hereafter brought, where a party has a cause of action of which he has been kept in ignorance by the fraud of the adverse party, the right to bring suit shall be deemed to have first accrued at the time at which such fraud shall, or with usual and ordinary diligence might have been known or discovered.

Fraud in equity.—The doctrine of equity on this head is similar, to wit, that the statute does not begin to run until the fraud has been discov-

[45] **Fraudulent concealment of cause of action.**—Code 1911, Art. 57, sec. 14. The leading case in Maryland is Wear v. Skinner, 46 Md. 257. It is there said that in courts of equity "where a party has been injured by the fraud of another, and *such fraud is concealed,* or is *of such character as to conceal itself,* whereby the injured party remains in ignorance of it without any fault or want of diligence on his part, the bar of the statute does not begin to run, until the fraud is discovered, though there be no special circumstances or efforts on the part of the party committing the fraud to conceal it from the knowledge of the other party. And this is the rule too when such courts are dealing with legal demands, in regard to which they *obey strictly the very terms of the Statute of Limitations.*" The court goes on to say that the Act of 1868 was passed to enable such fraud to be set up at law as well as in equity; and that the act does not mean that in all cases a party must commit a fraud *distinct* from, and *independent* of the *original fraud,* for the purpose of keeping the injured party in ignorance of his cause of action, and that the *mere concealment* of the fraud is *insufficient.* "Where one practices fraud to the injury of another, the *subsequent concealment* of it from the injured party is *in itself a fraud,* and if he is thereby kept in ignorance of his cause of action, he is kept in ignorance by the 'fraud of the adverse party'" within the meaning of the act. See also Baltimore Asso. v. Grant, 41 Md. 571; State v. Henderson, 54 Md. 332; Mutual Ins. Co. v. McSherry, 68 Md. 41; Cummings v. Bannon, 66 Md. xiv; 8 Atl. Rep. 357; New England Ins. Co. v. Swain, 100 Md. 572; Bates v. Preble, 151 U. S. 149. The statute runs from the time when by the exercise of ordinary diligence the fraud could have been discovered. Reeder v. Lanahan, 111 Md. 372; Stieff Co. v. Ullrich, 110 Md. 629; Price v. Mutual Ins. Co., 102 Md. 688; 107 Md. 374. And it is ordinarily for the jury to determine whether the plaintiff's failure to discover his cause of action was due to his own lack of diligence, or to the defendant's fraudulent concealment of the wrong. New England Ins. Co. v. Swain, 100 Md. 574.