

sented separately, the adjudication upon the former should precede the latter, as otherwise, after a decision in favor of a claim for the accessory, the title of the party to the principal might be successfully disputed. There has, in this case, been no judgment establishing the complainant's claim to dower in these lands, and her title is certainly not admitted. Now, suppose the court upon this bill, should decree an account of rents and profits, and the grantee in the deed from the complainant should be defeated in the assertion of the title thereby conveyed; it is obvious, not only that there would be conflicting judgments, but that injustice would be done to the one party or the other; which could readily have been avoided by requiring the dower title to the first established.

The late Chancellor, in the case of *Chase vs. Manhardt*, 1 *Bland*, 333, decided, that if a creditor in any manner receives only the principal of his debt, so as not to relinquish his claim to the interest then due, he may afterwards recover the interest as if it were a part of the principal; and this decision appears to be warranted by the case of *Snowden vs. Thomas*, 4 *H. & J.*, 335. But the receipt of the principal debt without an intention or agreement to surrender the interest, is widely different from an assignment or transfer of the principal, though such transfer may not have been designed to carry with it the interest which had accrued at the time. My impression is, it would be difficult to find a case in which a party, after an assignment of the principal debt, though he may have intended to reserve his right to the interest accrued at the time, has succeeded in recovering the interest; and the difficulty, I am persuaded, would be quite as great, to establish by authority the right to recover the rents and profits of land, before the title to the land itself was made out, or after the questionable title had been parted with.

I am, therefore, of opinion, upon this ground, that the complainant cannot have the relief which she seeks by her bill.

No opinion is expressed upon the defence founded upon the lapse of time, and limitations.

The statute of limitations does not apply to the wife's remedy by action for her dower, though it does not follow that lapse