

LIMITATION OF ACTIONS—*Continued.*

2. For the sake of uniformity between the proceedings in courts of law and equity, twenty years after forfeiture and possession, taken by the mortgagee, no interest having been paid in the meantime, has been fixed upon as the period beyond which the right of redemption does not extend. *Ib.*
3. As Courts of Equity have adopted the period of twenty years as a bar to the right of redemption, in imitation to first clause of the statute, so they have also adopted the ten years, fixed in the proviso, for prosecuting after disability removed. *Ib.*
4. Successive or cumulative disabilities are not allowed to interfere with the running of the statute, and where the only disability at the time when the right of action accrued, was infancy, it was **HELD**—
That the ten years must be computed from the termination of infancy, though the party may have been married before her infancy terminated. *Ib.*
5. In this case, the right of action accrued in 1813, and the bill was not filed until 1845, thirty-two years after the right accrued, and fourteen after disability removed. It was **HELD**—
That the statute of limitations was an insuperable bar to the relief sought by the bill. *Ib.*
6. Lapse of time is a defence peculiar to Courts of Equity, who discountenance stale and antiquated demands, for the peace of society, by refusing to interfere where there has been gross laches in prosecuting rights, or long acquiescence in the assertion of adverse rights. *Ib.*
7. Bonds given by the heir entitled to elect, under the act to direct descents, which, by the terms of that act, are made liens on the lands, for the purchase of which, they are given until paid, though not within the statute of limitations, are yet liable, like mortgages, to presumptions of payment, and when the circumstances are such as would induce the court to presume payment of a mortgage, the same presumption will be made as to these bonds. *Boyd & Hance vs. Harris*, 210.
8. As Courts of Equity have adopted the period of twenty years as a bar to the right of redemption, in imitation of the first clause of the statute of limitations, so they have also adopted the ten years, fixed in the proviso, for prosecuting, after disability removed. *Ib.*
9. In this case, upwards of twenty years elapsed from the date and forfeiture of the bond given by the heir, entitled to elect, and sixteen from the time when the heir, in whose favor it was given, attained age before demand was made. It was **HELD**—
That the claim could be asserted as a lien. *Ib.*
10. An original creditor's bill was filed on the 25th of August, 1845, and by an amended bill filed on the 1st of April, 1851, certain other parties came in as complainants. **HELD**—
That though according to the law and practice of this court, they may come in as co-complainants, with the originally suing creditors, yet limitations will run against their claims until they do so come in and file them. *McDowell vs. Goldsmith*, 370.