

filing the same to be recorded, to submit to the Chancellor, or to Baltimore County Court, or any Judge thereof, the said conveyances or copies, under seal, and the said Chancellor, or Court, or Judge aforesaid, may thereupon forthwith decree," &c.

Now, in this case the mortgagor did declare his assent to the passage of such a decree, and yet, after having done so, he proposes to arrest the execution of the decree upon the ground chiefly of his being entitled to credits, which, if they exist at all, existed prior to and at the time of its execution. Certainly, if difficulties of this kind may be interposed under such circumstances, the object of the Act of Assembly will be essentially frustrated.

But, apart from this objection to the petition, I repeat what I have already said, that, looking to the answer to it, and the evidence which has been taken, I see no reason to doubt that the whole amount claimed by the mortgage is due, and I shall therefore dismiss the petition, reserving, however, to the petitioner the right to show himself entitled to credits (if he can do so) at a subsequent stage of the proceedings.

HENRY WEBSTER, for Complainant.

CHARLES F. MAYER, for Defendant.

[An appeal was taken in this case, which is still pending.]

THOMAS BOYLE, AND OTHERS,

vs.

JOHN W. PARKER ET AL.

} JULY TERM, 1852.

[WILL AND CODICIL, CONSTRUCTION OF, ETC.—DEVISE OF RENTS AND PROFITS—
ACT OF 1825, CH. 119.]

A TESTATOR bequeathed his whole estate, with some small exceptions, to his wife for life, with remainder in fee to his two surviving children and the children of a deceased daughter, and by a codicil, executed the same day, after reciting the devise to his wife, declared that he revoked "the same