JOHN H. ING, PERMANENT TRUSTEE
        OF JESSE BROWN,
                        VS.
JESSE BROWN AND ROBERT BRANNAN.

} JULY TERM, 1850.

[MORTGAGE—FRAUDULENT CONVEYANCES.]

A BILL of sale, intended as a security for money loaned and to be loaned,
  must be considered as a mortgage, though absolute upon its face.

The proviso to the 2d section of the Act of 1825, ch. 203, that the grantee
  shall not have the benefit of the recording of a conveyance which, by any
  other instrument or writing, appears to have been intended only as a
  mortgage, unless such other instrument be also recorded therewith, does
  not apply to the case of a deed absolute upon its face, and where no other
  instrument was executed, though it was intended merely as a security for
  money loaned.

An answer responsive to the bill cannot be overruled, unless contradicted
  by the testimony of two witnesses, or of one sustained by pregnant cir-
  cumstances; circumstances standing alone will not destroy the answer.

A conveyance defectively executed, may be set up as a valid contract in
  Equity, and a confirmatory deed will give it full validity.

[The defendant, Jesse Brown, executed a bill of sale on the
13th of December, 1847, conveying to the defendant, Robert
Brannan, all his stock of goods in a certain store in the city
of Baltimore, in consideration of $800 paid by the grantor to
the grantee. An affidavit was made to this conveyance by
Brown, the grantor, that he received the full sum of money
set forth therein, and purported to have been paid to him by
Brannan, the grantee, on the 11th of April, 1847. A similar
conveyance was made by the same party, of the same property,
to cure the defect of the first deed, in that the affidavit thereto
was made by the grantor instead of the grantee.

On the 14th of April, 1848, Brown applied for the benefit
of the insolvent laws, and the complainant, John H. Ing, was
appointed his permanent trustee; and on the 18th of the same
month, filed the present bill in the Equity side of Baltimore
County Court, impeaching said conveyances as fraudulent