

erty conveyed by the mortgage and decreed to be sold as this court ought to sell, is not a question to be considered upon this bill, which seeks to vindicate and protect the rights of Mrs. Cronise, and no one else.

It may be that there is property embraced in the mortgage, and directed to be sold by the decree, which, under the provisions of the act of 1833, ch. 181, is not liable to be sold by the summary proceeding authorized by that act. The second section declares that "in order to facilitate the enforcement of mortgages of real property and estate in the city of Baltimore, that in all cases of conveyances by way of mortgage of *lands* or *hereditaments* or *chattels real*, situate in the city of Baltimore, and where, in the said conveyances, the mortgagor shall declare his assent," &c. The mortgage in this case embraces moneyed securities and bank stocks, and to that extent the summary and peculiar proceeding prescribed by the legislature would seem to be inapplicable. But the decree was passed, and we have now nothing to do with that question, or any other, not affecting the rights of the complainant in this case, and the injunction, therefore, except as to her, will be dissolved. The statement, verified by affidavit, directed by the 3d section of the act of 1833, ch. 181, to be filed, may be filed at any time before the sale, according to the terms of the section.

ADDISON, ALEXANDER and PRESTON, for Complainant.
GLENN and RIDGELY, for Defendants.

JOSEPH SHEPHERD AND OTHERS	}	DECEMBER TERM, 1850.
VS		
MARY ANN BEVANS AND OTHERS.		

[LIMITATIONS—CLAIMS ALLOWED BY ORPHANS COURT—PRACTICE.]

THE act of 1849, ch. 224, suspending the operation of the act of limitations in certain cases, is prospective and not retrospective in its operation. An instrument under seal, attested by a subscribing witness, may be proved in this state without calling such witness.