

Where a husband promises to pay his wife for money collected from the sale of her land, the statute becomes a bar just as in case of any other debt. *Sabel v. Slingluff*, 52 Md. 135.

How the running of the statute is arrested.

The running of the statute is arrested by the docketing of a suit with directions to the clerk to issue process, whether such process is issued or not. *Bank of United States v. Lyles*, 10 G. & J. 334.

The statute runs against a creditor who files his claim in court, up to the time of such filing. What amounts to a filing? *Abrahams v. Myers*, 40 Md. 507. See also, *Ohio Life Ins. Co. v. Winn*, 4 Md. Ch. 254; *Hall v. Creswell*, 12 G. & J. 48.

If the claim of a creditor is not barred at the time it is filed against the estate of an insolvent, it does not become barred thereafter during the settlement of the estate. *Insolvent Estate of Leiman*, 32 Md. 240; *Hignutt v. Garey*, 62 Md. 192.

In order to keep a suit alive and prevent the running of the statute, a summons which proves ineffectual, must be renewed from term to term. *Hazlehurst v. Morris*, 28 Md. 74.

The appointment of a receiver, does not prevent the running of the statute. *Ellicott v. United States Ins. Co.*, 7 Gill, 320.

Suits against stockholders and directors.

In an action by a trustee appointed to sue the stockholders of a defunct corporation, the stockholder can not defend on the ground that the debts to the corporation which they are called upon to pay, are barred by limitations. *Glenn v. Williams*, 60 Md. 120.

Where a stockholder was to pay for his stock in weekly instalments, the period of such payments extending beyond the time allowed by the act of the legislature under which the company was incorporated, the contract can not be construed to have contemplated payment within the period prescribed by the legislature, so as to make the statute a bar. *Frank v. Morrison*, 55 Md. 405.

The Maryland statute of limitations may be set up by demurrer to a suit here against a stockholder in a New York corporation on a statutory liability imposed by the latter state. *Attrill v. Huntington*, 70 Md. 199.

Limitations is a bar to a bill against a director of a corporation for improperly declaring a dividend, filed more than three years after he ceased to be a director. The facts giving rise to the application of the statute, must be set up by plea or answer. *Emerson v. Gaither*, 103 Md. 579.

Fraudulent conveyances.

Where a deed is impeached by creditors of the grantor as fraudulent, the fraudulent grantee may rely upon the statute. *McDowell v. Goldsmith*, 6 Md. 319.

Limitations will avail parties relying upon it who claim under a deed declared fraudulent against the creditors of the grantor. *McDowell v. Goldsmith*, 2 Md. Ch. 391.

A plea of limitations can not prevail against a judgment confessed by a fraudulent grantor before the claim has become barred. *Schaferman v. O'Brien*, 28 Md. 573.

Trusts.

The mere existence of fiduciary relations between the parties to the suit does not *per se* prevent the running of the statute. To what extent the existence of a trust operates to suspend the statute in a court of law. *Planters' Bank v. Farmers' Bank*, 8 G. & J. 467. And see *Green v. Johnson*, 3 G. & J. 394.

The statute is a bar to trusts created by operation of law, though not to express trusts. *McDowell v. Goldsmith*, 6 Md. 337.

As soon as the trust ceases, limitations begins to run. *Green v. Johnson*, 3 G. & J. 395; *White v. White*, 1 Md. Ch. 56.

As to the nature of trusts which are and are not affected by the statute, see *Young v. Mackall*, 3 Md. Ch. 398; *White v. White*, 1 Md. Ch. 56; *Weaver v. Leiman*, 52 Md. 713; *Gordon v. Small*, 53 Md. 559.