

of such deceased debtor as to the claims so paid until the lapse of eighteen months after the filing of said bill.

The statute is suspended in favor of a creditor against an heir and devisees. Case saved by this section from the operation of the statute. *Eirley v. Eirley*, 102 Md. 454; *Thompson v. Dorsey*, 4 Md. Ch. 151.

The period allowed by the statute having expired before the bill for a sale of real estate was filed, this section held to have no application. *Simms v. Lloyd*, 58 Md. 480.

This section regarded as prospective. *Shepherd v. Bevans*, 4 Md. Ch. 411.

1904, art. 57, sec. 9. 1888, art. 57, sec. 8. 1860, art. 57, sec. 8. 1814, ch. 122, sec. 3.

9. The time intervening between the petitioning of an insolvent debtor and the time when his petition may be dismissed shall not be computed on any plea of limitation so as to defeat the claim of any person against such debtor.

Ibid. sec. 10. 1888, art. 57, sec. 9. 1860, art. 57, sec. 9. 1818, ch. 90.
1849, ch. 424.

10. Whenever land shall be taken up under a common or special warrant, or warrant of re-survey, escheat or proclamation warrant, any person, body politic or corporate may give in evidence under the general issue his possession thereof; and if it shall appear in evidence that the person, body politic or corporate, or those under whom they claim have held the lands in possession for twenty years before the action brought, such possession shall be a bar to all right or claim derived from the State under any patent issued upon such warrant; but nothing herein contained shall apply to any warrant laid before the 26th day of January, 1819.

If the possession is not under color of title, twenty years' exclusive adverse possession by actual enclosures must be shown. *Newman v. Young's Lessee*, 30 Md. 420. See also, *Davis v. Furlow's Lessee*, 27 Md. 546.

When a party entitled to the benefit of this section, ought not to have his title clouded by a subsequent grant upon an escheat warrant. *Armstrong v. Bittinger*, 47 Md. 111. See also, *Hoye v. Swan*, 5 Md. 244; *Dorothy v. Hillert*, 9 Md. 574; *Jay v. Van Bibber*, 94 Md. 695.

Quære whether plaintiffs as well as defendants can avail themselves of the act of 1818, ch. 90, and as to whether that act is a grant or confirmation of title. The act of 1818, ch. 90, was not repealed by the act of 1839, ch. 4. The former act held under the admitted facts, not to relieve the plaintiff from showing that there was no such outstanding title in the state as bars recovery. *Mitchell v. Mitchell*, 1 Md. 53.

The proprietary could not be affected by adverse possession before the land had been granted. *Steuart v. Mason*, 3 H. & J. 507.

This section applied. *Chapman v. Hoskins*, 2 Md. Ch. 493.

For the law prior to the adoption of this section, see *Hall v. Gittings*, 2 H. & J. 112; *Cheney v. Ringgold*, 2 H. & J. 87; *Russell v. Baker*, 1 H. & J. 71; *Kelly v. Greenfield*, 2 H. & McH. 121; *Tasker v. Whittington*, 1 H. & McH. 151.

Cited but not construed in *Jay v. Van Bibber*, 94 Md. 695; *Hepburn's Case*, 3 Bl. 111; *Campbell's Case*, 2 Bl. 237.

As to a ground-rent being extinguished by a failure to collect for twenty years, see art. 53, sec. 26.

Actual enclosure is no longer necessary to adverse possession—art 75, sec. 79. See also, art. 54, sec. 20 *et seq.*

As to adverse possession, see Brantly's Digest.