

The act of 1868, ch. 357, discussed and construed. Whether the plaintiff's failure to discover his cause of action was due to a failure to exercise due diligence, or to the defendant's concealment of his wrong, is ordinarily a question for the jury. Where fraud is committed by an agent within the scope of his employment, the bar of the statute is removed as against the principal. *New England Ins. Co. v. Swain*, 100 Md. 572.

A plaintiff held not to have used ordinary diligence so as to entitle it to the benefit of this section. *Stieff Co. v. Ullrich*, 110 Md. 634.

Knowledge, or want of diligence on the part of trustees, imputed to plaintiff. *Reeder v. Lanahan*, 111 Md. 384.

For a discussion of this subject prior to the adoption of this section, see *MacDowell v. Goldsmith*, 2 Md. Ch. 390.

As to the extension by fraud of the time within which an appeal may be entered, see art. 5, sec. 32.

1906, ch. 803.

15. Whenever land or lands shall be sold for the payment of county or State taxes, or both, assessed thereon and in default, and the owner or owners of such land or lands at the time of such tax sale, his, her or their heirs, devisees or assigns, severally, jointly or in continuous successive ownership have held land or lands so sold in adverse possession for seven years after the final ratification of such tax sale and before action or suit brought, and duly prosecuted by the purchaser or purchasers at such tax sale, his, her or their heirs, devisees or assigns to obtain possession of such land or lands, such possession shall be a bar to all right, title, claim, interest, estate, demand, right of entry, and right of action in such purchaser or purchasers, his, her or their heirs, devisees or assigns derived from such tax sale as to the land or lands so held in possession. This section shall apply to all tax sales heretofore or hereafter made and ratified as aforesaid; provided, nevertheless, that as to such tax sales made and ratified as aforesaid prior to the first day of May, in the year 1900, its operation and effect shall be suspended for the period of one year from the first day of May, in the year 1906; this section shall apply to Prince George's county only.