

Art. 53, sec. 27, construed in connection with this section—see notes thereto. *Safe Deposit Co. v. Marburg*, 110 Md. 413.

Cited but not construed in *Willard v. Wood*, 135 U. S. 309.

For the time within which the discharge of an insolvent may be attacked for fraud, see art. 47, sec. 21.

An. Code, sec. 2. 1904, sec. 2. 1888, sec. 2. 1715, ch. 23, sec. 3. 1818, ch. 216. 1884, ch. 502. 1890, ch. 548. 1894, ch. 661.

2. If any person entitled to any of the actions mentioned in the preceding section shall be at the time such cause of action accrues within the age of one and twenty years or *non compos*, he or she shall be at liberty to bring the said action within the respective times so limited after the disability is removed, as other persons having no such disability might or should have done.

The statute of limitations does not run against a lunatic, although a committee has been appointed for him; committee does not hold the legal title to property of a lunatic and cannot sue in his name as committee. Meaning of word "disability" as used in this section. Contention that limitations may be raised only by plea and not by rejoinder, discussed. *Funk v. Wingert*, 134 Md. 525.

When statute once begins to run, no subsequent disability will arrest it unless so provided by statute. *Maurice v. Worden*, 52 Md. 294; *Fink v. Zepp*, 76 Md. 185; *Lurman v. Hubner*, 75 Md. 272. See also *Gump v. Sibley*, 79 Md. 169; *Dempsey v. McNabb*, 73 Md. 438; *Stewart v. Spedden*, 5 Md. 448; *Young v. Mackall*, 4 Md. 374; *Ruff v. Bull*, 7 H. & J. 16.

A party is protected by the disability that exists at time his right of action first accrues, and if there are several disabilities at such time, statute does not begin to run until party has survived them all. Operation of statute cannot, however, be prevented by cumulative disabilities. *Dugan v. Gittings*, 3 Gill, 160.

Act of 1818, ch. 16, is constitutional. It repealed the saving clause as to persons "beyond the seas." Such persons had three years from passage of act in which to bring suit. (See sec. 7). *Frey v. Kirk*, 4 G. & J. 521. See also *Garrison v. Hill*, 81 Md. 558; *Mason v. Union Mills Co.*, 81 Md. 450; *Pancoast v. Addison*, 1 H. & J. 352; *Brent v. Tasker*, 1 H. & McH. 89; *Coursey v. Wright*, 1 H. & McH. 394; *Bank of Alexander v. Dyer*, 14 Pet. 141.

The statutory period having expired after disability was removed, limitations is a bar. *Hertle v. McDonald*, 2 Md. Ch. 133; *Boyd v. Harris*, 2 Md. Ch. 214.

This section applied as to infancy. *Chambers v. Woodberry Co.*, 106 Md. 497; *Welch v. State*, 5 H. & J. 369.

Cited but not construed in *Smith v. Williamson*, 1 H. & J. 150.

An. Code, sec. 3. 1904, sec. 3. 1888, sec. 3. 1715, ch. 23, sec. 6. 1729, ch. 24, secs. 21, 22. 1818, ch. 216. 1890, ch. 548. 1894, ch. 661. 1904, ch. 414.

3. No bill, testamentary, administration or other bond (except sheriffs and constables' bonds), judgment, recognizance, statute merchant, or of the staple or other specialty whatsoever, except such as shall be taken for the use of the State, shall be good and pleadable, or admitted in evidence against any person in this State after the principal debtor and creditor have been both dead twelve years, or the debt or thing in action is above twelve years' standing; provided, however, that every payment of interest upon any single bill or other specialty shall suspend the operation of this section as to such bill or specialty for three years after the date of such payment; saving to all persons who shall be under the aforementioned impediments of infancy or insanity of mind the full benefit of all such bills, bonds, judgments, recognizances, statute merchant, or of the staple or other specialties, for the period of six years after the removal of such disability.