

some circumstances can be brought forward, such as infancy, coverture, &c. to account for the neglect, and for the sake of uniformity between the proceedings in courts of law and equity, twenty years after forfeiture and possession taken by the mortgagee, no interest having been paid in the mean time, has been fixed upon as the period beyond which, the right of redemption does not extend. 1 *Powell on Mortgages*, 360. *Demarest vs. Wynkoop*, 3 *Johns. Ch. Rep.* 129. In this case, as we have seen, the property, which, upon the theory of the complainants' solicitor was held in mortgage by Schwartz and McDonald, was sold by them in 1812, was fully paid for by the purchaser in 1813, when the possession was given up to him by the widow of the mortgagor, who, down to that period, had with her children been in the possession and enjoyment of it. From the time the possession was so surrendered to the purchaser, there is no pretence that there has been any recognition or acknowledgment of any kind, of the title of the mortgagor, and consequently it follows, that the right of entry at law on the part of the mortgagor and his heirs was barred, and in equity the bar of the statute is equally complete, whether the latter court act in analogy to the statute or in obedience to it. *Dugan vs. Gettings*, 3 *Gill*, 161. The only possible answer which can be given to this view of the case is, that the female complainant was, at the time the property was so sold and possession taken by the purchaser, a minor.

This is true, but then her minority ceased in the year 1831, and this bill was not filed until August, 1845, so that the disability had been removed for fourteen years before she instituted her suit, and consequently she does not bring herself within the proviso of the statute of limitations, which allows ten years for prosecuting a suit, after the disability is removed, and as the courts of equity have adopted the period of twenty years as a bar to the right of redemption, in imitation of the first clause of the statute, so they have also adopted the ten years fixed in the proviso for prosecuting after the disability is removed. 1 *Powell on Mortgages*, 364. *Beckford vs. Wade*, 17 *Vez.*, 99. *Demarest vs. Wynkoop*, 3 *Johns. C. R.*, 129. The only disability