

before suit brought. *White v. White*, 1 Md. Ch. 57; *Mason v. Union Mills Co.*, 81 Md. 452. Cf. *Bond v. Jay*, 7 Cranch. 350.

Notwithstanding this section, a suit for negligence causing death must be brought within one year after the death of the deceased, in accordance with article 67, section 2; and this is true although the defendant may not have been suable in Maryland during the year. *Swanson v. Atlantic, Gulf & Pacific Co.*, 156 Fed. 977.

1904, art. 57, sec. 6. 1888, art. 57, sec. 6. 1860, art. 57, sec. 6. 1729, ch. 25. secs. 3, 4. 1818, ch. 216. 1853, ch. 132. 1894, ch. 661.

6. All actions on sheriffs', coroners' and constables' bonds shall be brought within five years after the date of such bonds and not afterwards; but the State may sue on said bonds for her own use at any time; and if any person entitled to suit on a sheriff's, coroner's or constable's bond shall be at the time of the accruing of any cause of action on such bond under the age of twenty-one years or *non compos mentis*, he or she shall be at liberty to bring his or her action within five years after the removal of such disability.

The act of 1818, ch. 216, repealed the saving clause in so far as it applied to persons "beyond the seas." The court construed the act of 1818 to give such persons three years from the time of the passage of the act to bring suit. *Garrison v. Hill*, 81 Md. 558. See also, *Mason v. Union Mills Co.*, 81 Md. 450; *Frey v. Kirk*, 4 G. & J. 521. (As to persons under disability, see notes to section 2).

The act of 1853, ch. 132, reducing the time within which suit on a sheriff's bond must be brought, held to be constitutional as applied to bonds executed prior to its adoption. Suit on such a bond must be brought within the five years. *State v. Jones*, 21 Md. 436.

A suit by the Lord Proprietary on a sheriff's bond for public money, held to be barred under the act of 1729, ch. 25. *Lord Proprietary v. Bond*, 1 H. & McH. 210.

1904, art. 57, sec. 7. 1894, ch. 661, sec. 6 A.

7. The period within which any suit or action may be brought under any statute of limitations in force in this State shall not be extended because the plaintiff in such suit or action was, is or shall be a *feme covert*, imprisoned, or beyond the seas, or out of the jurisdiction of this State at the time of the accrual of the right, title or cause of action.

Plaintiffs mentioned in this section having a vested right to sue at the time of its adoption, had ten years thereafter to enter suit; since June 1, 1904, they have been on the same footing as other plaintiffs. *Safe Deposit Co. v. Marburg*, 110 Md. 415; *Baumeister v. Silver*, 98 Md. 427.

*Ibid.* sec. 8. 1888, art. 57, sec. 7. 1860, art. 57, sec. 7. 1849, ch. 224. 1876, ch. 58.

8. Whenever any person may die indebted and his interest in real estate may be liable to be proceeded against for the payment of his debts by reason of the insufficiency of his personal estate, the operation of this article both at law and in equity shall be suspended in relation to the heirs and devisees of such debtor for the period of eighteen months from the death of such decedent, and where any debts of such person so dying indebted have been or may be paid by his executor or administrator and the real estate of such decedent is proceeded against for the payment of his debts, the operation of this article, both at law and in equity, shall be suspended in relation to the heirs and devisees