The defendant offered to prove, but the fact was admitted by the plaintiff, that the husband of the plaintiff, the said James H. Hadaway, is now, and has been since 1858, a lunatic and insane.

Defendant then offered to read to the jury five mortgages, the signature of the plaintiff thereto being admitted, which mortgages are as follows:

This mortgage, made this first day of October, in the year eighteen hundred and seventy-two, by and between Lea Smith, Edwin Smith, and Margaret Smith, his wife, and Caroline Hadaway, formerly Caroline Smith, whose husband, James H. Hadaway, is a lunatic, or insane, and has been so found upon an inquisition in the Circuit Court for Kent County, and said finding remains unreversed, and in force, of Kent County, in the State of Maryland, of the one part, and Richard Hynson, of the same county and State, of the other part: Witnesseth, that in consideration of the sum of ten thousand dollars, now due from the said Edwin Smith and Caroline Hadaway, to the said Richard Hynson, they, the said Lea Smith, Edwin Smith and Margaret Smith, his wife, and Caroline Hadaway, do grant unto the said Richard Hynson, his heirs and assigns, all those tracts or parcels of land situate and being in Fifth Election District of Kent County aforesaid, commonly called the Shipyard Farm; containing two hundred and eighty-three acres, two roods and five perches of land, more or less, and the swamp wood lot held and used as a part of the said Shipyard Farm; which lot contains about thirty four acres, one rood and fifteen perches; they being the same land which the said

Richard Hynson, as trustee, conveyed to the said Edward Smith and Caroline Hadaway, by deed bearing even date herewith, and to be recorded among the Land Records for Kent County aforesaid; and also all the right, title, claim, interest, and estate which they, the said Lea Smith, Edwin Smith, and Caroline Hadaway now have, or which they, or either of them may hereafter have, of, in, and to all those several tracts, parts of tracts or parcels of land situate and lying in Kent County and Fifth Election District, containing four hundred and thirty seven acres; it being the same property which was conveyed to a certain John P. Smith by two several deeds, one from Ann Page, dated on or about the twenty seventh day of February, eighteen hundred and thirty nine, and recorded among the Land Records for Kent County aforesaid, in Liber J. A. G., No. 6, pages 94. &c., and the other from Thomas R. Brown, and George B. Westcott, executor of Thomas B. Hynson, bearing date about the second day of December, in the year eighteen hundred and thirty nine, and recorded among the aforesaid Land Records in Liber No. 6, &c., and which the said John P. Smith devised to the said Lea, Edwin and Caroline by his last will and testament, which has been duly admitted to probate, and recorded in the Register's office for Kent County aforesaid — as will more fully appear on reference to the aforesaid several deeds and will.

Provided, that if the said Edwin Smith, and Caroline Hadaway shall pay on or before the first day of October, in the year eighteen hundred and seventy-five, the sum of ten thousand dollars, with interest thereon from the date hereof, according to the tenor of their promissory