the Complainant assents to the prayer accordingly of said petition and ask that said Petitioners be admitted as defendants in place of said Joseph.

Charles F. Mayer Solr for Complt.

Which being read and heard the Court passed the following order to wit:

In the Circuit Court for Baltimore City.

Ordered this 27th day of January 1855, upon the aforegoing Petition, that the said Petitioners be admitted in the place of said Joseph.

Wm George Krebs.

And the said cause so standing was further continued until the second Monday in March next. At which said second Monday of March to wit, in the year last aforesaid come again into Court here the parties aforesaid by their Solicitors aforesaid, and afterwards to wit, on the thirtieth day of April in the year last aforesaid the said Complainant by her solicitor aforesaid filed in Court here in said cause the following exceptions to testimony to wit:

Euphrasia Cooke vs. Husband and others.

In the Circuit Court for Baltimore City.

The Complainant excepts to the testimony of Polyer P. Lovegrove in this case and denies that any part thereof is admissible, but particularly all that relates to any conversation with Edwards the Trustee or any declaration of said Edwards and all that relates to the conversations with, or declarations of any other persons, and particularly all conversations with Husband and Pennington and Cooke or either, or any declarations by them, or either of them, and to any declarations by said Lovegrove to them, or any of them, or to any persons mentioned or referred to in his testimony, whether relating to the title of the property or otherwise.

Charles F. Mayer Solr of Complt.

And afterwards to wit on the day and year last aforesaid the said defendants by their solicitor aforesaid filed in Court here in said cause the following exceptions to testimony to wit:

Cooke &c vs. Husbands &c

In the Circuit Court of Baltimore City.

The Defendants (Husbands & Ward) in pursuance of the provisions of the act of Assembly except to the following testimony offered on the part of the Complainant, as being inadmissible in this cause, viz:

1st. They except to the evidence of Chas F. Cooke, a witness examined in this case upon the ground that he is not competent, the said Cooke being the husband of the Complainant.

2d. They except to all that part of the answer of Charlton & Spurrier commencing with "witness certainly received instructions" and extended to the close of said answer, as being incompetent evidence in this cause.

3d. They except to all that part of the answer of Abarilla Collins a witness examined on the part of the Complainant, to the second interrogatory, embraced in brackets, as being incompetent evidence in the cause.

J. Nelson.

Solr for Defts (Husbands & Ward).

Whereupon for that the Court here is not advised to give its judgment of and upon the premises aforesaid day therefore is given to the said parties to hear thereof its judgment until the second

Monday in May next &c. At which said second Monday of May to wit, in the year last aforesaid come again into Court here the parties aforesaid by their solicitor aforesaid, whereupon for that the Court here is not yet advised to give its judgment of and upon the premises aforesaid day therefore is given to the said parties to hear thereof its judgment until the second Monday in July next. At which said second Monday of July to wit in the year last aforesaid come again into Court here the parties aforesaid by their Solicitors aforesaid, whereupon for that the Court here is not advised to give its judgment of and upon the premises aforesaid day therefore is given to the said parties to hear thereof its judgment until the second Monday in September next. And now hear this day the said second Monday of September to wit in the year last aforesaid came again into Court here the parties aforesaid by their Solicitors aforesaid. Whereupon all and singular the premises whereof the said parties have put themselves upon the judgment of the Court here being by the Court here seen, heard and fully understood and mature deliberation thereupon had the Court passed & filed in said cause the following opinion in writing to wit:

Euphrasia Cooke by her next friend Adam Denmead vs. Joseph E. Husband and others.

In the Court of Chancery removed to the Circuit Court for Baltimore City.

The object of the Bill filed in this case is to set aside a deed executed by two married women, Euphrasia Cook, and Eurydice Pennington & a trustee &c. to the Defendant Joseph Husband, which in one of its recitals, states that they have sold to the party of the third part, in said deed, all their Estate, and interest, right title use, trust, property, claim and demand whatsoever of, in, unto and out of "the several parcels of ground and premises described in said deed, and the several rents, issues and profits thereof" and in the granting part conveys to the said Husband "all their Estate, and interest, right, and title, in and unto" the said parcels of ground & premises describing them particularly in the said deed, and the rents issues & profits thereof, and especially the annual rents mentioned, and specified therein, issuing and payable out of the said parcels of ground and premises. The interest that these ladies had in these rents was a life Estate in one half for the separate use of each, acquired under the will of William Mann a copy of which is filed among the proceedings, with a remainder over to the survivor, in case of the death of either, without issue. The will provided that the Trustee to whom the grounds, and premises, out of which the rents issued, were devised for the use of these ladies, should pay each half "unto such person or persons only, and for such intents and purposes only "as these ladies respectively "by any writing or writings, under their hands, "and seals, from time to time, should direct, or appoint, and in default of such direction or appointment, and in the meantime, and until they should respectively "make any such direction or appointment, should pay the same to these ladies respectively. The consideration in said deed is stated to be the sum of seventeen hundred dollars, paid to the said Euphrasia, and Eurydice Pennington, the sister of the Complainant, as now dead, without issue, and one half of these rents would survive to, and vest in the complainant, under the provisions of this will, if the grantee in this deed, is not entitled to claim them by its terms. The complainant insists that the deed