trusts for special purposes endure, after these debts, &c, are satisfied, and these lives are run out, the fee-simple will vest in the heirs of the testator. They either, under the residuary clause of his will, or as his right heirs, now hold the reversion, subject to the term created, and those to be created, and having a fee-simple in the rents, have, in my opinion, the right to dispose of this property absolutely. What is said in the elementary books, and decided cases in reference to the perpetuity rule in connection with leases, applies exclusively to leases for lives. Doe, d, of Wyndham vs Malcombe, 7 Term Rep. 712; Clark vs Smith, 9. Clark and Finnelly, 141; 1 Platt on leases 433; 7 Term Rep. 723, shews, that where the leases for a definite term, as for 99 years, it may be made determinable on any number of successive lives. That was the character of the lease that had been executed by Sir W. Wyndham, referred to in that case, and its validity was in no wise impeached, which would have been done if there had ground for it from that circumstance. My views being such are expressed in the foregoing opinion, I must decline to grant the relief prayed, and pass a decree accordingly. Wm. Geo. Krebs.

Whereupon the Court here passed the following decree, to wit:

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| David Barnum and Augustus K Barnum, Infants, by their next friend, Jerrett Hewitt, vs Andrew McLaughlin, Jenna Barnum & others. | In the Circuit Court — Baltimore City. |





November Term 1862.

This cause standing ready for hearing was argued on behalf of the parties respectively, and the Bill, Answers, Testimony and all the proceedings in the cause, were by the Court read and considered.

Whereupon it is by the Circuit Court for Baltimore City, this twenty-fifth day of November, in the year eighteen hundred and sixty-two, adjudged ordered and decreed, that the Bill in this case be and the same is hereby dismissed, with costs to the Defendants, as the same shall be taxed by the Clerk. Wm. Geo. Krebs.

And afterwards, to wit; on the twenty-eighth day of November, in the year last aforesaid; the said Complainants by their Solicitors aforesaid, filed in said cause the following Prayer of Appeal, to wit:

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| Barnum & others, vs Barnum & others | Circuit Court Baltimore City. Mr. Adams: - Enter an appeal from the decree recently passed in this cause. |

H. S. Alexander, for Complainants.

27 November 1862.

And the said appeal being by the Court here granted; it is thereupon ordered by the Court here, that a Transcript of the Record and proceedings in the cause aforesaid, with all things thereunto relating, be transmitted to the Court of Appeals of the State of Maryland, and the same is hereby transmitted accordingly.

Test: J. Thomas Adams, Clk.

In testimony that the aforegoing is a full and