reason of the matters and facts which are fully set forth in the said answer of their said co-respondents, the complainants have no right or title in or to the lands mentioned in the bill of complaint, or the rents or profits thereof, and that therefore these respondents cannot unite with them in any proceeding at law or in equity, for a partition or sale of the said land. And for a further and special plea in this behalf, these respondents and each of them, not waiving but relying upon all the matters of defence herein set up, say that if the complainants or those under whom they claim, ever had any cause of action or suit for or concerning any of the matters in the said bill mentioned, which these respondents in no sort admit, but expressly deny, such cause of action or suit accrued or arose above twenty years before the filing of the said bill of complaint in this cause, or before serving or suing out process against these respondents.

Wherefore, these respondents pray that they may be hence dismissed with their costs.

Brown & Brune,

Solicitors for Matilda Chase, Wister Ann Ridout and Samuel Ridout Respondents.

Oath waived.

Charles J. Bonaparte

Ernest Rieck

Plaintiffs' Solicitors.

Petition and Application for Issues.

(Filed 23d February 1881.)

William Halton Chase, et al.,
vs
Ross R. Winans, et al.

In the Circuit Court of Baltimore City.

To the Honorable George W. Dobbin Judge, &c:

The petition of the complainants in the above entitled cause, respectfully shows:

That the said cause is now at issue, all the respondents therein having answered, and general replication having been entered by your petitioners.

That the questions of fact material to the proper adjudication of this controversy, are shown by the pleadings to be substantially four, namely:

(1.) Whether the paper-writing whereof, "Complainants' Exhibit K;" is admitted to be a true copy, was ever written or signed by Jeremiah Townley Chase, deceased.

(2.) Whether, if so written or signed, it was executed and intended by the said Jeremiah Townley Chase, as and for a complete testamentary paper and sixth codicil to his will; and

(3.) Whether, if so executed and intended, it was made and published when the said Jeremiah Townley Chase was of sound and disposing mind, memory and understanding; and

(4.) Whether, if it was so executed when the alleged testator had capacity for the purpose, it was his free, voluntary and intelligent act.

And your petitioners show, that the questions must be determined from their nature, very largely by reliance upon circumstantial evidence and the opinion of witnesses acquainted with the said Jeremiah Townley Chase, and that consequently the testimony they will be obliged to produce and to rebut, is likely to be voluminous; that very material assistance will be afforded to any tribunal charged with their decision by an inspection of the original paper in question, and other alleged testamentary