R. G. Mackall, there is impressed the character of a trust, and that for that reason they are not liable to be defeated by the plea of the statute of limitations. I am firmly convinced, however, that this position cannot be maintained. The whole doctrine upon this subject of trusts was most elaborately discussed by Chancellor Kent, in the case of *Kane* vs. *Bloodgood*, 7 *Johns. Ch. Rep.*, 90, who, after a critical and searching examination of the authorities, came to the conclusion, that "the trusts intended by the Courts of Equity not to be reached or affected by the statute of limitations, are those technical and continuing trusts which are not at all cognizable at law, but fall within the proper, peculiar, and exclusive jurisdiction of Courts of Equity." The rule deduced by the Chancellor from a review of the authorities in that case is, "that the trusts which are not within the statute are those which are the creations of the Court of Equity, and not within the cognizance of a Court of Law; and that as to those other trusts which furnish causes of action at law as well as in equity, the statute is, and in reason ought to be, as much a bar in one Court as the other; that is, when the jurisdiction is concurrent, and the party is at liberty to proceed in either Court, as in cases of account, where a bill for an account may be brought in equity, or an action of account at common law, the statute is equally a bar in both Courts. In all such cases, the Courts of Equity, though not within the words of the statute, adopting by analogy the time prescribed by the Legislature as a fit and just period as a bar in equity." And in the case of *Kane* vs. *Bloodgood*, a bill for dividends in an incorporated company was adjudged to be barred by the statute, not having been brought within six years after the right of action accrued, that being the period of limitations at law. Equity in that case, acting by analogy, and in obedience to the statute, and, as the Chancellor declared, upon established principles which could not be disregarded.

The principle settled by the case of *Kane* vs. *Bloodgood*, so far from being shaken, is affirmed by the Court of Appeals of this State in *Green and Wife* vs. *Johnson and Wife*, 3 *Gill & Johns.*, 389. The clear doctrine of this last case is, that so