

he prayed, that he might have a commission to take testimony; and that the time for collecting and returning evidence might be enlarged.

12th May, 1828.—BLAND, *Chancellor*.—*Ordered*, that the time limited for the returning and filing of testimony authorized to be taken by the interlocutory decree of the 4th of April last, be and the same is hereby extended to the 15th of October next. That the parties be and they are hereby authorized to take out a commission for the purpose of taking testimony in any foreign country, to be read in evidence in this case, on naming and striking commissioners as usual. *Provided*, that such commission be returned on or before the 15th of October next; or that good cause be then shewn why the same, with reasonable diligence, could not have been returned by that time.

Soon after which the plaintiffs, by their petition on oath, stated various matters and things in relation to the grounds upon which this last order had been granted; and objected to the enlargement of the time for collecting and returning testimony; alleging, that the sole object of the defendant *Law*, was an unjust and unreasonable delay. Upon which they prayed, that the order of the 12th instant might be rescinded.

16th May, 1828.—BLAND, *Chancellor*.—The petition of the plaintiffs, this day filed, having been submitted, has been read and considered.

The time limited for taking and returning testimony in relation to the accounts directed to be stated by the interlocutory decree of the 14th of April last, was, as is usual in cases where there is nothing in the proceedings from which what may be deemed a reasonable time for that purpose can be inferred, and the parties have not been heard upon that subject, fixed at a very short period. And therefore I did not consider it proper on the 12th instant to exact from the party, on that, his first application for an extension of the time, such strict proof of the necessity of having it enlarged, as I should have done on a second application of the same nature, or as would be required to obtain the continuance of a case standing regularly for hearing; therefore it is *Ordered*, that the aforesaid petition be and the same is hereby dismissed with costs.

On the 20th of June, 1828, these plaintiffs filed another bill against these same defendants, in which the ownership, voyage,