

Legislature only;) and that no tribunal can annul such a marriage, and declare the same to be void, after the death of either or both of the parties.

The case has been remanded by the Court of Appeals to the Court of Chancery, to carry into execution the principles settled by the former court. Under the existing laws and rules of practice, neither the Court of Chancery or the Court of Appeals, can revise or reconsider their present subsisting judgment, but the Chancery Court must confine itself to carrying out the decree of the Appellate Court; and the latter, when the case again goes to that tribunal, must revise only such acts of the Chancellor as may or shall have taken place since the cause was remanded. It is not certain that the defendants, (Margaret Moore and others,) can file a bill of review, or any proceeding of that nature in the Chancery Court, upon evidence discovered since the passage of the decree by the Court of Appeals, for the purpose of reopening it, so as to bring up a second time, the consideration of the principles decided by that court. And if this proceeding be instituted at all, it cannot be done until the decree shall have been performed by the defendants. In the state of the proceedings in the Chancery Court they have petitioned the Legislature to pass an act authorising the Court of Appeals, when the case again goes before them, to hear another argument upon its merits; and the principles which they have asserted in their decree.— They also state that they have discovered material testimony since the date of that decree, which they desire to bring before the court; and for this purpose they pray that they may be permitted to file a bill of review: And, instead of performing the present decree of the Court of Appeals, to execute a bond with good security, to be approved by the Chancellor, for the faithful performance and execution of that decree, if they shall fail in establishing their case upon the bill of review; and that in the meantime execution of that decree may be staid.

The prayer seems to be predicated upon the magnitude of the property affected by the decision, and the importance, to the whole community, of the principles asserted by the court. The validity of a lunatic's marriage was presented, for the first time, for the consideration of the courts of this State. After an argument of several days, and a most laborious examination of the sources of this branch of our law, the case was postponed until the next term. Six months elapsed; the judges met and consult-