ed by the fifth District Court of New Orleans, and from other sources, I learned that the heirs, at law, had manifested a determination to assail the will of McDonough, upon the broad principles, that the conditions and limitations, annexed to the bequest, were not only impracticable in themselves, but were in direct contravention of public policy. It is not necessary, here, to enter more fully into the details of the will, upon which the opinion of its invalidity was predicated. I was notified that, the State of Louisiana, looking to, and anticipating the threatened action of the heirs at law, had taken initiative proceedings in her State Courts, which thereby had obtained complete jurisdiction of the case, to the exclusion of the Federal tribunals, into which the expected suit of the heirs would have carried her, had it been first instituted. The importance of this movement, on the part of Louisiana, was evident. Had the case been entered in the United States Courts, no one could have foreseen the period of its termination, nor the cost of its prosecution. Moreover, the jurisprudence of Louisiana being, mainly, derived from the civil law, and resting principally upon Roman, French, and Spanish authorities, and the decisions of her Supreme Court, her Judiciary was the proper tribunal, before which to try the issues involved in the case. The interest of Louisiana and Maryland is contingent only, under the will of McDonough. If the legacies to Baltimore and New Orleans should lapse, from any cause, then, it is provided, in the will, that, Maryland and Louisiana shall, as residuary legatees, severally take them, to be held in trust for the purposes contemplated by the Testator, in the bequest to the Cities. After a careful consideration of the will, and in view of the opinions of able Counsel, upon which the State of Louisiana had already acted, I felt justified in entertaining doubts, as to the capacity of the Cities to take the legacies; for the causes hereinbefore assigned. Although, I had not formed a settled opinion, nevertheless, I considered that, even a reasonable doubt imperatively called for my immediate action, in the premises; the Legislature not being then in session, to whose superior wisdom the matter could be referred. I regarded the intervention of the claims of Maryland as necessary to insure, *absolutely*, the protection of the estate agaist the suit of the heirs at law. If the Cities, which are the first legatees, can take at all, it must be, by the strength of their own title, upon the face of the will. It must be, because the conditions and limitations are practicable, and not in violation of public policy. It is, therefore, utterly immaterial, so far as their chance of success is concerned, who else may be a party claimant upon the record. If McDonough had created no residuary legatees, and had left no heirs at law, the invalidity of the will might simply have worked an escheat to the State of Louisina. Therefore, the appearance of Maryland and Louisiana, as litigants, can, in no wise, prejudice the rights or interests of the Cities; between which, and the