

XCVII. That in every case of *plea** or demurrer filed, the plaintiff shall have ten days to submit before the defendant shall be at liberty to set down the same for argument, unless such period shall prevent such *plea* or demurrer being set down at the then next sittings, in which case the plaintiff shall either accept a subpoena to hear judgment on such *plea* or demurrer, returnable in two days, or shall undertake upon receiving two clear days previous notice in writing that the same may be argued in vacation.†

Time for submitting to *plea* or demurrer.

CVII. That in all suits concerning real estate which is vested in trustees by devise, and such trustees are competent to sell and give discharges for the proceeds of the sale, and for the rents and profits of the estate, such trustees shall represent the persons beneficially interested in the estate, or the proceeds of the rents and profits, in the same manner and to the same extent as the executors or administrators in suits concerning personal estate represent the persons beneficially interested in such personal estate; and in such cases it shall not be necessary to make the persons beneficially interested in such real estate or rents and profits parties to the suit, but the court may, upon the consideration of the matter on the hearing, if it shall so think fit, order such persons to be made parties.

Trustees of real estate to be made parties without joining persons beneficially interested.

CVIII. That in suits to execute the trusts of a will, it shall not be necessary to make the heir-at-law a party, but the plaintiff shall be at liberty to make the heir-at-law a party where he desires to have the will established against him.

When heir-at-law party in suit to execute trusts of will.

CIX. That in all cases in which the plaintiff has a joint and several demand against several persons,

Persons against whom joint and several demands exist.

* Pleas abolished to bills of relief. See 25th order of May, 1850.

† But see 26th order of May, 1850.