

tent title is ready, at any time, to be interposed, when the creditors, deluded by the act of the party holding it, have recourse to the courts, for the recovery of their claims.

Entertaining these views, a decree will be signed, vacating the mortgage of the personal estate of the 4th of June, 1846, and appointing a trustee for the sale of the property contained in it, for the payment of the claims of the complainants.

The same decree may, if the parties desire it, direct a sale of the lands in Alleghany county, for the satisfaction of whatever amount may be found due on the mortgage to the defendant, Griffith. The questions arising upon the auditor's report, will be reserved until the proceeds of the sales come to be distributed.

R. W. GILL and S. J. K. HANDY for Complainants.
O. HORSEY, and T. S. ALEXANDER for Defendants.

[The defendants entered an appeal from the decree in this cause, which was argued at the last term of the Court of Appeals, by Thomas S. Alexander and John Nelson, Esqrs., for the appellants, and John V. L. McMahon and Reverdy Johnson, Esqrs., for the appellees, when the appellate court affirmed the decree *for the reasons assigned by the Chancellor*. Thus the above opinion has been adopted by the highest judicial tribunal in the state, and, therefore, becomes a part of the law of the land.]