

orable Court and that the same was finally ratified and confirmed
 by said Court on the 22nd day of August 1877, and referred to
 the Auditor of said Court to state an account, a certified copy
 of which report and final ratification are herewith filed & marked
 "Exhibit B. to petition", that the said Auditor stated and filed his
 account therein on the 7th day of September 1877, whereby there
 is Audited to the Children of John Perill, a deceased brother
 of Thomas Perill, the sum of \$1,135.58, as well appear
 by said Audit, a certified copy whereof is herewith filed
 and marked "Ex C to petition"; that your Petitioners are the
 only Children ^{living} of said John Perill dec. to whom the said sum
 of \$1,135.58, is Audited as aforesaid, that there were two other
 children, to wit; a Mrs. Harner, a widow, and Mrs. Catharine
 Shepley who are both dead leaving children to your Petitioners
 unknown, and that the same is now due and unpaid, the said Alex.
 Maxwell and the said Beall & Baker his sureties having wholly neg-
 lected to pay the same, and said Baker being a non resident of this
 State. Your Petitioners further represent unto your Honor that subsequently
 to the execution of the said Mortgages heretofore referred to, to wit: -
 the mortgage to the said Ordeman and to the said Baker, the said
 Alex Maxwell executed his certain voluntary deed in fee of all
 his property, including the said real estate, mortgaged as aforesaid,
 to one John T. Maxwell, his son upon certain uses and trusts,
 that the said E. M. Beall, one of the sureties of said Alex Maxwell
 being wholly insolvent, and the said Alex Maxwell neglect-
 ing & refusing to pay to your Petitioners the said sum of money
 Audited to them as aforesaid, and the said Thomas A. Baker being
 neglected to pay the same or to foreclose his said Mortgage of
 indemnity for the benefit of your Petitioners. Your Petitioners on the
 29th day of September A. D. 1877. prior to the proceedings taken by
 the said Ordeman for the foreclosure of his Mortgage, filed their
 Bill of Complaint in your Hon. Court against the said Alex.
 Maxwell & his grantors in said deed, for the purpose of having
 said deed declared null and void as against your Petition-
 ers, and other creditors, and have the same vacated, and the
 said real estate of the said Alex. Maxwell sold for the payment
 of your Petitioners said claim, but that upon the assurance
 of the solicitor of said Ordeman that the amount to be realized
 by the said sale under the said Mortgage of the said Ordeman
 would be sufficient to meet and pay all the demands of
 your Petitioners they refrained from prosecuting their said
 Bill of Complaint to final decree; and that your Petitioners
 have incurred considerable expense by way of costs and counsel
 fees, in the prosecution of their rights against the said Alex.
 Maxwell. Your Petitioners charge that they are in Equity, en-
 titled to be subrogated to all the rights of the said Thomas
 A. Baker, under her said Mortgage of indemnity, and to