

they allege, that a copy of their last petition, and the order thereon, had been served on the trustee, but that, as they verily believed, he had taken no steps to sell the lands, and that he did not intend to execute his trust. Whereupon they prayed, that

413 * he might be removed, and another trustee appointed in his place. And accordingly, by an order of the 8th of the same month, he was removed, and Nicholas Brewer, Jun'r, appointed in his stead, who gave bond, and proceeded to execute the trust.

But on the 16th of April, 1826, Thomas I. Stockett and Clarissa his wife, filed their petition, in which they stated, that Clarissa was one of the children of the late Basil and Henrietta Brown; and, as such, was entitled to one-eighth part of the sum bequeathed by the late William Hammond to Henrietta, and also to one-eighth part of the real estate of the late Basil; and they objected to any further sale being made of the real estate of the late Basil as prayed by the petitioners Marriott and Shipley, and Vansant and wife; first, because, their claims were not brought in within the time limited by the notice to the creditors of the late Basil; and his creditors, who had come in according to that notice, having been satisfied, a partition of the residue of his real estate had been, long since, made among his heirs, of whom Clarissa was one: secondly, because the personal estate left by the late Basil was sufficient to pay all his debts, if it had been properly administered; but it had been wasted; and the administrator alone was now liable to these claimants; and thirdly, because the late Basil ought not to be charged with these claims, since, although he sold the real estate of the late William Hammond, he had not received the purchase money, which, in fact, had been received by his administrator, Matthias Hammond. The petitioners further stated, that the trustee, Nicholas Brewer, had advertised the real estate of the late Basil Brown for sale, which would take place in a few days. Whereupon they prayed, that the sale might be suspended; that the claims might be rejected; and that they might have such relief as the nature of their case required, &c.

BLAND, C., 20th April, 1827.—Ordered, that the matter of the foregoing petition be heard on the eighteenth day of May next, or earlier with the consent of parties; and that depositions in relation thereto, taken before the commissioners appointed to take testimony in the City of Annapolis or before any justice of the peace elsewhere, on giving three days' notice as usual, be read in evidence on the hearing. And it is further ordered, as prayed, that the said Nicholas Brewer, Jun'r, the trustee, suspend all further proceedings until further order: Provided, that a copy of this order be served on the said trustee, and also on the former petitioners Eli Marriott and Cornelius Shipley and Sarah his wife,