

The plaintiffs Cunningham and wife, by their petition, founded on the Act of Assembly in regard to such matters, 1785, *ch.* 72, *s.* 10, represented that the estate of the late William Campbell, which by the decree of the 7th of October, had been ordered to be sold by these testamentary trustees, was very large and valuable; and that it was necessary for the safety of those interested, that the trustees should give bond with surety for the faithful performance of the trust; whereupon they prayed, that the trustees might be ordered to give bond, &c.

BLAND, C., 3d July, 1826.—Ordered, that the trustees Edward Campbell and John McHenry, on or before the twenty-first day of August next, execute and file with the register, their bond to the State in the penalty of \$100,000, with surety or sureties to be approved by the Chancellor, for the due execution of the trust reposed in them, or shew good cause to the contrary; provided, that a copy of this order, together with a copy of the foregoing petition be served on them, on or before the twenty-fourth instant.

A copy having been served as required, and no cause having been shewn, the matter was again submitted to the Court.

213 BLAND, C., 30th September, 1826.—It appearing that the order of the third of July last had been served, and no cause having been shewn security given as required,—and it thus appearing to be necessary for the safety of those interested in the execution of the trusts mentioned in the last will and testament of the late William Campbell, that the trustees should give bond with surety for the due execution of the same,—It is therefore ordered, that the trustees, John McHenry and Edward Campbell, be and they are hereby removed and displaced so soon as the trustee hereinafter named, shall have given bond as required. And it is further ordered, that John I. Donaldson be and he is hereby appointed trustee under the last will and testament of the late William Campbell, in the place of John McHenry and Edward Campbell; but, before the said Donaldson shall act as such, he shall give bond with surety to be approved by the Chancellor for the due execution of the said trust in the penalty of \$100,000, which bond shall be made payable to the State and filed by the register and recorded as required, by the Act in such case made and provided. 1785, *ch.* 72, *s.* 10.

After the trustee, appointed by this order, had given bond as required, he brought the case again before the Court, for the purpose of obtaining an account and possession of the estate which had been thus committed to his administration.