

on thus taking an account of the personal estate it should be clearly shewn to be abundantly sufficient to satisfy all the credi-

terest, at two equal annual payments, reckoning from the time of sale. And the said trustee shall, if the purchaser or purchasers will thereto agree, divide the purchase money to be paid by the purchaser or purchasers into four or more parts, and take a separate bond for each part, in order that the same may be assigned among the creditors, in case they shall so elect, and it shall hereafter appear to this Court proper to be so done. And when the said real estate shall have been sold, and the confirmation, by the Chancellor, of the sale shall have been obtained, and the purchase money paid to the said trustee, he shall, as trustee aforesaid, effectually convey and secure the said real estate, and the whole right, title and interest in the same, of the said John Burris and James Burris, which hath descended to them as aforesaid, to the purchaser or purchasers thereof, in fee simple. And the said trustee shall, as soon as conveniently may be after the sale aforesaid, make and lodge in this Court, under his hand, with an affidavit of the truth thereof annexed, a just and accurate account of the sale, specifying the purchaser or purchasers, the time of sale, and the price or prices at which the said real estate has been sold, and the bonds taken for the purchase money, and specifying the expense of the whole proceeding; and that he shall bring into this Court the bonds by him taken on the sale, and the money arising from such sale, to be applied in satisfying the just claims against the said Edward Burris' estate, after deducting all the legal costs of this suit, and a commission hereafter to be allowed. Provided that before any disposition shall be made of the said real estate in pursuance of this decree, by the said trustee, further than giving the notices aforesaid first directed, he shall execute and lodge in this Court his bond, with an approved surety or sureties, to the State, in the sum of £300, current money, well and truly to fulfil and perform the trust in him reposed by this decree, or to be reposed by any future decree in the premises, and in all things honestly and truly to observe and execute the same according to the directions and true meaning thereof.

In pursuance of this decree, the trustee executed and filed his bond, which was endorsed thus: "Wm. Pinkney is well acquainted with the circumstances of Mr. Thomas, and begs leave to inform the Chancellor, that the within bond is ample security for the performance of his trust;" upon which, it was "approved, A. C. HANSON, Ch. 8 Octo. 1792." After which, on the 17th of October, 1792, the trustee reported that he had, on the 7th of September previous, sold the said estate. Upon which, an order of ratification *nisi* was passed on the 21st of October, 1792, which, as it would seem, was never published as directed.

HANSON, C., 27th December, 1803.—Ordered, that the sale made by Richard S. Thomas, trustee for the sale of the real estate of Edward Burris, be absolutely ratified and confirmed, no cause being shewn, &c. although many years have elapsed. The trustee is allowed a commission of £12 10s. 0d. for his whole trouble and expense.—MS.

LANDSDALE v. CLARKE.—This bill was filed on the 9th of June, 1796, by a mortgagee against the heirs of the mortgagor for a foreclosure or sale, one of the heirs being of full age, and two others being infants.

HANSON, C., 29th November, 1797.—The papers in this cause being submitted on the idea that it was ready for a decree on the bill and answers,