

the trustees, Dorsey and Hall, on the 8th of April, 1827, filed their petition in that case asking to have their accounts audited, and that they might be relieved from any further execution of the trust, and on the 11th of September following, an order was passed referring the case to the Auditor, to state the necessary accounts.

The Auditor, on the 14th of September, 1827, reported an account, showing a balance due the trustees of \$280 95, which was ratified by the Chancellor on the 8th of October following. And on the same day, upon the petition of Higgins and wife, the defendant, Richard W. Higgins, and the complainant, Joshua Higgins, were, by an order of the Chancellor, appointed trustees, to complete the trusts of the will of Ann Maccauley, in the place of the said Dorsey and Hall.

On the 15th of October, 1827, a bill was filed in this court, by Higgins and wife, Richard W. Higgins, Joshua Higgins and Dorsey and Hall, against James Higgins, an infant son of the said Higgins and wife, in which the proceedings in the other case are referred to, and praying upon the allegation, that the negroes had so much increased in number as to be burdensome to the estate, that a portion of them, of which a list was annexed to the bill, and numbering 23, might be sold, and the proceeds applied to the payment of the balance due Dorsey and Hall, and the residue to the use of the other complainants. The Chancellor passed a decree upon this bill, on the 6th of December following, for a sale of the property, and appointing the said Richard W. Higgins and Joshua Higgins trustees, to sell, who on the 27th of February, 1828, executed a joint bond for the faithful performance of the trust.

Richard W. Higgins, one of the trustees, reported the sale of one of the negroes, on the 8th of May, 1834, and on the 10th of April, 1835, he reported the sale of two others, both of which sales were duly ratified; since which period there does not appear to have been any further proceeding in that case.

The bill in the present case, was filed on the 27th of June, 1846, by James Higgins and Joshua Higgins, two of the children of Ann Higgins, who died early in that year, (her husband