

which the trustee, *Ridout*, died, before he had collected the whole amount of the purchase money; and, on the 14th of December, 1826, *Louis Gassaway* was appointed as his successor to complete the trust; and he now asks for an allowance of commissions on the sum of \$4779 70, the balance of the purchase money collected by him.

15th February, 1827.—BLAND, *Chancellor*.—It has been the practice of this court, for a long time, in a great variety of cases; but, particularly in creditors' suits, to have its decrees and orders carried into effect by a kind of occasional executive agents, called trustees; who perform offices, in many respects, entirely analogous to those of the regular executive officers of the courts of common law; and similar to those which, in the English Court of Chancery, are performed by the regularly constituted officers of that court, called masters in chancery. The trustees of this court hold a place under it, and discharge their duties in a manner entirely unknown to the English chancery system. The principles by which they have been governed have grown out of the nature of the cases in which they have been employed; and, although often modified, as propriety and convenience seemed to suggest, they cannot yet be regarded as being as well settled, and as generally understood as the nature of the subject requires.

Trustees appointed and employed by this court have always been considered as its ministerial officers; and, in whatever way they may have originated, the power to employ such agents having been recognised and affirmed by several legislative enactments, it may be now considered as finally and firmly established. (a)

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(a) 1785, ch. 72, s. 7; April 1787, ch. 30, s. 5.

*PUE v. DORSEY*.—This bill was filed on the 9th of June 1784, by Michael Pue, William Goodwin and Milcah his wife, and Eleanor Dorsey, surviving executors of Caleb Dorsey, against Edward Dorsey, son of Samuel. The bill states, that the plaintiffs' testator being seized and possessed of a large real and personal estate in iron works carried on in copartnership with a certain Alexander Lawson, in May 1772, purchased the share held by Lawson, for which he agreed to pay the sum of three thousand pounds sterling; soon after which the testator made a codicil to his will, wherein, among other things, is contained the following devise:

"I give to my two sons, Samuel Dorsey, and Edward Dorsey, and their heirs forever, to be equally divided between them, to hold as tenants in common all and singular the furnaces and iron works, tracts, pieces and parcels of land, negroes, white servants, horses, cattle, wagons, carts, and stock, of what nature and kind soever, and all and singular the parts, shares, and proportions of the furnace and iron works, tracts, pieces and parcels of land, negroes, white servants, horses, cattle, wagons, carts, and stock of what kind or nature soever, which I have lately purchased from, or contracted to purchase from, and of a certain Alexander Lawson, of Baltimore