

or before the first day of April next. And it is further ordered, that the said *Basil D. Mullikin* and the said *Baruch Mullikin*, his surety, bring into this court all the bonds or notes which were taken by the said *Basil* from the purchasers of the property in the proceedings mentioned to secure the payment of the purchase money; or in case the same or any part thereof has been paid to them or either of them, that they bring into this court the whole amount of the money so received by them or either of them, on or before the first day of April next, or shew good cause to the contrary: provided that a copy of this order, together with a copy of the said objections, be served on the said *Basil D. Mullikin* and *Baruch Mullikin* on or before the fifteenth instant. And it is further ordered, that the said *Basil D. Mullikin* be and he is hereby displaced, and *Thomas S. Alexander* is hereby appointed trustee in his stead with the same authority and subject to the same responsibility: provided that before he acts as such he shall give bond in the penalty of twenty thousand dollars as required by the said decree.

The trustee *Alexander* gave bond as required; on the 26th of March 1828 *Basil D. Mullikin* filed a full answer; on the 24th of September following the case, by order, was referred to the auditor; and on the 20th of December *Baruch Mullikin* filed his answer in obedience to this last order.

On the 5th of May 1828 the trustee *Alexander* filed a representation, stating, that the land reported to have been sold to *Benjamin H. Mullikin* was in fact purchased by him for the use of *Nicholas Woodward*, who had intermarried with the heiress *Margaret*, who had died after the confirmation of the auditor's report, by reason whereof the right to demand and receive her share had survived to her husband *Nicholas*; that a considerable amount of the purchase money was yet unpaid, which *Nicholas* admitted. No cause was shewn by *Benjamin H. Mullikin*.

And on the same 5th of May this trustee filed another representation, stating, that much of the proceeds of sale had been misapplied by the former trustee *Basil D. Mullikin* and was likely to be lost by his misconduct, and also by the misconduct of some of the other heirs, who were his sureties, or who were purchasers or the sureties of purchasers.

7th May 1828.—BLAND, Chancellor.—The representations of the trustee, *Thomas S. Alexander*, having been submitted, the proceedings were read and considered.