

\$50,860 65; but, as it appeared, that some payments had been made by the former trustees, no distribution could be made until the evidence of those payments should be produced.

The plaintiffs, *Edward Campbell and Cunningham* and wife, by their petition, filed on the 11th of December, 1827, stated, that on the petition of the devisees and heirs of the late *William Campbell*, the General Assembly had, on the 1st of March, 1826, passed a private act authorizing the Chancellor, on the application of any person interested, and on being satisfied that it would be beneficial to the creditors and others interested in the estate, to appoint a trustee with power to mortgage the real estate of which the late *William Campbell* died seized, or any part of it, for such sums, and on such terms as he might deem most advantageous to all concerned; and that the trustee so appointed, should give bond with surety for the faithful performance of his duty. (c) And these petitioners further state, that the plaintiff *Randolph Campbell*, was then dead intestate, and without issue; that *Charles Campbell* still continued to be of unsound mind, and was then in the hospital in Philadelphia, without hope of recovery; and the petitioner *Cathe-*

(c) An act to authorize the appointment of a trustee or trustees, with powers to mortgage certain real estate, for the purposes therein mentioned.

Whereas, it is represented to this General Assembly that *William Campbell*, late of Frederick county, deceased, was, at the time of his death, seized and possessed of considerable real and personal estate, and was indebted to a very large amount; that the estate which he left is greatly more than sufficient to pay his debts, if a sale of said property could be effected on reasonable terms; but at this time, it cannot be sold without a considerable sacrifice. And, whereas, the devisees and heirs at law of the said *William Campbell* have petitioned this General Assembly for a law to authorize them, or some person for them, to raise a sufficient sum of money to pay the debts due by the said *William Campbell*, by mortgaging the real estate of which the said *Campbell* died seized. Therefore,

Be it enacted by the General Assembly of Maryland, That the Chancellor of Maryland, upon the application of any person or persons interested in the said estate, and upon being satisfied that it will be beneficial to the creditors and other persons interested in the said estate, he, and he is hereby authorized to appoint a trustee or trustees, with power and authority to mortgage the real estate of which *William Campbell*, late of Frederick county, died seized, or any part thereof, to such person or persons, and for such sum or sums, and on such terms and conditions as he, she, or they may deem most advantageous to all the persons interested as aforesaid in the estate of the said *William Campbell*. Provided, That the trustee or trustees, so appointed, before he, she, or they proceed to the execution of the trust, shall execute a bond to the state of Maryland, with such security as the Chancellor shall require, conditioned for the performance of said trust, and for the faithful application of the sum or sums of money which may be received from the mortgage of said estate, to the payment of the debts due by the said *William Campbell* previous to his decease.— 1825, ch. 135.