

The next point to be established in a creditor's suit against the representatives of a deceased debtor to enable his creditors to ob-

said, do, and shall, effectually convey and assure to the purchaser or purchasers thereof, their heirs and assigns in fee, upon the payment of the purchase money thereof to the said John Dodd, as guardian aforesaid. And it is further *Decreed*, that the said trustee do, and shall, as soon as the sales are made, and upon his receipt of the purchase money, pay and satisfy, according to the due course of administration, to the petitioners, the several sums of money due them, and each of them, on their several claims exhibited to this court, with the petition aforesaid; and also the legal interest due, and which may become due, on the several bonds or obligations in the petition mentioned. And it is further *Decreed*, that the said trustee do, and shall, as soon as the several parcels of land aforesaid, or so much thereof as may be necessary for the purposes aforesaid, are sold, for the confirmation of such sales, before any conveyance thereof, make and lodge in this court under his hand, and with his affidavit of the truth thereof thereto annexed, a just and accurate certificate or memorandum of the said sales, to whom made, and when, and at what price, and upon what terms the same were disposed of; and also, as soon as may be, after his receipt of the purchase money thereof, render to this court a full, just, and true account, with his affidavit annexed, of his disbursements thereof, to whom made, and at what time or times. And it is further *Decreed*, that the said trustee do, and shall, before any sale or disposition is made of the premises aforesaid, or any part thereof, in pursuance of this decree, execute and file in this court his bond to the state, &c. faithfully to fulfil and perform the trust in him reposed by the decree, &c. — *Chancery Proceedings, No. 2, fol. 608.*

MILDRED v. NEILL.—This was a creditor's petition, filed on the 25th of April, 1787, by Daniel Mildred and sundry others, against Isabella Neill, widow, Elizabeth Neill, Mary Neill, Alexander Neill, Callender Neill, and Isabella Neill, the younger infants, Hercules Courtney, Thomas Neill, and Joseph Donaldson. The petition states, that the plaintiffs were the creditors of William Neill, deceased, who departed this life some time in the year 1785, indebted to the plaintiffs, and sundry others, in divers large sums of money; that he devised his estate to his widow and five children, the defendants, some of whom are in a state of minority, and incapable of disposing of the real estate devised to them by their father for the payment of the plaintiffs' claims; that the testator appointed the defendants, Isabella Neill, the widow, Hercules Courtney, Thomas Neill, and Joseph Donaldson, his executors, who took upon themselves the trust; that the personal estate had been fully administered, and that there were not personal assets to satisfy the plaintiffs' claims. Whereupon it was prayed, that the executors might account for the personalty; and that the devisees might disclose of what the real estate of the deceased consisted; and also be compelled to sell the real estate for the payment of the claims of the plaintiffs and others, according to law.

Isabella, the widow, by her answer admitted the indebtedness of the deceased and his will; but alleged, that she had sued out a writ of dower, and had obtained judgment thereon to recover her dower. The other adult defendants and the infant defendants by their guardian *ad litem*, admitted the debts of the plaintiffs; and specified the real estate of which the testator died seized. The will of the testator, and the accounts of the executors settled with the Orphans Court, were exhibited as parcels of the pleadings.

26th February, 1788.—ROGERS, Chancellor.—This case standing ready for decision, and the bill, answers and other proceedings appearing as before set forth, it is