

the aforesaid sum of money with interest, as herein before ordered to be brought in by him, or any part thereof, the said trustee, *Thomas S. Alexander*, be, and he is hereby authorized and empowered to make sale of the said parcel of land called Abington, upon the terms, and in the manner, and for the purposes herein before prescribed.

Robert Welch, of Ben. and *Isaac Holland*, administrators of *Barrett*, by their petition stated, that they had recovered a judgment against the defendant *Elizabeth*, as executrix, upon which there was due \$395 05, to secure the payment of which a judgment obtained against *Charles Ridgely*, by the executors of this testator, was, in October, 1828, entered for the use of the petitioner *Welch*; that since that time the amount of this last mentioned judgment had been collected by these executors and brought into this court. Whereupon the petitioners prayed, that the amount due on their judgment might be ordered to be paid to them out of the moneys so brought in.

25th February, 1830.—BLAND, Chancellor.—The judgment against *Charles Ridgely*, was assets in the hands of the executors, and as such could not be applied exclusively by them to the satisfaction of any one of the creditors of their testator, after the decree to account in this case; but it appears that the use was entered, in this instance, some time after that decree; therefore, it is *Ordered*, that the aforegoing petition be, and the same is hereby dismissed, with costs.

The trustee, *Alexander*, reported, that being under an impression that the infant defendant *Philip H. Mewbern*, had no means of raising the sum which he had been ordered by the decree to pay; and, at the instance of his guardian, he had sold a part of his personal estate, which the trustee submitted to the consideration of the court. After a publication of the usual order *nisi*, this sale was finally ratified. The amount which some of the other parties were ordered to contribute not having been brought in as ordered, the trustee, *Alexander*, further reported, that he had made sale of a part of the property devised to the plaintiff *John* and his children; of a part of that devised to the late plaintiff *Philip* and his children; and of that parcel of land described in the decree as the residue of the tract yet undisposed of by the executors. And he subsequently reported, that he had sold a part of the real estate devised to the