

and that a certain property in Germany had devolved upon the late *John Newhaus*, the brother of the testator, the one-third of which on his death vested in his wife, the defendant *Susan*, who with her then husband now probably alive, assigned her interest to the testator; by virtue of which his executors these defendants, have received a large amount; that the executors have not yet accounted for the property received by them or paid to the plaintiff *Anna*, the amount to which she was entitled as residuary legatee.

It further stated, that legacies had been given by the testator in his will to the defendants *Carsten Newhaus*, *John H. Newhaus*, and *Jacob Newhaus*, who were then infants; and as such the defendant *Franciscus* had been appointed their guardian. That the testator's sister — *Bauers*, of Bremen, never had but one child, the defendant *Anna G. Bauers*, now an infant; and that the other legatees, designated as her four other children, never did exist either before or since the testator's death; and consequently, the right to that which had been so given to them by the testator devolved upon, and vested in the plaintiff *Anna* as residuary legatee. But that the defendant *Franciscus* had caused himself to be appointed guardian, not only of the defendant *Anna G. Bauers*, but of the other four supposed infant persons; and had as guardian, retained the sum given to them, and refused to account for or to pay it over to this plaintiff *Anna*; and that a legacy had been also given to the defendant *John H. Rathean*.

This bill further stated, that the plaintiff *Anna* having been indebted before her marriage in the sum of \$636 32, to the plaintiffs *Sumwalt* and *McFarren*; after her marriage with the defendant *Lewis Helms*, and before their separation assigned their interest in her residuary legacy for so much as was necessary to secure the satisfaction of that debt with interest from the 12th August, 1819; and to the extent of which debt they now here claim as plaintiffs in this suit. Upon all which the bill prayed that the defendants *Franciscus* and *Sattler* might be ordered to account with the plaintiffs; and that they might be ordered to pay to *Sumwalt* and *McFarren* the amount of their claim, and to the plaintiff *Anna* the remainder of the residuary legacy due to her, to be settled on her as the court should direct; and for general relief, &c.

On the 25th of April, 1825, an order of publication was passed warning the absent defendants *Lewis Helms*, *Anna G. Bauers*, and *Jacob Huber*, to appear on or before the 15th day of August, 1825, and shew cause why a decree should not pass. The editor of the