

Therefore it is *Ordered*, that the property in the proceedings mentioned be sold upon the following terms, that is to say, one—

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The infant defendants answered by their guardian *ad litem*, and the adult defendants also put in their answers. They all admitted the facts set forth in the bill, and consented to a sale and division being made as prayed.

18th February, 1805.—HANSON, Chancellor.—*Decreed*, that the lands and premises in the bill mentioned, together with any other land that Allen Quynn may have, by his last will, devised to the complainant and the defendants, be sold, and the money arising therefrom, under the direction of the Chancellor, after paying the costs of this suit, be divided amongst and paid to the respective parties according to their several interests; that John Johnson, who is recommended by more than one-half in value of the persons interested, be appointed trustee to make the sale; that the course and manner of his proceeding be as follows, &c. &c., the sales to be on credit, bond with approved surety to be given to the trustee as such, for the payment of the purchase money as follows, one-fourth thereof, with interest on the same, on or before the expiration of one year from the day of sale; one other fourth thereof, with interest on the same, on or before the expiration of two years from the day of sale; one other fourth thereof, with interest on the same, on or before the expiration of three years from the day of sale; and the remaining fourth, with interest thereon, on or before the expiration of four years from the day of sale, &c. &c., and upon the approbation, ratification, and confirmation by the Chancellor, which will be, if at all, just six weeks from the day of sale; and upon receipt of the whole purchase money, and not before, the trustee by a good deed, &c. &c. The Chancellor considers the trustee as having the right or power of postponing a sale, if in the trustee's opinion necessary; and likewise of having a bye-bidder.

The trustee Johnson reported, that he had given bond as required; and that he had on the 15th of March, 1805, made sale of a part of the real estate of the testator. At the foot of which report there was a note in these words: 'We the subscribers do approve of the sale made by the trustee to Mrs. Isaac Duckett, as contained in the foregoing report, and request the Chancellor to confirm the same.' Signed John Gassaway, guardian to Eliza and John. John Kilty.

3d July, 1805.—HANSON, Chancellor.—*Ordered*, that the sale made by John Johnson of the real estate of the testator Allen Quynn, be absolutely ratified and confirmed; that for his whole trouble and expense incurred, or to be incurred, in the execution of his trust, he be allowed the sum of £150; and that the auditor state the application of the money arising from the sale, after deducting the said commission and costs.

The auditor reported a distribution of the proceeds of the sales, in which he awarded one-fourth of them to the plaintiff in his own right, and another fourth to him as the assignee of the defendant John Quynn.

Upon which the trustee Johnson, by his petition, stated, that he was desirous of closing his trust; and as the bonds, taken to secure the payment of the purchase money, would not become due for some time, he prayed, that he might be ordered to assign them to the several devisees in satisfaction of their respective shares.

10th July, 1805.—HANSON, Chancellor.—*Ordered*, that the trustee after receiving on each bond an equal proportion of the costs and expenses, as stated in the auditor's report, assign to the respective parties entitled, the bonds as follows, to wit, to John Kilty the two bonds, one due on the 15th day of March, 1807, the other due on the 15th day of March, 1808; to the guardian of the children of Allen Quynn, the son,