

On the 3d of November, 1824, an appeal bond, in the usual form, was filed, executed by the defendant, Samuel Ringgold, and by Samuel Ringgold, Junr., and Isaac Swearingen, as his sureties. On which bond there was a certificate, signed by William Price, a solicitor of this court, in these words: "I believe the above bond to be good for the penalty therein mentioned, 28th October, 1824."

On the 8th of November, 1824, the plaintiffs, by their petition, objected, that the sureties in the appeal bond were wholly insufficient; that Samuel Ringgold, Junr., had no independent means to justify his suretiship; that Swearingen had but inconsiderable property, if any, in comparison with the vast amount for which he was offered as surety—his employment, for a long period, having been only that of an overseer, or manager, of the estate of the defendant Samuel; that the defendant Samuel had, some time before, conveyed to those sureties all his estate for the payment of his debts then due; and, that it was doubtful whether the property, so conveyed to them, could be deemed liable to the debt decreed to be paid to the plaintiffs. To this petition was annexed an affidavit of Mary Ringgold, one of the plaintiffs, in which she stated, that those sureties were not sufficient; and, according to her information, they were far from having means to meet, or support their responsibility as such sureties. Upon which the petitioners prayed, that they might be allowed to shew cause, and to take testimony in relation to the sufficiency of the sureties offered.

*9th November, 1824.*—BLAND, *Chancellor*, Ordered, that the matter of this Petition be heard during the second week of the ensuing December term: And, that proofs be taken, as to the sufficiency of the sureties offered, before any Justice of the Peace, by either party, on giving reasonable notice of the time and place of taking the same to the opposite party, or their solicitor. And it is further Ordered, that the issuing of execution on the final decree in this case be stayed until the hearing of the matter of this petition or further order.

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Under this order proofs were taken on the part of the defendant Samuel Ringgold, which, together with the deed of trust from him to Swearingen and Samuel Ringgold, Junr., and the inventory of the property conveyed by it, were returned and filed.

*30th December, 1824.*—BLAND, *Chancellor*. The amount decreed to be paid having given to this matter a more than usual degree of importance; and the prayer of the petition calling for an expression