trust she may distribute the whole net proceeds arising from the use and occupation of the property, among other persons the cestui que trust under Andrew McSaughlin's will to a portion of which these petitioners may ultimately be entitled. To prove this, we think the petitioners are equitably entitled to an injunction, in a modified form, unless sufficient security for the protection of their rights be furnished by the parties in possession and in order that such proceedings may be had as will secure the equitable rights of the petitioners, this Court will pass an order reversing the order of the Circuit Court of the second of April, 1868, and remanding the cause to that Court, with instructions to pass an order requiring the respondents David C. Gordon and Anna Gordon his wife to file in this cause, on or before some certain day to be fixed by the Court, a bond with surety or sureties to be approved by the Judge of the Circuit Court, in such penalty as he may prescribe, conditioned for the payment to the complainants or their legal representatives of such sum or sums of money as may be awarded to them by any future order or decree in this cause. And in default of filing such bond, then that a writ of injunction shall be issued restraining and to restrain the said David C. Gordon and Anna Gordon his wife, trustees as aforesaid, from all further payments and distributions of moneys or funds in her hands, as net profits arising from the property or proceeds thereof, until the further order of the Circuit Court.

Order reversed and cause remanded.

Test: James S. Franklin Clerk
Court of Appeals of Maryland

And afterwards, to wit, on the seventh day of July, in the year last aforesaid, the following bond was filed in said cause, to wit:

Know all men by these presents that we, Augustus McSaughlin, William B. McSaughlin, John S. Carlile, Joseph Dorsey, A. H. Durcher, Wm. P. Preston, A. S. Abell, Dan. Dorsey, Hugh Lisson, Charles Webb, and Gabriel D. Clark, all of the State of Maryland except the said William B. McSaughlin, who is a resident of the State of Massachusetts, are held and firmly bound jointly and severally unto David Barnum and Augustus K. Barnum jointly and severally complainants in a cause now pending in the Circuit Court of Baltimore City against David C. Gordon and others, in the full and just sum of one hundred thousand dollars, to be paid to the said David Barnum and Augustus K. Barnum or their or either of their legal representatives, to which payment well and truly to be made we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents, sealed with our seals and dated this third day of July, in the year of our Lord one thousand eight hundred and sixty eight.

Whereas by an order of the Court of Appeals of Maryland, passed and made in a case of appeal wherein David Barnum and Augustus K. Barnum, by Grant Hewitt their next friend, were appellants and David C. Gordon and others were appellees, it