ion, that the money raised by the sale of the mortgaged estate, should be made to stand in the place of the estate, and furnish the same security. The case of *Buchanan* vs. *Deshon* is a direct authority for this : because there, as here, an annuity was to be paid out of a fund under the control of the court, for the life of a party; the principal, at the death of the annuitant, being payable to the parties.

This arrangement has the recommendation of indemnifying the complainant, according to the provisions of the mortgage, and preserving the capital for those who may be entitled to it after the death of Mrs. Mary Ayres. Banks, the defendant, has no right to complain, because, as the assignee of the equity of redemption and purchaser at the trustee's sale, he gets precisely the rights, which as such assignee and purchaser, he is entitled to. An order will be passed in conformity with these views, and when the trustees shall have made the investment and reported the same to this court, such further order will be passed, as the nature of the case may then require.

For Complainants—S. T. Wallis, C. I. Pennington and H. W. Thomas.

For Defendants—David and John Stewart and Charles F. Mayer.