

the said Samuel B Preston and Henry Suter Guardian as aforesaid do further agree that the Hon Judge Nelson may proceed to pass a decree immediately after the return of the Commission issued to take Testimony in the above case

Henry Suter Guardian for Infy
Sam B Preston

Whereupon the following Decree was passed

Samuel Clagett — } No 2492 Equity In the Court Comt, for Frederick County
" } Sitting as a Court of Equity
Margaret Rooney & others } This cause standing ready for hearing and being submitted
the Bill answers exhibits The Testimony taken under the Commission and all other
proceedings were read and considered It is thereupon this 27th day of January February
in the year 1854 by the Court Comt, for Frederick County sitting as a Court of Equity ordered
and Decreed - That the deed mentioned in the Bill and proceedings from John D
Rooney to Margaret Rooney dates to 7th day of December in the year 1801 a Copy of which
is filed as Testimony in this cause marked Exhibit E be and the same is hereby declared
and taken to be utterly null and void as against the Complainant and other creditors
of the said John D Rooney dec^d who may come in as parties to this suit and that
the property in said deed mentioned, or so much thereof as may be necessary -
to discharge and pay the debts of said John D Rooney dec^d be sold and that J. S.
Clagett be and he is hereby appointed Trustee to make said sale, and that the course
and manner of his proceedings shall be as follows He shall first file his Bonds,
with the Clerk of this Court in the penalty of One Thousand Dollars current
money to be executed by him, and a surety or sureties to be approved by this
Court or the Clerk thereof Conditioned for the faithful performance of the trust
reposed in him by this Decree or which shall or may be reposed in him by any
future Decree or order in the premises. He shall then proceed to sell, having pre-
viously given at least three weeks Public Notice, in some newspaper or news-
papers published in Frederick County of the time place manner & Terms of sale,
which Terms shall be as follow Viz One third of the purchase money to be paid on
hand, on the day of sale or on the ratification thereof and the remainder in two
equal annual instalments with Interest thereon from the day of sale, the
purchaser or purchasers to give him or their notes or Bonds with a surety or sureties
to be approved by said Trustee for the said payment and as soon as may be con-
venient after making said sale The said Trustee shall report to this Court upon
Oath a full and particular account of his proceedings under this Decree with
the name of the purchaser or purchasers and on the ratification of the sale or sales by
this Court and on payment of the whole purchase money (and not before) the said Trustee
by a good and sufficient deed to be executed and acknowledged agreeably to Law
shall Convey to the purchaser or purchasers of said property and to his her or their
heirs the property to him her or them sold free clear & discharged of all claim
of the parties to this cause / except that the same be sold subject to the widows
dower / and of any person or persons claiming by firm or under them and the
said Trustee shall bring into this Court, the money arising on such sale, and the
Bonds or notes which may be taken for the same to be disposed of under the di-
rection of this Court after deducting therefrom the costs of this suit, and such Com-
mission to said Trustee as this Court shall allow in Consideration of the skill
attention & fidelity wherewith he shall appear to have discharged his trust

W Nelson

The following Bond was filed March 7 1854 to wit

State of Maryland Stamp. 50¢ Know all men by these presents that we -