

may hereafter be received by the Trustee, in this cause, which were denied to him under said assignments, of George H. Buckley, as by reference to the same here-with will appear. He therefore prays - That the said cause, and the extent of the interests and rights in said assignments may be entered to his use, and the Trustee directed to pay to your Petitioner - all sums of money heretofore received, and remaining in his hands, and audited to the said George H. Buckley & David Buckley & - that the proportions of all other sums - which may hereafter come to be audited in the cause, in their right, or behalf be audited, awarded, and entered to the use of - your Petitioner, and as in duty will ever pray &c. &c.

Wm. M. Allenick.

For Petitioner.

N<sup>o</sup>. 1182 Equity. In the Circuit Court, for Frederick County, sitting as a Court of Equity.

Ordered by the Court, upon Consideration of the foregoing petition, and the papers in this cause filed - That the Trustee in this cause pay over to Simon C. Simmons, assignee of George F. M. Gill, assignee of Geo. H. Buckley, in his own right, and as assignee of his brother David Buckley: interest, under the Decree in this cause, the sums of money heretofore audited to said assignors in this cause, and not yet paid over by said Trustee, and that in stating further accounts between the parties in the premises, the auditor of this Court state and audit to said S. C. Simmons, as assignee the shares, rights, & Interests of said assignors, subject to such lawful exception if any, as may in due course of proceedings be made by any party in Interest

W. Nelson.

25<sup>th</sup> July. 1853.

The following Petition was filed Jan<sup>y</sup>. 26. 1855.

Daniel Buckley & Lewis Kemp N<sup>o</sup>. 1182 In Circuit Court for Frederick County, sitting as a  
& wife. } Court of Equity. The Petition of Lewis G. Kemp, executor of  
Ann Rebecca Buckley. } Lewis Kemp, one of the Complainants - in this cause lately  
George Buckley, and, } dec<sup>d</sup>. and of Jacob M. Buckley, Executor of Daniel Buckley -  
David Buckley. } another of the Complainants in this cause, dec<sup>d</sup>. and of Simon  
C. Simmons, who has heretofore filed his petition in this cause  
as party - claiming an Interest by assignment of the Interests of George Buckley,  
and David Buckley, two of the defendants, in this cause, which will appear by ref-  
erence to the Petition of said Simmons, and the Order thereon, in this cause. Respect-  
fully sheweth - That Lewis Kemp the Complainant in this cause, who was appointed  
by the late Frederick County Court, sitting as a Court of Equity, on the 1<sup>st</sup> day of August,  
1839, Trustee to complete the Trust, left unexecuted by the former Trustee Daniel Kemp,  
who had been appointed Trustee in this cause, by the Original Decree & had departed  
this life, has also departed this life, leaving a part of the Trust unexecuted.  
That on the 14<sup>th</sup> of March 1853, the said Lewis Kemp reported to this Hon. Court, Sales  
of certain pieces of property by him sold as Trustee in this cause, for the sum of \$  
\$1264. 379. twelve hundred, and sixty four dollars, & thirty seven cents, Cash, which sum  
was received by the said Lewis Kemp, and reported as in his hands. The said Lewis Kemp  
in the same Report set forth - That he had sold another piece of the property decreed to be sold  
in this cause to one Albert Heater, But that the said Albert Heater, had refused & still  
refused - to comply - with the Terms of Sale, your Petitioners further show - that by an  
Order of this Court, upon the Petition of said Albert Heater, the said Heater was released  
from the Contract of Sale for the reasons set forth in said Petition of the said Heater  
and that the said Lewis Kemp, as Trustee was ordered to resell the said piece of property  
so sold to the said Heater, and that accordingly on the 27<sup>th</sup> of May, 1854 - the said Lewis  
Kemp, did resell the said piece of property, to one George Baer, for the sum of Three  
hundred, and forty six dollars, (\$346.) payable one third in Cash, one third in one year  
and one third in two years, from the day of Sale, with Interest, the last two in =  
= Instalments -