In the matter of the Petition of John D Clemson and Rachel Clemson his wife } No 2764 Equity In the Circuit Court for Frederick County in Equity

The Petition in this Cause and the Exhibits being read and considered and the Case submitted It is this 23d day of February 1858 by Madison Nelson Circuit Judge for the third Judicial Circuit of the State of Maryland and by the authority of the Circuit Court for Frederick County as a Court of Equity, ordered adjudged and decreed that John Davis Clemson of Frederick County be and he is hereby appointed Trustee to execute the trusts of Will of Nicholas Hoy late of Frederick County deceased executed by John Phillips acting Executor of the last will of Nicholas Hoy deceased. and who has been removed from his office as Executor by the Orphans Court for Frederick County and who by entering plea in this Cause has declined to execute the trusts reposed in him by the will of said Nicholas Hoy deceased and it is further ordered and decreed that the said John Davis Clemson be and he is hereby authorized to sell said real estate ordered by said will to be sold and to execute the trust of the will of said Nicholas Hoy deceased and that before proceeding to act as such Trustee the said John Davis Clemson shall first file with the Clerk of this Court a bond to the State of Maryland in the penalty of fifteen thousand dollars to be executed by himself and two or more 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 may be reposed in him by any future decree or order in the premises He shall then proceed to execute the trusts of said will of Nicholas Hoy in the manner prescribed by said will and upon making any sales of the real estate he shall report the sale thereof with an affidavit of the truth and fairness thereof to this Court and upon the ratification of such sale by the Court and on payment of the whole purchase money the said trustee shall by a good and sufficient deed convey to the purchaser or purchasers the property so sold him her or them sold.

And it is further ordered that the Trustee bring into this Court the money and notes arising from