

and filed on the 23d of March, 1819. Another commission was issued to take testimony in the City of Baltimore, under which the depositions of thirty-six witnesses were taken; and among that number the deposition of the defendant Rogers was taken, under a special order of the Court, subject to all just exceptions. This commission was closed on the 2d of April, 1819; and soon after filed in Court. Among the papers of this case there is a document marked as having been filed on the 15th April, 1819, which is entitled in these words, "The answer of Nicholas Strike, of the City of Baltimore, to the petition of William McDonald, filed in Baltimore County Court against this defendant." There were sundry deeds and other documents filed by the parties, as evidence in the case. From the proofs, thus collected, it appears that the claims and allegations of the plaintiffs, as set forth in their bill, were substantially and sufficiently sustained.

DORSEY, C. J., 28th May, 1822.—The said cause being ready for hearing, and having been fully argued by complainants and defendants, the bill, answers, exhibits, testimony, and all other proceedings, were by the Court read and considered; and it being fully established to the satisfaction of the Court, that the deeds of the sixteenth January, 1811, from the defendant Rogers to the defendant Strike, mentioned in the said proceedings, were executed for the purpose of defrauding the creditors of Rogers, and without *bona fide* consideration,—decreed, that the said deeds be, and they are hereby declared null and void, as against the complainants in this cause. Decreed also, that the property in said deeds contained be sold. That Henry W. Rogers and Samuel Moale be, and they are hereby appointed trustees for the purpose of making said sale, &c. And the trustees shall bring into this Court, the money, or securities for money, arising from said sale or sales, to be applied under the Court's direction, after deducting the costs of this suit, and such commission to the trustees as the Court shall think proper to allow, in consideration of the skill, attention and fidelity, wherewith they shall appear to have discharged their trust. All equities as to the distribution of the proceeds of sale, are reserved by the Court for *hearing, on the trustees' report, on bringing into Court the money or securities arising on the sale. **63**

Under this decree the trustees reported, that they had, on the 14th of September, 1822, made a sale of the two lots, amounting to three thousand nine hundred and fifty dollars, which sale was finally ratified on the 10th of February, 1823.

WARD, A. J., 31st May, 1823.—Ordered, that this case be referred to the auditor of this Court to be audited.