

The defendant put in his answer, in which he admitted that he had been appointed a trustee as stated, and that the plaintiff Edward, had contracted for the sale of the lands in Baltimore County as set forth; but that the defendant had heard, that he had not applied so much of the purchase money as he had received from Warfield to the satisfaction of his testator's debts; and that the proposed sale to Hood, was for less than what the defendant conceived to be a fair price, and was also of such a part of the land as would make the residue very unsaleable; and, therefore this defendant had withheld his assent to the proposed sales.

BLAND, C., 7th October, 1825.—This case standing ready for hearing, and having been submitted, the proceedings were read and considered.

Whereupon it is decreed, that for the payments of the debts, and the execution of the trusts as specified in the last will and testament of the said late William Campbell, the said John McHenry and Edward Campbell, the trustees named and appointed by the said testator, forthwith proceed to make sale of the property and estate of the testator, according to the directions of his last will and testament, in such manner, and upon such terms as they may deem most advantageous to all parties concerned therein. And if the sale of all the lands of the testator lying in Baltimore County should not produce a sufficient amount, together with the debts due to him, to satisfy all the debts due by the testator, that then the trustees, for that purpose, forthwith proceed to make sale of the square in Fredericktown, the Tontine shares, and the ten Potomac shares, as specified in the testament of the deceased, or so much thereof as \* may be necessary; and if there should **212** be a deficiency, that then as much of the testator's property lying in the City of Washington be sold as may be necessary to supply the deficiency. And the money arising from the sales shall be applied by the trustees to the payment of the debt, due by the testator, and according to the uses and trusts specified in his last will and testament. And the sales of the testator's estate, which were made unto Warner Warfield and unto James Hood, as set forth in the proceedings, are hereby approved, and each of the said contracts is hereby directed to be executed and completed upon the terms expressed in the proceedings. And it is further ordered, that Edward Campbell, one of the said trustees, shall, as soon as conveniently may be, return to this Court a full and particular account of his proceedings relative to the sales stated to have been made by him, and of the amount of the purchase money received by him, and whether he has the same now in hand and if not, how and in what manner he has disposed of or distributed the same in execution of the trusts reposed in him, with an affidavit of the truth thereof.