

The petition further stated, that the dissolution of the injunction, by enabling the surviving defendants to issue executions at law on the judgments rendered more than thirty years ago, which have been levied on lands whereof the plaintiffs in the bill, or one of them, were or was seized at or since the time of their rendition, and long since sold for a valuable consideration to *bona fide* purchasers without actual notice, would cause great and irreparable injury to such purchasers, if an opportunity should not be given to them to be heard and to produce testimony in support of the injunction. In particular as regards the creditors of *Casenave*, whose interest it is the duty of the petitioner to protect; and who, if this decree be allowed to stand as final, will be deprived of the value and proceeds of a large tract of land in the state of Kentucky, to which they would be entitled, if the injunction were made perpetual, as appears by an award made in a suit which was depending in Baltimore County Court, in which *Samuel Moale*, trustee of *James Walker*, an insolvent debtor, was plaintiff, against *Robert Walsh* defendant, which award is in these words,

‘We find that the said *Robert Walsh* the defendant, is indebted to the said *Samuel Moale* the plaintiff, trustee of *James Walker*, the surviving partner of the firm of *Casenave & Walker*, in the sum of \$6,509 16, current money of the United States; and we do hereby award and order, that the said defendant shall pay to the said plaintiff the said sum of \$6,509 16, within six months from the date hereof. And we do further award, that the said *Robert Walsh*, shall, by a good and sufficient deed, convey and make over unto the said *Samuel Moale*, trustee as aforesaid, his heirs and assigns, all his estate, right, title, claim and interest in and to certain tracts or parcels of land lying in Nelson county, in the state of Kentucky, containing about twenty thousand seven hundred eighteen and three-fourths acres of land, which he, the said *Robert Walsh*, acquired by virtue of a certain deed of conveyance, dated the 23d day of March, 1795, from a certain *James Kerr* to the said *Robert Walsh*. The said lands to be conveyed by the said *Robert Walsh* to the said *Samuel Moale*, as aforesaid, free, clear of and from all incumbrances which may have been created by the said *Robert Walsh*, and also clear of all taxes which have accrued since the date of the said deed from *James Kerr* to the said *Robert Walsh*; which lands we find were conveyed to the said *Robert Walsh*, as agent of *Casenave & Walker*, of whom the said *James Walker* was surviving partner. *Provided always,*