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Title: Letter from Roger B. Taney to Unknown Recipient

Date: February 10, 1825

Location: I-SpahrB-1963-4

Contact:

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Washington July 15. 1825

Dear Sir

Judge Kelly of the United States Court has inquired of me what on the decisions in our State as to the right of the lending you trust & Trustee to sell property (and) conveyed in trust to secure the repayment of money loaned. I have told him that it has been decided in Maryland that the trust is a mortgage & that the property cannot be sold without a decree of the Chancery Court. - Has the question been decided in the court of appeals? If it has - be pleased to send me a copy of the opinion under seal. If it has not been decided in the court of appeals, be good enough to ask Mr. Webster to send me a copy under seal of

The Chancellor's Decree in which that
point was settled - It was so decided
in Chancery in the Case of Leatherman
- vs. Thrice some years ago & I believe
in several other cases. -

I will pay the fees of the copy
- send the papers to the Honble
Genl. Kelly - Washington -

Truly yours

R. B. Toney

Bowersox v. Smith - by Chaw

Kelly -

Buchanan

1825

Feb. 10 TANEY, ROGER BROOKE

To

Dear Sir

Judge Kelly of the United States Senate has inquired of me what are the decisions in our state as to the right of the _____ & Trustee to sell _____ property (real) conveyed in trust to secure the repayment of money loaned. I have told him that it has been decided in Maryland that the trust is a mortgage & that the property cannot be sold without a decree of the chancery court. Has the question been decided in the court of appeals? If it has, be pleased to send me a copy of the opinion under seal. If it has not been decided in the court of appeals, be good enough to send me a copy under seal of the chancellors decree in which that point was settled. It was so decided in chancery in the case of Leatherman-vs-Shriver some years ago & I believe in several other cases.

I will pay the fees of the copy. Direct the papers to the Honorable Wm. Kelley - Washington

truly yours

R. B. Taney

Bowerson v. Smith - by Chan Kilty -