

the Report of sale, as made by Worthington Ross. Surviving Trustee in this cause, be ratified, and confirmed, unless Cause to the contrary thereof be shown before the 5th day of October next, Provided a Copy of this order be inserted in some Newspaper - published in Frederick County once a week for three successive weeks prior to the said fifth day of October 1854.

The Trustee Reports the aggregate amount of sale to be \$2165.-

E. Shivers ck. of the Circuit Court for Fredk. County.

Examiner Buildings, Fredrick June 19th 1855. This is to Certify that the annexed order in No. 2523. Equity - was published in the Examiner, printed in Fredrick, once a week - for three successive weeks prior to the 5th day of October, 1854.

Schley & Haller,

Noah A. Gasaway & John W. Roper, trading &c as Noah A. Gasaway & Co.

No. 2523. Equity. In the Circuit Court for Frederick County February Term 1855.

Ordered by the Court, this 2^d day of July, 1855. That the sale made and Reported by Worthington Ross, Surviving Trustee be and the same is hereby ratified, and Confirmed, the exceptions to the sale not being sustained, and the order a/c being duly published.

The Trustee is allowed the usual Commission & his expenses, also the expenses of the former sale. It is further ordered - That this case be referred to the auditor to state an account, and that he report thereon to this Court.

M. Nelson.

The following paper was filed 3^d Oct. 1854.

To the Honbl. Madison Nelson, Judge of the Circuit Court, for Frederick County, sitting in Equity. Jacob Beam, one of the defendants in this cause, No. 2523. Equity, objects to ratification of the sale of the property - mentioned in these proceedings as Reported by the Trustee, and assigns the following reasons for so doing.

- 1st your objector charges - that the property sold for not more than half of its value.
- 2^d your objector charges - that the auctioneer, at the sale, was the purchaser of the property.
- 3^d your objector charges - That the sale was not bonafide, the bidding was stopped before the highest price was reached, ^{while} persons were present who were willing to give, and struck off to the auctioneer.
- 4th your objector charges, that there were persons present, who were willing and intended to give for the property much more than it was struck off at.

Wm. P. Maulsby, } Sales for
Fredk. J. Nelson } Objrs.

In the Circuit Court, for Frederick County, In Equity.

Ordered that the foregoing - Exceptions, to the Report of Sale, stand for a hearing - on the 30th day of October 1854. Provided a Copy thereof be served on the Complainants or their solicitor before said day.

Oct. 17, 1854.

M. Nelson.

Ordered - that a Commission issue to A. Nelson Jr. to take evidence upon the subject matter of the within exceptions, which evidence is to be used upon the day of the hearing of the exceptions.

Oct. 21, 1854.

M. Nelson.

Service of exceptions & Order admitted

Wm. S. Ross, Sols. for Compts.

Gasaway et al. } 2523. Equity. Ordered by the Court, this 30th day of October, in the year
" } 1854. That a new Commission to take Testimony be issued
Beam et al. } in this case, directed to Grayson Eichelberger.

M. Nelson.