

Agreement of Counsel  
to submit case  
to Court ~

H Ezekiah Fox  
vs  
Jacob Schooley and  
Others ~

No 3427 Equity ~  
In the Circuit Court for Frederick County

We agree that the Exceptions to the ratification of Report of sales made in  
this Cause, and the Evidence taken under the Commission, be submitted to  
this Court for its action. ~

Filed Nov 10<sup>th</sup> 1840 ~

W. J. Ross  
Solicitor for Complainant  
James McSherry  
at for Objectants

Order Overruling  
Exceptions to Report  
of Sales Order relating  
Sale. ~

H Ezekiah Fox  
vs  
Jacob Schooley  
Mary Kelly and  
Others ~

No. 3427 Equity ~

In the Circuit Court for Frederick County ~

This Cause coming on for a hearing upon Exceptions to the  
ratification of the Report of Sales, made by the Trustees in this Cause.  
The Exceptions, Evidence, the Agreement of Solicitors of Complainant  
and defendants, and the publication of the Order nisi having been  
read and considered, and it appearing to the Court here, that the excep-  
tions filed are not sustained by the evidence ~

It is therefore this 12<sup>th</sup> day of November 1840 by me, John A. Lynch  
One of the Associate Judges of the fifth Judicial Circuit of the State of  
Maryland, and by the authority of the Circuit Court for Frederick  
County as a Court of Equity, Ordered and adjudged, that the Exceptions  
filed in this Cause to the ratification of the report of Sales, be, and the same  
is hereby overruled, and it is further ordered that the report of sales as made  
by the Trustees in this Cause, be and the same is hereby finally ratified and  
confirmed, no sufficient cause to the contrary having been shown, al-  
though the Order nisi has been duly published. ~

It is further Ordered that the Trustees be allowed the usual Commis-  
sions, and such proper Expenses as he shall produce proper vouchers  
for before the Auditor. ~

It is further ordered that this Case be referred to the Auditor  
to state an Account between the Trustees and the parties entitled  
to the fund. ~

Filed Nov. 11<sup>th</sup> 1840 ~

John A. Lynch

Petition of H Fox

To the Honorable the Judges of the Circuit Court for Frederick County  
as a Court of Equity. ~

The Petition of Ezekiah Fox of Frederick County, Shows -  
That on the 19<sup>th</sup> day of February in the year 1840, he became the  
purchaser of the Premises mentioned and described in the Bill  
Exhibits and proceedings in the Cause of Ezekiah Fox vs Schooley  
and others in No 3427 Equity, Circuit Court for Frederick County  
as a Court of Equity, which was sold under a decree of your Honorable