No. 4741 Equity

Objections to Ratification of Sale

4th. - Because this exceptant and petitioner was desirous of bidding upon said property and becoming the purchaser thereof and so told the said Ezra Smith of J. who told this exceptant that as said sale was to be conducted out-doors and this exceptant was in delicate health, that it would not be necessary for her to be present during the whole time the Auctioneer was offering said property for sale, but that she should remain in the house and before knocking the property off he would send for her that she might have an opportunity to bid and this exceptant relying upon the good faith of said Smith acted upon his advice and remained in her house expecting to be sent for before said property was knocked off that she might have an opportunity to bid, but the said Smith failed and neglected to notify this exceptant as he had agreed and promised to do, and the said property was sold without this exceptant having had an opportunity to bid

5th - That because this exceptant was willing to give more for the said property than the amount it was sold for, and would have bid more if she had not been hindered by said Ezra Smith of J. by his agreement as set out in the 4th exception.

6th. - That because the acts and doings of said Ezra Smith of J. as set out in the 4th exception operated as a fraud upon this exceptant and the heirs at Law of said John H. Locke and prevented said property from selling for its true value

7th. - Because of other good and sufficient reasons.

William G. Verner
Ed. S. Eichelberger
Sols for Exceptant

Filed December 28th 1881

Ezra Smith of J.
vs
Petition

No. 4741 Equity
In the Circuit Court for Frederick County, in Equity.

Agreement of Counsel

It is agreed by and between the respective parties that the objections to the ratification of the sale reported in the above entitled Cause be and the same are hereby set down for final hearing on the 12th day of January next at 11 O'Clock A.M. and it is further agreed that either side have the liberty of filing affidavits taken before some Justice of the Peace of Frederick County, or by the Standing Commissioner of this Court to be used as testimony at said hearing.

J. C. Motter
for Ezra Smith
Verner & Eichelberger
for Objectant

Filed Jan. 4th 1882.

The Clerk will issue a Commission to the Standing Commissioner of this Court to be executed by Wm. B. Nelson to take testimony in the matter of the objections filed in the above cause.

J. C. Motter, Sol. for Petitioner
Verner & Eichelberger, Sol. for Objectant

Filed Jan. 4th 1882

Office of "The Examiner"
Frederick, Md., Jan 13, 1882.

Printer's Certificate

This is to certify, that the annexed order Nisi was published in "The Examiner", a Newspaper published in Frederick County, once a week for three successive weeks prior to the 31st day of Dec'br. 1881

Filed Jan. 13. 1882

Keefer & Knauff