

Samuel C. Love, another at the suit of George Slye, a third at the suit of Luke W. Barber, and a fourth at the suit of Thomas Barber, with another writ of *feri facias* from Baltimore County Court against the Cape Sable Company, at the suit of Robert Oliver, surviving partner of John Oliver, were delivered to him to be executed; that he levied them accordingly, and advertised the property of the Cape Sable Company so taken for sale; but was restrained from proceeding further by the injunction issued in this case; that afterwards, under the decree of this Court, all the property of the Cape Sable Company was sold; and that his poundage fees have not yet been paid. Whereupon he prayed that they might be paid out of the proceeds of sale, &c.

BLAND, C., 5th November, 1828.—Ordered, that the matter of the foregoing petition stand for hearing on the fifth day of December next; provided that a copy of this order, together with a copy of the said petition, be served on the respective parties in this suit, or their solicitors, on or before the seventeenth day of the present month.

Copies having been served as required by this order, the matter was at the time appointed for the hearing brought before the Court.

BLAND, C., 15th December, 1828.—The petition of William O'Hara standing ready for hearing, and his solicitor having been heard, and no one appearing for any of the parties, although notice had been given as required, the proceedings were read and considered.

It appears that the petitioner, as sheriff of Anne Arundel County, executed five writs of *feri facias* against the Cape Sable Company. It is not shewn when any of these writs came to his hands. From his return it appears, that they were all laid together on certain real and personal property as per schedule; but on what day, is not said. \* After these executions had been thus levied he was prevented from proceeding to make sale, **630** by an injunction from this Court obtained at the instance of these complainants; who represented and claimed the interest of one of the corporators of the Cape Sable Company; against all the plaintiffs and defendants in those writs of *feri facias*. After which, and while the injunction was in full force, by a decree of this Court, passed with the consent of all the parties to the suit, all the property of the Cape Sable Company, including the whole of that on which the executions had been levied, was directed to be sold, and the proceeds brought in to be distributed among the creditors and parties in proportion to their respective claims; and it has been sold accordingly.