

No. 6544. Equity.

the sum of One Hundred and Thirty-one dollars and six Cents, being the amount of the principal and accrued interest, and the Costs of suit, was rendered against the said George B. Hamber on the 25th day of April 1892, in the Circuit Court for Frederick County, as will appear by Certified Copies of said note and judgment herewith filed as part hereof and marked Exhibit B. and C.

4. That at the time of the execution of the aforesaid deed the said George B. Hamber was, and now is insolvent, and had then, and now has, no other property than that conveyed by the said deed out of which the claims of his creditors could be satisfied.

5. That the said Elizabeth Hamber and George B. Hamber, her husband, in order to secure the payment of the sum of One Hundred and fifty dollars, conveyed the aforesaid property to a certain Anna M. Adams by deed of mortgage dated on the 9th day of August 1892 and recorded in Subj. G. No. 4 folio 331, one of the Land Records of Frederick County, as will appear by a Certified Copy of said mortgage herewith filed as part hereof and marked Exhibit D.

6. That your Orator is advised and so charges that the said deed from said George B. Hamber to said Elizabeth Hamber his wife, was in prejudice of the rights of the antecedent creditors of said George B. Hamber and is fraudulent and void as against your Orator and any other creditors of the said George B. Hamber holding claims against him which were due and owing at the date of the execution of said deed, and the consideration mentioned in said deed was not true and bona fide but is a pretence and simulated consideration and a said deed was made to hinder, delay and defraud the creditors of said George B. Hamber.

7. That the said mortgage from Elizabeth Hamber and George B. Hamber her husband, to Anna M. Adams was subject and subordinate to the rights of the creditors of said George B. Hamber who were such at the time of the execution of said deed and especially subject to the judgment lien of your Orator.

8. That under a power of sale contained in said mortgage the said Anna M. Adams is about to sell said real estate and has advertised the same for sale on the 7th day of April next ensuing by advertisement in the Daily News, a newspaper published in Frederick County, as will appear by a Copy of said advertisement filed herewith marked Exhibit E.

9. That the said deed from George B. Hamber to his wife, the said judgment in favor of your Orator and the said mortgage to said Anna M. Adams so complicate and embarrass the title to said property that the same cannot be advantageously sold either under an execution upon said judgment or by a foreclosure sale under said mortgage, and it would be to the intent and advantage of all parties concerned for said real estate to be sold by a trustee to be appointed by your Honorable Court and the proceeds distributed to the parties entitled according to their respective rights.

And your Orator prays for the following relief:-

(1) That said deed from George B. Hamber to Elizabeth Hamber his wife, may be declared fraudulent and void and set aside by decree of your Honorable Court.

pendence
said in
and
said

Equity
for Frederick
out of

in Court:-
Banks of
Bill as
whom who
rding re-

Maryland
in said
by deed
Edward
ty, as will
as part

property was
to the
Hamber
to said

the said
to ann
marrying
dated
to your
note for