No. 6653. Equity.

been, by having their interests in said real estate sold.

5. That your Petitioner, Charles H. Shafer, when at the office of said R. S. Harp, Esq. upon one occasion, asked whether a sale of said property, or your petitioner's interest in the same, could not be prevented, and was told it could not, and subsequently said Harp asked your Petitioner, Charles H. Shafer, to sign a paper in connection with this case, which your Petitioner refused to do, and had no further communication with said Harp on the subject. And your Petitioner, Lycurgus P. Shafer never saw said Harp upon the subject of said case, and never communicated with him in any manner whatever upon the subject, and did not, directly or indirectly, authorize him to appear for him in said case, or to file any answer whatever.

6. That your Petitioners are advised that they are entitled to have said Answer filed by said Harp herein, purporting to be on behalf of your Petitioners, withdrawn from the files in said case, and the decree of the Court for the sale of said property annulled and set aside, in order that your Petitioners may have an opportunity to file their Answer, make proper defence, and have their rights adjudicated.

Petition of Nash & C.

7. That your Petitioners are advised that the Plaintiffs in said cause, who are the Trustees in Insolvency of William E. Shafer, have no such interest in said real Estate as to enable them to maintain this suit for the sale of the whole of said real estate, including your Petitioners' interest therein, and that your Honorable Court is without Jurisdiction in the premises to pass the decree prayed for in the Bill of Complaint.

Your Petitioners therefore pray that the said answer may be stricken out, that the decree of your Honorable Court passed on the 4th day of January 1897 may be annulled, vacated and set aside, and that your Petitioners may be granted leave to file their Answer and make defence in this case.

And as in duty &c.

Charles H. Shafer
Lycurgus P. Shafer

And as in duty &c.
Urner, Reedy & Urner,
Solicitors for Petitioners.

State of Maryland, Frederick County, to wit:-

I hereby Certify that on this 19th day of January 1897 before me, the subscriber, Clerk of the Circuit Court for Frederick County, personally appeared Charles H. Shafer and Lycurgus P. Shafer and each made oath that the matters and things stated in the aforegoing Petition are true to the best of their knowledge and belief.

John L. Jordan, Clerk,

Upon the aforegoing Petition it is ordered by the Court this 21st day of January A.D. 1897, that the Plaintiffs and the Trustees heretofore appointed to sell