

No. 8279. Equity.

Agreement of Parties
Waiving rule for
Testimony to lie in
Court for ten days.

Filed March 31, 1908.

By agreement of the parties to this cause, the testimony returned heretofore by C. O. Keeley, Examiner, in Chancery on the 24th day of March, 1908, shall be presented to the Court for consideration forthwith, said parties having mutually waived the rule requiring said testimony to lie in Court for ten days. Subject to exceptions.

John Francis Smith,

Attorney for Plaintiff,

Filed March 30, 1908.

Edward J. Smith,

Attorney for Defendants.

Petition of Wm. J. Kaydon
and Alice M. Kaydon,
for withdrawal original
Bill and file amended
Bill of Complaint.

Filed April 8, 1908.

To the Honorable the Judge of the Circuit Court for
Frederick County, sitting in Equity.

The Petition of William J. Kaydon and Alice M. Kaydon respectfully represents unto your Honor:—
That on the 7th day of March, 1908, they filed in your Honorable Court sitting in Equity, a Petition, which prayed among other things, for a sale of certain premises situate in Frederick City, Frederick County, Maryland, which under the will of a certain Eliza Thomas, had been devised to James McSherry Trustee to allow a certain Alice M. Kaydon to receive the rents issues and profits thereof for and during her natural life and directing that at the death of the said Alice M. Kaydon said Trustee or his heirs should convey said property unto the children of the said Alice M. Kaydon, as in said bill is particularly set forth and to which said bill all of the aforesaid defendants appeared and answered, and other proceedings were had as by the same proceedings now in this Court will appear.

That your orators have lately discovered that the name of a certain J. Roger McSherry, who has since