

No. 8484. Equity.

Shows.

1st. That the Plaintiff has not stated in his Bill of Complaint such cause as entitled him to any relief in Equity against this Defendant.

2nd. That it appears by the said Bill of Complaint that the same is exhibited against this Defendant and other Defendants thereto for several and distinct matters and causes in some whereof, as appears by said Bill of Complaint and the Exhibits filed therewith this Defendant is no way interested or concerned, and that the Bill is manifestly

Such that the mortgage held by this Defendant, a certified copy whereof has been filed with the Bill of Complaint marked Exhibit No. 8 was in default at the time of the filing of the Bill of Complaint in this cause; and this Defendant had employed counsel to prepare the necessary bond and advertisement of sale in order to the foreclosure of said mortgage and said bond would have been filed and the advertisement inserted in the newspapers on November 18th, 1909, had the Bill of Complaint in this cause not been filed; and that this Defendant is not a necessary or proper party to this suit and is entitled to be stricken from the record as a Defendant.

Wherefore this Defendant, the said Daniel C. Eisler prays that he be stricken from the record in this cause as a Defendant, and that the Bill of Complaint be dismissed so far as he is concerned.

And as in duty etc.

Charles F. Sarg.

Solicitor for Daniel C. Eisler.

State of Maryland, Frederick County, to-wit: -

I hereby certify that on this 18th day of November in the year nineteen hundred and nine, before me, the Subscriber, Clerk of the Circuit Court for Frederick County, personally appeared Daniel C. Eisler, one of the Defendants in the above entitled cause, and made with in due form of law that the answer filed by him herein is not intended for delay.

Samuel T. Haffner  
Clerk of the Circuit Court for  
Frederick County.

