

No. 8039 Equity.

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

I hereby Certify that on this 3rd day of November A. D. 1908, before me the Subscriber, Clerk of the Circuit Court for Frederick County, personally appeared John S. Newman and Vincent Sebald Pastors and made oath in due form of law that the foregoing demurrer is not intended for delay.

Signed S. J. Kappner,
Clerk.

Demurrer of Defendant
The President & Council of
Mt. St. Mary's College to the
Amended Bill of Complaint.

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

The defendant, The President and Council of
Mt. St. Mary's College demurs to the whole amended Bill
of Complaint in the above-entitled Cause for the following
reasons:

First - Because the Bill and the accompanying exhibits
show upon their face that the Plaintiff is not entitled
to the relief prayed for.

Secondly: Because the time for redemption, extended
by agreement had expired before the offer to redeem
was made, and the plaintiff had no right to demand
nor exercise any right of redemption at the time, and
has had no right since that time.

Thirdly: Because the time for redemption had
expired before any tender to redeem was made.

Fourthly: Because the Plaintiff allowed the time
within which he could have redeemed to expire without
exercising his right and is guilty of laches in the
premises.

Fifthly: Because of improper joinder of parties
in said Bill, and because of other good and suffi-
cient reasons to be made known at the hearing.

Signed: Vincent Sebald

Solr. for The President &

Council of Mt. St. Mary's College

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

I hereby Certify that on this 21st day of December A. D. 1908 before me
the Subscriber, Clerk of the Circuit Court for Frederick County, personally
appeared Vincent Sebald, Solicitors for The President and Council of Mt.
St. Mary's College, and made oath in due form of law that the afore-
going demurrer is not intended for delay.

Signed S. J. Kappner
Clerk.