

That your petitioner was under the impression at the time of filing said petition and so stated in said petition that said judgment was a lien when the trust estate and that as a consequence it was for the benefit of the trust estate that said judgment should be paid in preference protante to the mortgage made to trustee under will of Harriett S. Schley but yourpetitioner finds that he was mistaken in this belief and that said judgment is not a lien upon the trust estate at all. But that the whole interest in the farm forming said trust Estate is in the Petitioner as Trustee and that the same is not subject to said judgment. (2) And your Petitioner further shows that one of the cestui qui Trusts in this trust is Marriott Dorsey who is not a party to said proceedings (3) And petitioner further shows, that the money borrowed from trustee under writ of H.H. Schley was borrowed for the purpose of taking up a Mortgage to the Frankling Savings Bank which had been made under an order of your Honorable Court, which said mortgage was older than said judgment. The deed constituting the trust in this case in which Petitioner is Trustee being Exhibit filed in this case. Wherefore your petitioner prays that said order of date September 1, 1893, directing petitioner to pay ~~abrogate~~ the funds in his hands the judgement herein mentioned may be annuled and set aside. And as in duty bound &c.

Frank L. Stoner

The aforesaid petition having been read and considered it is therefore ordered adjudged that the ~~petitioner~~ order passed by this Court before the petition of Frank L. Stoner Trustee and to which order is dated Sept, 1st, 1893 be and the same is hereby stricken out annuled and set aside.

Jas. McSherry.

Filed Sept, 28th, 1893.

Frank L. Stoner, trustee of  
Vernon W. Dorsey J. J.

OR.

P E T I T I O N.

No. 4535 E Q U I T Y.  
In the Circuit Court for Frederick  
County, In Equity.

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The petition of Frank L. Stoner trustee in the above entitled cause respectfully represents unto Your Honors:-

1st That Your petitioner the substituted trustee in the above entitled cause holds the legal title to all that tract of land described in a certain deed from Harry W. Dorsey to Harry W. Dorsey Jr, trustee bearing date August 13th, Eighteen Hundred and Seventy One, duly recorded in Liber C.M. No. 8. Folio 141 and 142, one of the land record for Frederick County. That Vernon W. Dorsey, the cestui que trust died sometime last fall, in the year A.D. 1902, and since his death his son Marriott Dorsey has occupied said property. 3rd, that said Deed of trust provides that after the death of said Vernon W. Dorsey said real estate shall be sold, by the trustee in the proceeds distributed as therein provided. 4th, that your Honorable Court assumed jurisdiction of said trust, in No. 4535 equity, in the Circuit Court for Frederick County. To the end thereof That your Honorable Court will pass an order directing petitioner to sell said real estate, And for such other relief as the nature of the case may require.

Frank L. Stoner  
Solicitor for Petitioner

Order on the above petition this 30th, day of June in the year A.D. 1903, by the Circuit Court for Frederick County sitting as a Court of Equity and by the authority, that Frank L. Stoner, trustee, in the above entitled cause, be and he is hereby authorized and directed to sell the real estate mentioned in the foregoing petition first before doing so he will give bond to the State of Maryland in the penalty of Ten thousand dollars for the faithful discharge of his duties as such trustee and after first giving twenty days notice of the time place manner and terms of sale by advertisement inserted in some newspaper printed and published in Frederick County, and the terms of sale shall be, one half cash on the day of sale or upon the ratification of the same by the Court, the residue in twelve months from the day of sale the purchaser