

made the deposit at the time of sale required by said Trustee, and he is ready and willing to take said lot or parts of lots and pay the balance of the purchase money upon receiving a good and sufficient deed therefor.

2-That the Decree under which said sale was made was passed on the 2nd day of February, A.D. 1916, in the above cause, upon Bill filed for petition and sale by the heirs at law of Roy E. Benjamin, deceased and as far as your petitioner knows and believes all the heirs at of said Benjamin were made parties to said proceedings, and also the Myersville Savings Bank, a body corporate, that had a mortgage upon the real estate of said Roy E. Benjamin located in Brunswick, including that purchased by your Petitioner, as aforesaid,

3-That on the 23rd day of February, 1916, the said Myersville Savings Bank filed a Creditor's Petition in the above cause, alleging that it was a creditor of the said Roy E. Benjamin upon two promissory notes, other than the note secured by said mortgage, and the said Benjamin left no personal estate and asking that the proceeds of sale of said real estate should be applied to the payment of the debts of said Roy E. Benjamin, as will more fully appear by said Petition filed in the above case, and the heirs at law of said Benjamin were made parties defendant to said Petition and they have been summoned into your Honorable Court, but so far as your Petitioner is advised, no notice have been given to the creditors of the said Roy E. Benjamin to file their claims, and it is not yet ascertained what such claims will amount to, nor whether the proceeds of sale will be sufficient to pay the debts of said Roy E. Benjamin.

4-That your Petitioner has discovered that Samuel W. George, Harry Y. George and Sydnor H. Bennett, partners trading as Samuel W. George & Company, obtained a Judgment against said Roy E. Benjamin before John L. Jordan, Justice of the Peace for Frederick County, on the 12th day of February, 1912, for the sum of \$23.00, with interest and costs, and which was recorded in the office of the Clerk of the Circuit Court for Frederick County, on the 24th day of February, 1912, and then became a lien upon the said real estate of said Roy E. Benjamin, but the Plaintiffs in said judgment were not made parties to said equity proceedings.

5-That your Petitioner has had the Land Records of Frederick County examined to ascertain whether he would get a good title to the land purchased by him at said Trustee's sale and is advised that the description of said land in said advertisement and in Exhibit "DEED" and in the plat referred to in said Exhibit "D" is so vague and confusing that it is uncertain whether the land purchased by him as aforesaid, can be located with sufficient certainty.

6-That your Petitioner is desirous of having the said lot and parts of lots purchased by him if he can secure a good title thereto, and as, if said sale should be ratified and your Petitioner paid the said Trustee the purchase money it could not be distributed nor paid out by said Trustee until the proceedings upon the said Creditor's Petition has been completed, there will no injury or loss to any person by having the ratification of said sale postponed until your Petition can have an opportunity to thoroughly examine the title and description of said lots, which he has not yet been able to do; and as it is doubtful as to whether he would get a good title to said property purchased by him under said sale he excepts to its ratification at this time and prays your Honors to postpone the ratification of the said sale until your Petitioner can have the question of title and the description of the lots bought by him fully investigated; and that your petitioner may have all such other and further relief to which he may be intitled, he will ever pray.

Filed March 18' 1916.

Urner & Urner
Solicitors.

The Myersville Savings Bank,
a body corporate,
VS.
William Townsend et al.

No. 9392 EQUITY.
In Equity.

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To the Honorable, the Judges of the circuit Court for Frederick County, sitting as a Court of Equity.
The petition of the plaintiff in the above entitled cause respectfully represents unto your Honors That Blaine Decker is a resident infant defendant. That he was duly summoned to appear in your Honorable Court to answer the Petition in this cause; but being an infant, having no Guardian within the