

An. Code, sec. 140. 1904, sec. 131. 1888, sec. 118. Rule 2.

155. The several clerks of said courts shall receive and file all papers pertaining to said courts, respectively, and shall keep substantial dockets, and make all proper entries therein, of papers filed, and of the proceedings of the said courts, as they occur; so that the docket entries shall always show, as near as possible, the real condition and progress of the proceedings.

This section referred to in deciding that where the same land is sold under a mortgage and under a deed of trust by two different proceedings, and exceptions to the sale under the deed of trust are filed with the prayer that they be taken as filed in the mortgage case also, the sale under the mortgage should be ratified, there being no exceptions filed thereto. Object of this section. *Forest Lake Cemetery v. Baker*, 113 Md. 535.

An. Code, sec. 141. 1904, sec. 132. 1888, sec. 119. Rule 3.

156. All original proceedings in said courts shall be commenced by bill, or by special case stated, as hereinafter provided for; and the term "bill" shall embrace petition or information, where, by statute, or the established practice, petition or information be proper.

An. Code, sec. 142. 1904, sec. 133. 1888, sec. 120. Rule 4.

157. No order or process shall be made or issued upon any bill, petition, or other paper, until such bill, petition, or other paper, together with all the exhibits referred to as parts thereof, be actually filed with the Clerk of the Court. Nor shall any injunction or restraining order, or order appointing a receiver issue until the originals or duly certified copies of all deeds, or other instruments of record, and verified copies of all documents, papers or writings not of record, necessary to show the character and extent of the complainant's interest in the suit shall have been filed, if said instruments of writing be in possession of the plaintiff or accessible to him; if not, that fact shall be stated in the bill or petition.¹

An order reversed for a failure to comply with this section. *Chappell v. Clark*, 92 Md. 99; *Chappell v. Clarke*, 94 Md. 179; *Beachy v. Heiple*, 130 Md. 694. And see *Wetherall v. Hoffman*, 142 Md. 637.

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Granting an injunction and appointing a receiver prior to the filing of a bill of complaint, condemned. *Dixon v. Dixon*, 119 Md. 415.

This section applied where a bill filed to charge the lands of a decedent with the payment of certain money alleged to belong to his children under his will refers to the will, which, however, is not filed. *Henderson v. Harper*, 127 Md. 431.

An. Code, sec. 143. 1904, sec. 134. 1888, sec. 121. Rule 11.

158. Whenever a bill is filed, wherein an order of publication is not prayed, the clerk shall issue the process of subpoena thereon, as of course, upon the application of the plaintiff, which shall contain the names of the parties, and be made returnable in the several counties on the first Monday of the month ensuing the date of its issue, and in Baltimore City shall be

¹ Thus amended by equity rule 4, Nov. 21, 1919, adopted by the court of appeals in accordance with sec. 18 of art. 4 of the Constitution.