and Sixty Seven dollars when he might be able or at some time or other which sum of money the said Thomas Drew holds, as a debt due him by James that the said Thomas by deed dated December 22nd 1856 made a gift of the same property to the defendant Elizabeth to which deed however the defendant Hugh was made a party without his knowledge or concurrence that by the deed of December 1855 which deed your petitioner has no knowledge of until James applied for the benefit the defendant James divested himself of all his property and of all possible means of paying his debts. That the said James applied for the benefit of the insolvent laws on the 1st day of March 1859 and obtained his final discharge which discharge was shown at the May term of the Court of Common Pleas by the said Court, upon allegations of fraud filed by creditors against the said insolvent cancelled and set aside that the said firm has lately dissolved and in the division of assets your petitioner became the purchaser or holder of the said judgments and caused them to be entered to his use as is shown by the copies of docket entries aforesaid. That your petitioner is entitled to have the property sold under the writ of fieri facias applied to the payment of his said claim but that he is prevented by reason of the application of the defendant James for the benefit for the insolvent laws and that he is further prevented from recovering or realizing his money by the action of the defendant Wm H Cowan trustee in insolvency of the said insolvent who instead of selling the property and distributing the proceeds among the creditors of his insolvent is one of the parties engaged in resisting the complainant in this cause, that the deeds aforesaid are fraudulent and void and were made to keep the property in the family of the defendant Gifford and to protect it from creditors of the defendant James and your petitioner adopts all the allegations of the original bill and prays that they may be taken as parts of this his petition; And your petitioner further avers that the property aforesaid consisting of a dwelling house and carpenters shop is worth and would bring as your petitioner believes the monthly rent of Sixteen dollars which said rent is above to the creditors of the defendant James in as much as the property of said mother not pay their claims against the insolvency, that the property is not insured for the benefit of the said creditors, that the defendants in this suit have from the beginning endeavored to stave off and postpone the suit on the various steps to be taken in its progress and have done all in their power to delay the proceedings with the view of retaining the use of the property to the said James all whereof is contrary to equity and good conscience and to great fraud of your petitioners rights in the premises. Wherefore your petitioner prays your Honor to pass an order granting him leave to become a party to this cause in such terms as are right and also an order appointing receiver to take charge of the said property pending these proceedings and that your petitioner may such other and further relief as his case may require

And as in duty &c

J M Reynolds Solr for Petitioner

City of Baltimore ss.

On this 20 day of September 1860 before me a Justice of the Peace in and for the City aforesaid personally appeared Thomas B Hand and made oath that the matters and facts contained in the foregoing petition are true to the best of his knowledge and belief,

As Witness my hand

Wm M Kirby

Carter vs Gifford, In Circuit Court, In the matter of the petition

of Thomas B Hand.

Ordered on this 22d day of September 1860 on the aforegoing petition of that the petitioner be permitted to become a party to complainant in this suit upon the terms stated in the said Bill of Complaint. And it is further ordered that this Court will proceed to appoint a receiver to take charge of the property mentioned in these proceedings, as prayed in the petition unless cause to the contrary thereof be shown on or before the 4th day of October next provided a copy of this order be served on the defendants Counsel before the 26th inst.

Wm Geo Krebs, Jr. 22d Sept 1860

Edward J Carter

James T Gifford Ann Elizabeth Gifford Hugh Gifford and Thomas Gifford

In the Circuit Court for Baltimore City

To the Honorable William George Krebs Judge of said Circuit Court,

The answer of James T Gifford and Ann Elizabeth Gifford his wife and Hugh Gifford and Thomas Gifford, the above named defendants to the petition of Thomas B Hand in this cause filed.

Saving to themselves the benefit of all exceptions to said petition on all grounds these respondents say that it is not true that the real property in the proceedings mentioned and which by the bill in this cause is charged to have been fraudulently conveyed in prejudice of the rights of creditors of said James, was so conveyed. But they aver and insist that the said property was fairly and bona fide and validly conveyed and assured for the benefit of the respondent Ann Elizabeth according to the terms and limitations of the deed in said proceedings stated from Thomas Gifford to said Hugh Gifford in trust to which Thomas Gifford the said James T Gifford had as these respondents aver, validly and bona fide conveyed said property and the defendant insists that the allegations of the bill in prejudice of the title of said Ann Elizabeth having been denied by the answer of said Ann and the pretensions of the complainant and of the creditors of said James, and of said Thomas B Hand, as one of the creditors being in controversy, and that controversy pending, and testimony taking under and standing commission, it is not competent for this Honorable Court to appoint a receiver as prayed by the petition, and interfere with the legal and equitable apparent rights of this respondent Ann Elizabeth her possession and enjoyment of said property and these respondents pray accordingly to be hence dismissed with their costs,

W H Cowan

Charles F Mayer Solr for Respondents,

City of Baltimore to wit.

On this 2d October 1860 before the subscriber a Justice of the Peace in and for said City appear James T Gifford and Ann Elizabeth Gifford and make oath that all that they have stated in the aforegoing answer is true to the best of their knowledge and belief

Wm M Kirby

City of Baltimore to wit,