bill should have been filed by the infant, Christian Wilkens, (who has an estate in the land in question,) by his guardian or pro chum ami, and not by the guardian of such infant, against the infant and others holding vested or contingent estates in the land.

The guardian has no estate in the land in question, and has, therefore, no such an interest as will support the jurisdiction of the Court under this proceeding.

2. It does not appear by the evidence in said cause, that it would be advantageous to the parties concerned that the property mentioned in said cause should be sold or leased.

3. Because upon the case presented by the bill of complaint in this cause, the Court had not jurisdiction to pass the aforesaid decree.

Your petitioner therefore prays that said sale may be set aside.

John P. Poe,
John J. Dobler,
Sols. for Respondents.

Consent.

(Filed December 30th, 1886.)

Gustav A. Schlenz, guardian, vs. Christian Wilkens, et al.	In the Circuit Court for Baltimore County, in Equity.

It is agreed in this case that a pro forma order shall be passed overruling the exceptions filed to the ratification of the sale of Lot F. No. 246; the excepant reserving the right to appeal therefrom.

John P. Poe,
John J. Dobler,
Sols. for D. M. Newbold,
Fielder C. Slingluff,
Atty for Trustees.

Order Overruling Exceptions.

(Filed December 30th, 1886.)

Ordered by the Court, this 30th day of December A. D. 1886, that the exceptions to the sale heretofore filed by David M. Newbold, be and the same are hereby overruled, and that the petition of said Newbold, be and the same is hereby over-ruled.

David Fowler.

Dec. 30th, 1886. – Appeal from the order of Court overruling exceptions filed by David M. Newbold, purchaser; order filed; same day, Court orders that a transcript of the record of proceedings in said cause be made and sent to the next Court of Appeals of Maryland; which is done accordingly.

Test: – John W. Shanklin,
Clerk.

State of Maryland,
Baltimore County, to wit;

I, John W. Shanklin, Clerk of the Circuit Court for Baltimore county, hereby certify that the aforegoing is a true transcript taken from the record of proceedings of said Court, in accordance with the rules of the Court of Appeals relating thereto.

In testimony whereof, I hereunto subscribe (Seal's Place) my name as Clerk, and affix the seal of said Court, this 6th day of January 1887.

John W. Shanklin,
Clerk.

And now come into the Court of Appeals here, as well the said David M. Newbold by John P. Poe and John J. Dobler Esqs his Attorneys as the said Gustav A. Schlenz and L. Wilkens, Trustees by F. C. Slingluff Esq their Attorney and