without proof of such mortgage having been given, and when in fact such mortgage was only a lien upon the interest of parties having a limited interest in the property.

9. Because by a decree of this Court, passed in a cause therein depending, wherein Sarah M. A. Hitch was complainant, and the other parties named in this cause, as complainants and defendants, were defendants, duly summoned, it was adjudged and ordered that the property, including that since sold to this exceptant, should be leased by a trustee named in said decree, and said decree is still in full force and unrevoked.

10. Because the proceedings, evidence, and decree in this cause are so irregular, informal, and defective, that rights and interests of the infants and married women mentioned in the bill, and the interest of persons not now in being, but who may come into being and have an interest hereafter in the property sold to this exceptant, will not be sufficiently barred or passed by the sales made in this cause.

11. Because the several pieces of property sold to the exceptant are not so described or set forth in the report of sales, that the same can be severally identified or ascertained.

12. Because the husband of Sarah M. A. Hitch, William Hitch, is not a party to this suit, nor the said Sarah M. A. Hitch is not summoned thereto.

13. Because the proceedings in this cause were irregular and informal in the following respects: 1st.

That no commission to freeholders issued in the cause. 2d. That no evidence of the will of Solomon Betts, mentioned in the bill of complaint, was offered. 3d. That no evidence of the appointment and substitution of Wm. G. Krebs, as trustee, for the purposes mentioned in the bill of complaint, was offered. 4th. That no evidence was offered of the marriage of Augusta Hitch, alleged in the bill to have intermarried with one Waters, and no evidence was offered of her having children, or their number or names. 5th. That although the bill is filed for the purpose of paying certain assessments or taxes for opening certain streets, no sufficient evidence was offered of such assessment or taxes, their amount, or validity, or that the necessary steps to bind such property for the said assessments had been duly taken.

Levin Gale,
Solr. for Exceptant.

Petition and Order of Court Thereon.
(Filed 4th Sept. 1860.)

Hitch et al., vs. Davies et al.	In the Superior Court of Baltimore City, in Equity.

To the Hon. R. T. Martin, Judge of the Superior Court of Baltimore City, in Equity:

The petition of George Prescman and George W. Porter, respectfully represents:

That at a public sale made at the Baltimore Ex-