# No. 5189 Equity.

14. That there is no power of Sale in either of said Mortgages except in the one held by said Bank.

15. That the property covered by said Mortgages is depreciating in value each year and that your Orators are in danger of suffering great loss unless a sale be made free of all incumbrances.

16 That even if said land covered by said Bank's Mortgage should be sold thereunder by virtue of the power of sale therein contained, great loss would fall upon the subsequent Mortgages. and that the only mode of which said Mortgaged property can be sold without prejudice or injury to the rights of the several Mortgagees and to the best advantage of the mortgagor, will be under a decree of this Honorable Court directing the sale thereof free and discharged of all of said liens.

17. That it will be to the interest and advantage of all of said Mortgagees that said property real and personal be sold under a decree of this Court a decree of the Court and that the proceeds of such sale be audited to the several mortgagees as they may be entitled thereto according to the respective priorities of their several liens.

18. That though Your Orators have often made demand upon said John A Roddy for the payment of said several sums due to them and for payment of the moneys which as sureties on said bond they are now liable for. Yet the said John A. Roddy has wholly neglected and omitted to make payment thereof, whereby a right accrued to Your Orators to have said Mortgages foreclosed and said property sold.

19— Your Orators pray for the following relief —

1 That a decree be passed for the sale of all of said mortgaged property, both real and personal, clear and free from the liens of said several Mortgages and all of them, and, that the proceeds arising from such sale be audited and distributed under the direction of the Court, to the said several Mortgagees according to the respective rights and priorities under said Mortgages.

2. That a Trustee may be appointed to make such sale upon such sale upon such terms as this Court may prescribe in the said decree.

3. That Your Orators may have all such other and further relief in the premises as the nature of their case and equity may require.

20.— And Your Orators pray for the following process—

1 For a Writ of Subpoena addressed to the said John A Roddy, Abraham F. Roddy, Hugh F Roddy, Addie M Mully, Mary Roddy, Margaret Roddy, Martha Ann Roddy, William J Roddy, Nicholas Baker, Nicholas Baker, Simon G. Roddy, Frederick White, Hannah R Johnson, and Joseph H Johnson administrators of George H Johnson deceased, John Jones and The Frederick Town Savings Institution — —, all of Frederick County, Maryland, commanding them and each of them to be and appear in this Court at some certain day to be therein named to answer the premises and to abide by such decree as may be passed therein.

And as in duty bound &c.

April 27th 1886.

J. M. Sherry
Solicitor for Plaintiffs.