

JAMES E. ROBERTS and
BERNADETTE E. ROBERTS,
his wife

Plaintiffs

VS.

HARRY PRONGAS and
ELIZABETH W. PRONGAS,
his wife

Defendants

* NO. 24,860 EQUITY
* IN THE
* CIRCUIT COURT
* FOR
* FREDERICK COUNTY,
* MARYLAND
*
*

ANSWER TO BILL OF COMPLAINT

Now come the Defendants by Clater W. Smith, Jr., their attorney, and for Answer to the Bill of Complaint say:

1. That they admit the allegations of the First Paragraph of the Bill of Complaint.
2. That they admit the Contract required settlement on or before January 15, 1974, but that they deny that time is not of the essence by reason of the fact that the Plaintiffs desired a prompt settlement in order to avoid a tax on capital gain.
3. That the Defendants deny the Plaintiffs made timely demand for settlement for the reason that such demand was not made until after March 27, 1974.
4. In answer to Paragraph Four the Defendants deny the allegations that they refuse to make settlement but state that they were willing to settle on January 15, 1974 until such time as they learned that the existing mortgagee refused to release his mortgage. The Defendants made every effort to induce the mortgagee to release such mortgage within a reasonable time of the stated settlement date. Upon the absolute refusal of the mortgagee to release such mortgage the Plaintiffs were notified through the real estate agent. Nothing further was said with respect to settlement until the agent offered to pay off the mortgagee by letter dated March 12, 1974.
5. The Defendants admit that the Contract is supported by consideration on both sides.