

No 2879 Equity  
State of Maryland Frederick County 1852

At a Circuit Court for the fourth Judicial Circuit of the State of Maryland sitting as a Court of Equity held at the Court House in Fredericktown on and for the County aforesaid on the 30<sup>th</sup> day of May 1852. =

Present The Hon. Madison Nelson Circuit Judge.  
John A. Steiner Esq Sheriff and  
J. W. L. Carthy detent. =

Among other were the following proceedings to wit =

Peter Williard, Wm S. Herkperger  
Exors of Abraham Williard.

Hanson Ransburg, Peter Young of J.  
John Herring of C. and others

Do it remembered that heretofore to wit on the 14<sup>th</sup> day of October 1851 and the said Peter Williard and Wm S. Herkperger Executors as aforesaid in Court here sitting by J. W. Palmer Solicitor appeared in Court here the following Bill and Exhibits. In the Hon. Madison Nelson Judge of the Circuit Court

Bill

for Frederick County sitting as a Court of Equity. =

Humbly Complaining I sheweth unto your Honor your orators Peter Williard and William S Herkperger Executors of the testament and last Will of Abraham Williard late of Frederick County Court deceased, that on the 24<sup>th</sup> day of August 1850 Peter Young of J. being indebted unto the said Abraham Williard in his lifetime, in the full and full sum of three thousand five hundred dollars with annual interest thereon to be paid to the said Abraham Williard and to secure the payment of the same unto the said Abraham Williard, the said Peter Young of J. did by deed of mortgage convey to the said Abraham Williard and his heirs certain real estate lying and being in said County of Frederick, which is fully and particularly described in said deed of mortgage to which said deed there is a condition annexed providing that if default shall be made in the payment of the money aforesaid or the interest thereon at the time specified then it shall be lawful for the said Abraham Williard to sell the said mortgage premises at, or on the premises by public auction for cash after giving, at least three weeks public notice of the time, place, manner and term of sale in one or more newspapers published in the County aforesaid, at least twice a week for three successive weeks prior to the day of sale to pay the debt, and the surplus of any over to the said Peter Young of J. a true and certified copy of said mortgage deed is here exhibited marked Exhibit A. which together with all other exhibits your orators pray may be taken and considered as a part of this Bill as if here inserted. = Your orators further charge that the said deed of mortgage was on the 25<sup>th</sup> day of August 1850. Received by the Clerk of Frederick County for record at half past nine o'clock A.M. and that the interest on said sum of three thousand five hundred dollars due on the 25<sup>th</sup> of August 1851, which interest is now due owing to your orators as the Executors of the said Abraham Williard. =

Your orators further charge that after the execution and recording of said mortgage deed the said Abraham Williard in due form of law made and executed his testament and last Will dated on the 20<sup>th</sup> day of December 1850 wherein he appointed your orators the Executors and that your orators have since the death of the said Abraham Williard, who departed this life sometime in January 1851 duly proved the said Will and obtained letters testamentary thereon from the Orphans Court of Frederick County, a true and certified copy of said Will &c. is here exhibited marked Exhibit B. = as a part of this Bill. =

Your orators further charge that the said Peter Young (of J.) did not pay to your orators the interest on said sum of three thousand five hundred dollars at the time limited and

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Commissioner, James

October 1864,

1863.

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