

being unable to pay said Note - Your Complainants as his sureties were obliged to pay the same and that they paid to the said Frederick Town Savings Institution the sum of Five hundred and fifteen dollars and twenty one cents the principal and interest on said sum of Money. As appears from Exhibit No 1 filed in said cause, being the receipt of B A. Cunningham Secy. of the said Institution. ~

Your Complainants further Charge that Charles H Ross Solicitor of the Frederick County Building Association, under a power contained in a Mortgage, (prior to your Complainants Mortgage) from the said Elizabeth Thomas and Leonard J Maskey to the said Building Association, sold all that portion of the land Mortgaged to your Complainants, described in the deed from Mary Blessing to said Elizabeth Thomas, as will appear by reference to the proceedings in No 3675 Equity, Circuit Court for Frederick County in Equity -

And that the proceeds of the sale thereof was barely sufficient to pay the claim of said Building Association, and the costs and expenses incident thereto, and that the only portion left of said land, Mortgaged to your Complainants is the lot of land containing about fourteen Acres with the improvements thereon, and being the same land devised to said Elizabeth Thomas by the last Will of Barbara Thomas, a Copy, (Certified) of which is herewith filed, Marked Exhibit No 3. ~

Your Complainants further Charge that at the December Term 1870, of the Circuit Court for Peter S. Zimmerman, obtained a Judgment for the sum of \$ 144.80, and costs of suit against the said Leonard J Maskey & Elizabeth Thomas ~ Which said Judgment is a lien on the land. - As will appear by a certified Copy of said Judgment, herewith filed Marked Exhibit No 4. ~

Your Complainants further Charge that at the May Term 1871 - Of the Circuit Court for Frederick County John C Hardt & Herman S Kiefer trading as Hardt and Kiefer obtained a Judgment against the said Leonard Maskey and Elizabeth Thomas for the sum of \$ 134. <sup>00</sup>/<sub>100</sub> with interest and costs which said Judgment is a Lien on the said land - as will appear by reference to a certified Copy of said Judgment herewith marked Exhibit No 5. ~

And your Complainants Charge that by the payment of said note and the interest thereon by your Complainants they have been damaged and injured. And that default has been made on said Mortgage and that said Mortgage has been forfeited. And that there is now due and owing to your Complainants the sum of \$ 515 <sup>00</sup>/<sub>100</sub> from the said Leonard J. Maskey & Elizabeth Thomas with interest on the same from 27 day of May 1871

To the end therefore that the said defendants hereinafter named may answer the matters and things stated in said Bill of Complaint, and that the Mortgage premises mentioned in these proceedings and described in Exhibit No 3 filed in this Cause, may be sold for payment of your Complainants claim with interest as aforesaid and that your Complainants may have all such further and other relief as the nature and Equity of their cause may require. ~

May it please your Honors to grant unto your Complainants the writ of Subpoena against the said Leonard J. Maskey Elizabeth Thomas Peter S. Zimmerman and John C Hardt and Herman Kiefer trading as Hardt & Kiefer of Frederick County State of Maryland Commanding them to appear in the Court at some certain day to be named therein to answer the premises and abide by and perform such decree as may be passed therein And as in duty &c

Wm J. Hoff  
Chas W. Hoff  
Sols for Complainants

Filed May 29th 1871 ~

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