so made to her as aforesaid and hereby required to pay the same Your Petitioner therefore prays that the said Catharine E Byerly may be compelled by decree or order of this Court to pay the aforesaid purchase money with interest thereon and in default thereof that the said Real Estate may be decreed to be sold for the purpose of raising the same and such other and further relief granted unto your Petitioner as his case may require and he will ever pray &c

Milton G Urner
Solicitor for Petitioner

Filed May 21. 1874.

Court's Order

Jas. Whitehill Mortgagee of Jacob Byerly on Petition

No. 3956 Equity.
In the Circuit Court for Frederick County.
May Term 1874.

On the foregoing Petition it is ordered by the Court this 20th day of May 1874 that the said Catharine E Byerly bring into this Court the said sum of Forty-six hundred dollars with interest thereon from the 10th day of April 1874 or show good cause to the contrary on or before the 16 day of June next provided a copy of this order together with a copy of the foregoing Petition be served on the said Catharine E Byerly on or before the 23rd. inst

John A Lynch
Judge of the Cir. Court.

Filed May 21. 1874.

Petition of Thos. Harwood

Jas Whitehill Mort. of J. Byerly on Petition

No. 3956 Equity.
In the Circuit Court for Frederick County.
To the Honorable the Judges of the Circuit Court for Frederick County sitting as a Court of Equity.

The Petition of Thomas A Harwood of Frederick County respectfully shows unto your Honors that on the 4th day of December 1873 Jacob Byerly executed to your Petitioner his promissory note for One thousand and five hundred dollars payable twelve months after date with James Whitehill as surety that subsequently the said Jacob Byerly by his deed of Mortgage dated the 22nd day of April 1873 conveyed to said James Whitehill certain Real Estate described in said Mortgage copy of which is filed in the above case as Exhibit No. 1 to indemnify the said Whitehill against loss by reason of said suretyship that in said Mortgage there is a power of sale authorizing the said Whitehill to sell said property upon default of payment by said Byerly that said Byerly did make such default and the said Whitehill by virtue of said power of sale after having filed his Bond with approved security as required by Law did sell said property at public Sale for Cash to Mrs Catharine E Byerly for the sum of Forty six hundred dollars and which said sale was duly reported to and ratified by your Honorable Court all of which will fully appear by reference to the proceedings in the above cause that subsequently to wit, on the 21st day of May 1874 the said James Whitehill filed his Petition in said cause alleging that said Catharine E Byerly had failed to Comply with the terms of sale & praying

Order Cor