

is particularly described in the Bill, and accompanying Exhibits to said John Ronger, by way of Mortgage to secure the payment of the sum of Seven hundred dollars, with interest from the date of said Mortgage, which was then due and owing from said Mortgagor to said John Ronger, to be paid on or before the first day of August in the year Eighteen hundred and sixty nine.

That said James D. Dougherty, Anne Dougherty, Hannah Melhede and Rose Reilly sold, but did not convey the said lands to one John Fitzgerald, but did not convey the same, that no part of said Mortgage debt was paid to the said Mortgagor. That John Fitzgerald on the 10th. July 1871, paid two hundred and fifty dollars in part payment thereof, and on the 4th. April 1873, made another payment of two hundred and fifty dollars in part payment thereof, and on the 9th. day of October, in the year 1876, paid the sum of fifty dollars in part payment thereof and that the residue of said Mortgage debt with the interest thereon is still due and unpaid, and that the time for payment has long since elapsed, and that said land is liable for the payment thereof. The Bill further states that Anne Dougherty, one of the said Mortgagors is dead, intestate and without issue, and that her interest has devolved upon said James D. Dougherty, Hannah Melhede and the children of her sister Rose Reilly who is also dead, and whose names are mentioned in said Bill. The Bill further states that said John Fitzgerald, is also dead, having by his will devised and bequeathed all his Estate real and personal to his widow Mary Fitzgerald, and her children John Fitzgerald Jr. and James Fitzgerald Jr. and James Fitzgerald, and that James D. Dougherty, Francis Marion Reilly, Charles Groff and Mary Groff his wife, children of Rose Reilly deceased, are not residents of the State of Maryland.

It is thereupon this 9th. day of March in the year Eighteen hundred and seventy eight, adjudged and ordered, that the Complainant by causing a copy of this Order to be inserted in some newspaper published in Frederick County, once a week for four successive weeks before the 20th. day of April, in the year Eighteen hundred and seventy eight, give notice to the said above defendants of the object and substance of the Bill, and warning them to be and appear in this Court in person or by solicitors on or before the 25th. day of July, in the year Eighteen hundred and seventy eight, and show cause if any they have, why a decree ought not to pass as prayed.

Thomas Corneil

Clk. of the Circuit Court for Frederick County.

Filed March 9th, 1878.

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