

certified deliver up to the said John Donoghue the premises mentioned and described in the proceedings in this cause unless good cause to the contrary be shown over before the second day of April a. D. 1878. Provided a copy of this order be served on the said Salome Hois and Francis E. Hois and Charles Brines on or before the twenty first day of March a. D. 1878.

John A. Lynch
Ch. Hois Bois
Judges of the Cir. Ct.

Filed March 30. 1878.

In the matter of the Petition of John Donoghue for a writ of Habeas corpore Possessionem

No. 4301 Equity Docket.
In the Circuit Court for Frederick County, sitting in Equity

Answer of Salome Hois & Francis Hois

The answer of Francis E. Hois and Salome Hois his wife to the Petition of John Donoghue praying for the writ of Habeas corpore Possessionem against them as to the property mentioned in said Petitioner. These Respondents show cause why the said writ should not be granted. First that they are entitled to continue in peaceable possession of said premises. Second - That said Petitioner is not entitled to possession of said premises. - Third - That said Petitioner has no such title to the said premises as he alleges in his said Petition. Fourth - That Respondents hold the right to possession of said premises by a tenure different and other than that alleged by said Petitioner. Fifth. That the Deed of Trust to Haysius J. Omdorff under which Petitioner claims title was obtained by misrepresentation by said Omdorff, and under mistake of Respondents. Sixth. That the sale of said property by said Omdorff at the time it was made was in fraud and violation of the agreement between Respondents and Omdorff, which they were induced to. Execute said deed of Trust. Said Omdorff having stipulated that, in consideration of the execution of said Deed of Trust he would defer said sale for several months, later than he made it and give Respondents a longer credit and longer opportunity to provide for the indebtedness being largely less than the value of the property conveyed and being given in effect nearly as a security until the said greater period of indulgence should have elapsed seventh. - That the sale mentioned and relied on by said Petitioner was not fairly made as Petitioner will know, and more for much less than the real value of the property, and for which said Omdorff and said Petitioner with fairness and proper effort, it might and could have been sold eighth. That said Omdorff, on the occasion of the public offer of said property mentioned in his report of sales in said cause in Equity and at which said Omdorff and the herein after named Daniel Hartman were present withdrew said property at a much higher bid than