

No. 4640 Equity

May it please your Honor to grant to your Complainant the State of Maryland
Writ of Subpoena, directed to said Thos M. Holbrouer, Jno. W. Whalen and Susan Whalen his
wife, Charles Holbrouer, & Annie S. Holbrouer, his wife, Thomas M. Holbrouer Jr, Edward
Holbrouer, Sheridan Holbrouer, Mollie Holbrouer, and Lewis Holbrouer, Commanding
them, and each of them to be & appear, in your Honorable Court, on some certain day to be
therein named, to answer the premises, and to abide by, and perform such order or decree as
to your Honor shall seem just.

And Your Complainants will ever pray &c
Milton G. Turner
Ed. S. Eichelberger
Sol for Compl.

Nov 21/80
Filed November 22 7880

This Mortgage, made this second day of April eighteen hundred and seventy by them
as Thos Holbrouer and Elizabeth Holbrouer his wife, of Frederick County, in the State of Ma-
ryland, Witnesseth Whereas, the said Thomas M. Holbrouer, and Elizabeth Holbrouer his wife,
by their promissory note bearing even date with these presents, for the sum of Eight hundred dollars,
payable twelve months after date to John Simmons with interest from date, stands indebted unto
said John Simmons in said sum of Eight hundred dollars, with interest, and to secure the pay-
ment of the said sum of Eight hundred dollars, with the interest thereon according to the tenor
and effect of the promissory note above recited, He, the said Thomas M. Holbrouer, and Elizabeth
Holbrouer his wife have agreed to execute this Mortgage.

Now this Mortgage Witnesseth, That in consideration of the premises, and of the further
sum of One Dollar, the said Thomas M. Holbrouer and Elizabeth Holbrouer his wife, do grant
unto the said John Simmons, all that part of a Lot of ground, and premises, situate, lying
and being in Frederick city, Frederick County, State of Maryland, and designated on
the Plat of said City as Lot No. 51, fronting on Patrick Street in said city, on the the North
side of said street, and running North to the property of Charles E. Trail Esq, and being the
same House & Lot of ground, which was conveyed to Elizabeth Holbrouer by deed from Val-
entine Tupper & wife bearing date on the 28th day of October A. D. 1865 & Recorded in Liber
A. W. C. C. No. 3 folio 240, one of the Land Records of Frederick County, reference thereto
will fully appear.

Provided, that if the said Thomas M. Holbrouer and Elizabeth Holbrouer his wife, shall
pay to the said John Simmons, the said sum of Eight hundred dollars, with the interest there-
on, according to the tenor and effect of the Promissory note above, stated, recited, & shall perform all
the covenants herein on their part to be performed, then this mortgage shall be void, And it is
agreed that until default be made in the premises the said Thomas M. Holbrouer and Eliz-
abeth Holbrouer his wife shall possess the aforesaid property upon payment in the meantime,
all taxes on said hereby mortgaged property, and on the mortgage debt, and interest hereby
intended to be secured, which taxes the said Thomas Holbrouer & Elizabeth Holbrouer his wife,
hereby covenant to pay when legally demandable.

Witness our hands and seals.

Test
James J. English

Thos M. Holbrouer
Elizabeth Holbrouer

Seal
Seal

State of Maryland, Frederick County, Ct.

I hereby certify that on this second day of April, Eighteen hundred and seventy
before me the subscriber, a Justice of the Peace of the State & County aforesaid personally appeared

Exhibit
No. 1