

No 4950 Equity

Robt E Probe & Nicholas Thompson Mortgagees of Sarah Williams On Petition

No 4950 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 report and Petition of Robert E Probe and Nicholas Thompson of Frederick County respectfully shows unto your Honors

1st That on the 15 day of May A.D. 1883, Sarah Williams of said County conveyed to your Petitioners, by her deed of Mortgage of said date, a lot of ground situated on the North side of West All Saints Street in Frederick City, and which Conveyance was for the purpose of indemnifying and saving harmless your Petitioners from all loss or cost by reason of being sureties for said Sarah Williams upon a promissory note for the sum of five hundred and seventy five dollars dated said 15 day of May A.D. 1883 payable six months after date to the Frederick Town Savings Institution, all of which will fully appear by reference to a certified copy of said Mortgage filed herewith marked Exhibit No 1. and which with all other Exhibits herewith filed is prayed to be taken as part of this report and petition as fully as if here inserted in words and figures.

2nd That said mortgage contained a provision that if the said Sarah Williams should pay said promissory note at maturity or any note given in renewal thereof when due and payable then said Mortgage should be void, but if said Sarah Williams should make default in the payment of said note or renewals, then it should be lawful for your Petitioners to sell said mortgaged property at public sale at the Court House door after giving at least three weeks public notice as in said mortgage is prescribed.

3rd That said Sarah Williams died before the maturity of said note and payment thereof was demanded by said Frederick Town Savings Institution of your Petitioners, whereupon, by virtue of the power of sale contained in said mortgage your Petitioners after having given Bond with approved security and after having given at least three weeks public notice of the time place, manner and terms of sale by advertisement in the Frederick Examiner, a newspaper published in Frederick County, one of your Petitioners, Robert E Probe, did in pursuance of said notice attend at the Court House door in Frederick on Saturday the 15 day of December A.D. 1883 at 10 O'clock A.M. and then and there offered said Real Estate at public sale to the highest bidder for cash and sold the same to Aaron Toneyhill, he being the highest and best bidder therefor at and for the sum of Seven hundred and Eighty \$780.00 Dollars, and the said Aaron Toneyhill has obligated himself to comply with the terms of sale as will appear by his acknowledgment of purchase herewith filed marked "Exhibit A. F"

4th That your Petitioner Robt E Probe paid said note in pursuance of said demand and there is now due him on account thereof the sum of five hundred and seventy five dollars with interest from the 15 day of November A.D. 1883.

Wherefore your Petitioners pray your Honors to ratify and confirm said sale and grant them such other and further relief in the premises as the nature of the case may require, and by your Honors shall seem just, and your Petitioners will ever pray &c

Mildred Lerner Sol for Petitioners

Robert E Probe Nicholas X Thompson mark

State of Maryland Frederick County, Ct: I hereby certify that on this 17th day of December A.D. 1883, before me Clerk of the Circuit Court for Frederick County personally appeared Robert E Probe and made oath in due form of law that the matters and things stated in the foregoing report and