

No. 4968 Equity

as recorded in Liber A. F. Vol. folio 616 &c. one of the Land Records in the office of the Clerk of the Circuit Court for Frederick County

In testimony whereof I hereto subscribe my name and affix the seal of the Circuit Court for Frederick County this 10th day of March A. D. 1884

Adolphus Freshake Jr
Clerk.

Filed March 10. 1884.



Public Sale

By virtue of a power of sale contained in Mortgage from Bushrod Poole to the undersigned, dated the 1st day of April A. D. 1880, and duly recorded in Liber A. F. Vol. folio 616 etc one of the Land Records of Frederick County, the undersigned as Mortgagee, will sell at Public Sale, on the premises, on the West side of Main St. in Buckeys town, Frederick County Md. On Thursday, March 6th 1884 at 9:30 O'clock A. M. all that Valuable House and lot adjoining the property of Dr. Bushrod Poole on the North and Otto J. Keller on the South. The Lot contains one half acre & 7 or 10 Square perches of land more or less, and is improved with a comfortable and modern built Two Story Brick House and Back Building, Cistern at the house, Stable and Carriage House attached, Meat house, Milk house and other necessary out-buildings all in good condition. This is a very desirable Home. This mortgage was given for purchase money for said lot. Terms of sale as prescribed by the Mortgage Cash.

Theresa A. Simmons

Charles B. Funt, Auctioneer.

Mortgagee

Exhibit C. S. K.

We hereby acknowledge that we have this sixth day of March A. D. 1884 bought at Public Sale of Mrs. Theresa A. Simmons Mortgagee the house and lot described in the annexed advertisement at and for the sum of Thirteen hundred dollars per Dollars and obligate ourselves to comply with the terms of sale as specified in said advertisement

Witness

C. S. Keller Seal

C. B. Funt.

Filed March 10. 1884.

J. M. Keller Seal

Order nisi on Sales overruled here, but affords on following page

Bushrod Poole and wife by J. E. R. Wood their solicitor objects to the ratification of the sale in this case made and reported and state the following reasons and exceptions

Exceptions to Report of Sale

- 1st Because the terms as prescribed in the Mortgage in this case were not complied with.
- 2nd Because the said property was sold without any notice or reservation of the interest of Mrs. Poole
- 3rd Because the Mortgagee was ready and willing to pay the mortgage, interest and
- 4th Because the Mortgagee by his agent notified the Mortgagee that he was ready to pay the debt interest and cost on Thursday preceding the day of sale, and the Mortgagee agreed then there to come to Frederick the following Saturday and the Saturday before to receive the money and settle the debt and matters between herself and Mortgagee but failed or refused to come and thereby prevent the Mortgagee from paying the same and then sold the property at and for a grossly inadequate price to the damage and injury of the Mortgagee and contrary to Equity and fair dealing

J. E. R. Wood

Filed March 26. 1884

for Mortgagee and parties in interest

Answer of Theresa A. Simmons to Exceptions to sale

The answer of Theresa A. Simmons to the exceptions of Bushrod Poole & wife filed to the ratification of the sale by this respondent reported as Mortgagee in No. 4968 Equity. This respondent says for answer to said Exceptions