

No 522 Equity

5. Your Objectants pray that the sale of lot No. 4. be not ratified, as reported, because they say and aver that the same was not sold to the said Mortgagee but was sold to the said Catharine Todd at the same bid, which the said mortgagee reports that he bought it at.

6. That said lot No. 4. was put up at said sale and was bid on by the said Catharine Todd up to the sum of nine hundred and sixteen dollars and before she had time to comply with the terms of sale the said mortgagee, without her consent and against her protest, instructed the auctioneer to record the sale thereof as made to him, the said mortgagee, at the price so as of said bid by your said objectant.

Wherefore, Your said Objectants pray that said sale of said lots No. 1, 5, and 6 may be refused ratification, and that a resale thereof may be ordered by this Court, and that said report of sale, as respects said lot No. 4. may be corrected so as to return the said Catharine Todd as the purchaser, at said sum of nine hundred and sixteen dollars, and as so corrected may be ratified.

And as in duty bound, &c.

C. V. S. Levy
Jas. McSherry
Solicitors for Objectants.

John G. Rodgers, Mortgagee of } No. — Equity — In the Circuit
Wm. H. Todd & Wife } Court for Frederick County in
Equity.

To the Honorable the Judge, of the Circuit Court for Frederick County in Equity.

The Answer of John G. Rodgers to the objections in this case filed by Wm. H. Todd & wife to said sale therein reported, says —

Answer of
John G. Rodgers
to Objections
of Todd & wife

1. That the lots 1, 5, 6, were sold by him in a manner perfectly fair and with all consideration to the said Mortgagee and their interests; that they were fully cognizant of the manner in which they were sold and agreed to the same, and that they were bought by the Respondent only after no one would give a higher price for the same.

2. And Respondent utterly denies that any act of his in making said Sale in any way prejudiced said Mortgagee or that any reasonable mode of obtaining a larger price than was obtained was open to respondent.

3. And this Respondent utterly denies that said sale was hurried through and that sufficient time was not allowed for bidding. On the contrary Respondent says that the Sale was in every way fairly done and with every effort to obtain the best price.

4. And Respondent says that said Sale was made not in violation of any terms contained in the Mortgage, but upon the usual and fair terms and that said terms were known to and assented to by the said Mortgagee and were fair and worked no injury to said Mortgagee.

5. That as to the Lot mentioned as Lot No. 4. in the Objections filed — the said Catharine Todd did bid the sum of Money mentioned in said objections but when called upon to comply with the