

No 5226 Equity

terms of sale. She was utterly unable to do so. And no other course was left to your Respondent but to take the same himself, there being no one else who would give as much as \$16, and said Catharine after the fullest opportunity being utterly to comply with the terms of sale. And Respondent says the fullest opportunity was given to said Catharine, but that she was entirely unable to purchase and pay for said Lot.

And Respondent further Answering Says: That said sale was fully and fairly made in all respects; that said property entirely failed to pay his debt, interest & Costs and that he is perfectly willing to accept his debt interest & Costs and to turn over said property to any one who will pay the same, but that he is advised and so charges that this Court is without jurisdiction to satisfy the Sale so made and reported in part & reject the same in part, as prayed in Petition & objections of Todd & wife but that he is advised that the Court must confirm the Sale or reject the same as made, and as the Sale was fairly made with the full knowledge and consent of Mortgagee and as the property is inadequate to the payment of the debt interest & Costs and as delay and further Costs are at the Expense of Respondent, he prays your Honors to over-rule said objections & to satisfy said sale.

W. S. M. Cauley Jr.
Solicitor for J. H. Rogers.

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

To the Honorable the Judges of the Circuit Court for Frederick County in Equity:

The Answer of John G. Rogers to the objections in this case filed by Wm. H. Todd & wife to the sale herein reported Says: 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 this respondent only after me - (The foregoing reported in Error).

John G. Rogers Mortgagee } No. 5226 Equity
of } In the Circuit Court for Frederick County
William H. Todd & Wife } sitting as a Court of Equity.

In pursuance of the annexed order of the Court, and notice given me by the Solicitors for the Exceptants, in the above entitled cause, I Clayton O. Needy, one of the regular Examiners of said Court, duly appointed, qualified and sworn, having met, at my Office in Frederick City, Md, and assigned Saturday the 13th day of November A.D. 1886, at said place at the time and place for taking the testimony in the above entitled cause, and having given due notice thereof to the parties concerned, did at the appointed time and place proceed to take the following testimony, to wit: -