

No. 6161 Equity

had bid at said sale and whereof take the same off his hands at said bid but the said James Horner would not give to this and said that he would have nothing to do with said property.

4. That the said James Horner has paid no part of said purchase money but on the day of sale gave his note for one-third of the same which said note he failed and refused to pay when due but which your trustee collected by law but of same property the said James Horner had in the State of Pennsylvania and that your trustee has in his hands as net proceeds of said collection after paying a small attorney fee the sum of Sixty Two Dollars and Eighty Cents wherewith to pay any loss that may result from a resale of said property.

5. That a balance of Four Dollars and Seventy one Cent is due from the said James Horner to your trustee on his first payment of one-third of the purchase money for said real Estate and that on the 23rd day of June 1894 another payment of Sixty five Dollars and Eighty three Cents became due and payable which the said James Horner failed and neglected to pay. Your petitioner therefore prays

1. That the said James Horner may be compelled by decree or order of your Honorable Court to pay to your petitioner said balance of Four Dollars and seventy one Cent as well as said sum of Sixty five Dollars and Eighty three Cents due and payable June 23rd 1894 with interest thereon from December 23rd 1893. the day of sale, and in default thereof, that the said property may be decreed to be sold at the risk of the said James Horner for the payment of the same.

2. And for such other and further relief as his case may require.

Eugene L. Rowe
Trustee.

State of Maryland.

Frederick County, to wit:

I hereby Certify that on the 25th day of June 1894. before me, the undersigned, the Clerk of the Circuit Court for Frederick County, personally appeared Eugene L. Rowe, Trustee, and made oath in and in form of law that the matters and things stated in the foregoing petition are true to the best of his knowledge and belief.

John E. Jordan Clerk.

May Term 1894.

On the foregoing petition it is adjudged and ordered this 25th day of June A.D. 1894. by the Circuit Court for Frederick County, sitting as a Court of Equity, that the said James Horner bring into the Court, the sum of Four Dollars and seventy one Cent as well as the further sum of Sixty five Dollars and Eighty three Cents with interest on the the latter sum from December 23rd 1893. or show good cause to the contrary on or before the 11th day of July 1894 provided that a copy of this order together with a copy of the foregoing petition be served on the said James Horner on or before the 30th day of June 1894.

Filed June 25th 1894

John A. Lynch
Judge of the Cir. Court

Sherriff Return

Re-sale of Prop.

Report of