June Term 1862

Thomas Ward vs Owen Jennigan & M. McCabe

In Circuit Court for Baltimore County
To the Honorable John H. Price Judge of the said Circuit Court. The Petition of R. R. Bowman Trustee and Attorney in fact for Thomas Ward respectfully shewetth that the said Thomas Ward executed to him on the 18 day of December 1859 a power of Attorney in accordance with the provisions of the act of the General Assembly of Maryland passed at December Session 1826 Chap 192 Entitled an act relating to Mortgages in the City and County of Baltimore conferring him to sell the property described in a deed of Mortgage from Michael McCabe and Wife and Owen Jennigan to John T. Shipley dated 18 day of May 1855 and assigned formerly by the said John T. Shipley to the said Thomas Ward by deed of assignment of Mortgage dated 17 day of December 1859. That he filed with the Clerk of this Court according to said act of Assembly the said power of Attorney and the original Mortgage the said assignment and an affidavit sworn to by him with security and conditioned as in mortgages for one thousand dollars in the Baltimore Clipper and the Baltimore Republican two daily newspapers published in the City of Baltimore and in the Baltimore County advocate a weekly newspaper published in Baltimore County also the time place manner and terms of sale that in pursuance of said notice your petitioner offered said property for sale at public auction at the Court House in Towson town on Tuesday the 13 day of December 1859 and that he sold the same to John Lar being the highest bidder therefor and purchaser thereof willing to comply with the terms of sale) for the sum of seven hundred and sixty dollars cash and this Trustee and Attorney further reports that the said sale was in all respects fair and bona fide made All which is respectfully submitted

R. R. Bowman for Ward

Baltimore County Sct. On this 14 day of December A.D. 1859 before me the subscriber a Justice of the Peace of the State of Maryland



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in and for said County personally appeared R. R. Bowman who made oath in the Holy Evangels of Almighty God that the matters and things set forth in foregoing Petition are true as therein set forth and that the sale therein reported was fair and bona fide made

Jurat Before Thomas H. Robinson J.P.

True copy Test Geo. H. Carman Clerk

And afterwards to wit on the 5 of January in the year 1860 the said Owen Jennigan and Michael McCabe and Mary and M. McCabe his wife appeared in Court by William H. Grason Esquire their Solicitor and filed the following Petition and Exceptions to sale to wit.

Thomas Ward vs Owen Jennigan and Michael McCabe and M. McCabe his wife

In Circuit Court for Baltimore County December Term 1859
To the Honorable John H. Price Judge of said Court. The Petition of the said Owen Jennigan Michael McCabe and Mary and M. McCabe his wife most respectfully shewetth to your Honor that R. R. Bowman Esquire offered for sale certain Real Estate of which your petitioners are seized and possessed subject to a Mortgage which was owned and possessed by a certain John T. Shipley to secure certain payments therein named and that the said Mortgage claims to be paid with the Exception of seven 297. 37/100 dollars which your petitioners were and are willing to pay to whomsoever may be entitled to receive the same that the said Thomas Ward for the purpose of imposing upon and demanding your petitioner alleges that he purchased an assignment of the said Mortgage claims and Mortgage for the sum of seven hundred dollars and that the said amount was due thereon which is not true that the said Ward may have given for the said assignment of Mortgage out in the Name and of your petitioners not at their business to deceive of he purchased the said Mortgage the assignment of the