The Germania Building Association and Henry Hummer
vs
Francis Schott

Be it remembered That now here on the first Monday in June being the third day of the said month, in the year of our Lord one thousand eight hundred and sixty one, the Judge of the Superior Court of Baltimore City being in the fifth Judicial Circuit of Maryland, in pursuance of the directions of the Act of Assembly in such case made and provided, transmit to the Court of Appeals here the record of proceedings of a plea which was lately depending before him in the Superior Court for Baltimore City between Francis Schott Complainant and The Germania Building Association and Henry Hummer defendants, and wherein the said Superior Court passed a decree for the said Francis Schott against the said Germania Building Association and Henry Hummer and from which said decree the said Germania Building Association and Henry Hummer appealed to the Court of Appeals here, the tenor of which said Record of Proceedings is in form following, to wit:

State of Maryland, City of Baltimore, to wit.

At a session of the Superior Court of Baltimore City in the Fifth Judicial Circuit of the State of Maryland begun and held at the Court house in and for the City aforesaid on the second Monday of September in the year of our Lord eighteen hundred and sixty one.

Present The Honorable Robert N. Martin Judge
George H. Dutton Esquire Sheriff
George E. Sangston Clerk

Among other were the following proceeding to wit

Francis Schott
vs
The Germania Building Association and Henry Hummer

Bill of Complaint &c

Be it remembered that heretofore to wit on the Twenty first day of March in the year of our Lord one thousand eight hundred and sixty

comes into the Superior Court of Baltimore City here sitting in Equity the said Francis Schott by L. M. Reynolds Esquire his Solicitor and Exhibits his Bill of Complaint in form following to wit.

To the Honorable R. N. Martin Judge of the Superior Court of Baltimore City, sitting as a Court of Equity. The bill of Complaint of Francis Schott of the City aforesaid humbly shows unto your Honor that he on the 6th day of October 1859 sold unto one Henry Hummer a certain lot of ground and improvements thereon for twelve hundred dollars situated in the City aforesaid on the North East Corner of Hennella & Hamer

Streets. That your orator did by deed dated the 6th day of October 1859 which deed was left for record among the land records of the said City on that day grant and convey the said property to the said Henry Hummer for the Consideration money mentioned in that deed, That being the annual sum of Twelve hundred dollars but that of that money the said Hummer duly paid to your orator the sum of four hundred dollars thus leaving them indebted unto your orator on account of the purchase or consideration money aforesaid in the sum of eight hundred dollars for which he made and delivered unto your orator the promissory note here with filed as part of this bill marked Exhibit A, which was intended to bear date of October 6th 1859 and payable to the order of your Complainant in ninety days after date, but that the said Henry Hummer did not pay the said note at maturity and that there is now due and owing your orator on account thereof the sum of Six hundred and ten dollars or there about. To the end that the said Hummer may answer the premises & all matters and allegations herein contained. That he may be decreed to pay the residue of the said note that the property aforesaid may be by a decree of this Court sold to satisfy the said decree and that your orator may have such other and further relief as his case may require may it please your Honor to grant unto your Complainant the process of subpoena against the said Hummer commanding him to be and appear in this Honorable Court in some certain day therein named to answer the premises and abide by and perform such order or decree as may therein be passed and as in duty &c

L. M. Reynolds Sol for Complainant

State of Maryland Baltimore City S.S. on this 21st day of March 1861 before me a Justice of the Peace in and for the City aforesaid personally appeared Francis Scholl & made oath in due form of law that the matters and facts contained in the aforegoing bill are true to the best of his knowledge and belief. As witness my hand.

Wm. McKinley

The Exhibit referred to in the following Bill of Complaint is as follows to wit

Complainants Exhibit A

$ 8.00 Baltimore September 6. 1859

— after date I promise to pay to the order of to Franses Schott Eat Hundert dollars. 8, 00 dollars value received

No — due in nairy deas Henry Hummer

on the Back of said Exhibit was the following endorsements to wit 1859. Recd on the within bill $25.00. Nov 26 do do $50.00. 1860 Juny 7th do do $32.00 Feby 15th do do $50.00. Feby 28th do do $50.00