date convey unto the said Noah Phillips and his heirs certain real estate lying and being in Frederick County State of Maryland and particularly described in said deed to which said deed there is a condition that if the said Isaac Wright shall fail to pay and satisfy the said aforementioned notes with interest according to the tenor of the said Notes as they shall respectively become due and on the occurrence of such failure that the said Noah Phillips had power to sell the said land and premises and apply the proceeds of sale in the manner prescribed by the said deed, all of which matter and more fully and at large appear reference being made to the said Notes hereunto exhibited marked No 1 Exhibit No 2 Exhibit No 3 and Exhibit No 4 also to a copy of said deed hereunto exhibited marked Exhibit No 5 which with all other Exhibits hereinafter referred your Complainant prays may be taken and considered as part of this his Bill of Complaint.

Your Complainant further states that the said Isaac Wright and Mary Wright his wife by deed dated on the 17th day of December 1848 conveyed the said lands above described to Abraham Wolfe as will appear by a copy of the said deed hereunto exhibited marked Exhibit No 6

Your Complainant further states that the said Abraham Wolfe and Sarah Wolfe his wife on the 11th day of February in the year 1854 conveyed a portion of said lands above described to John Agnew and Raphael Tarbot as will appear by a copy of said deed hereunto exhibited marked Exhibit No 7.

Your Complainant further states that Noah Phillips by his deed of Release dated on the twenty fifth day of February 1854 released to said John Agnew and Raphael Tarbot that portion of said Mortgaged premises conveyed to them as above stated by the said Abraham Wolfe and Sarah Wolfe as will appear by a copy of said release hereunto exhibited Marked Exhibit No 8

Your Complainant further charges that he has been informed and believes that Isaac P Pearson Esq claims title to the said Mortgaged premises either as purchaser from said Isaac Wright or Abraham Wolfe and is now in possession thereof but has received no deed for the same

Your Complainant further charges that sundry payments on said mortgage debt have been made from time to time and that the debt due and owing is seven hundred and one dollars and seventeen cents as will appear by the statement hereunto exhibited marked Exhibit No 9 which said sum of seven hundred and one dollars and seventeen cents with interest from the 4th day of July 1854 is still due owing and unpaid, not having been paid to the said Noah Phillips in his life time or to your Complainant as his Executor since his death. Your Complainant states that the said Noah Phillips is dead having first made his will and appointed your complainant Executor thereof who has entered upon the duties of his office having filed his duly approved Bond as will appear by a copy of letters of exemplification hereunto exhibited marked Exhibit No 10

Your Complainant further states that the said Abraham Wolfe died in the month of October in the year 1863 the following Orphans his heirs at law to whom the fee of the Equity of redemption descended all of whom are adults to wit Charles Wolfe who lives in the State of Ohio Rebecca Married to John Shaner and who lives in the State of Ohio Elizabeth who Married John Switzer and who survives her husband

and now lives in Carroll County Maryland Mary who married Isaac Wright and who now resides in Carroll County State of Maryland Susan who married Ephraim Repp, Joseph Wolfe Samuel Wolfe John M Wolfe and Margaret Wolfe all of whom reside in Carroll County State of Maryland and Samuel Wolfe who resides in Frederick County State of Maryland

To the end therefore that the defendants hereinafter named may answer the several matters and things hereinbefore stated and that the said Mortgaged premises as much as may be necessary may be sold to pay your Complainants aforesaid claim with interest costs and expenses may be appointed to make such sale and that your Complainant may have such other and further relief in the premises as the nature and Equity of this case may require. May it please your Honor to grant to your Complainant an order of publication against the said Charles Wolfe John Shaner and Rebecca Shaner his wife who are non residents as before stated of the substance and object of this Bill and warning them to appear in this Court in person or by Solicitor on or before a certain day to answer the premises and show cause if any they have why a decree ought not to pass as prayed and also a writ of subpoena against Samuel Wolfe of Frederick County State of Maryland also writs of Subpoena against Elizabeth Switzer Isaac Wright and Mary Wright his wife Ephraim Repp and Susan Repp his wife John Wolfe Samuel Wolfe John M Wolfe Margaret Wolfe and Isaac P Pearson of Carroll County State of Maryland commanding them to appear in this Court at some certain day to be thereunto named to answer the premises and abide by and perform such decree as may be passed thereon and as in duty bound &c

Wm Ross.

C W Ross Solr for Complainant.

Bond. On or before the 1st day of April 1850 I promise to pay Noah Phillips or order three hundred and fifty dollars current money with interest from the first day of April 1848 the interest to be paid annually for value received Witness my hand and seal this 7th day of April 1848.

On this 10th day of January 1849 Abraham Wolfe signed his Note in presence of Lycurgus N Phillips Ben Singling — Isaac Wright (Seal) Abraham Wolfe (Seal)

Which is thus endorsed Rec'd of Mr Abraham Wolfe Twenty one dollars for interest on the within up to April the first 1849 Rec'd of Isaac Wright Twenty one dollars for interest on the within Note up to April the first 1850

On or before the first day of April 1851 I promise to pay Noah Phillips or order three hundred and forty dollars current money with interest from the first day of April 1848 the interest to be paid annually for value received Witness my hand and seal this Seventh day of April 1848.

On this 10th day of January 1849 Abraham Wolfe signed this Note in presence of Lycurgus N Phillips Benjamin Singling — Isaac Wright (Seal) Abraham Wolfe (Seal)

which is thus endorsed Rec'd of Mr Abraham Wolfe twenty one dollars for interest on the within up to first April 1849 Rec'd of Isaac Wright Twenty one dollars for interest on the within Note up to April the first 1850.

On or before the first day of April 1852 I promise to pay Noah Phillips or order three hundred and fifty dollars current money with interest from the first day of April 1848 the interest to be paid annually for value rec'd this Seventh day of April 1848. Witness my hand and seal this 16 day of January 1849 Abraham Wolfe signed this Note as security — Isaac Wright (Seal) Abraham Wolfe (Seal)