

answer made, to the several matters & things, charged in this Bill of Complaint, and submit to the order of the Court thereon and may it please your Honor to grant to our Complainants the order of Publication against Jacob Lawver - Catharine Munklin, Peter Ditzel & Mary his wife Michael Cawer, George Lawver Philip Cladfetter & Mary his wife Neil - and Catharine his wife Daniel Cladfetter & Margaret his wife Jacob Army, Charles Army Thomas Young & Elizabeth his wife Abigail Army & husband, John Mentaly & Mary his wife John Army, and Catharine his wife Fagan & Sarah his wife, Henry Pickenhaugh, & Margaret his wife, Jacob - Mentaly and wife the absent nonresident defendants Com- manding them, to be, and appear in this Court by a certain day in said order of Publication fixed in person, or by Solicitor and then and there answer the premises, & otherwise the Bill will be taken pro Confesso and your Complainants will ever pray &c

W. J. Ross, & sole for  
Worthy Ross, Com.

Exhibit  
No. 1

At the request of Augustin Toney, the following Deed of Trust is Recorded, January 6 1834 -  
This Indenture made this 17<sup>th</sup> day of December 1833 between Susanna Whitmore, and Martin Whitmore of the County of Frederick, and State of Maryland, of the one part, and Augustin Toney of the County & State aforesaid of the other part. Witnesseth, That the said Susanna Whitmore, and Martin Whitmore, for and in Consideration of the sum of Fifteen hundred Dollars, current money, to him in hand paid, the receipt whereof they both hereby acknow- ledge, hath given granted, bargained and sold, and by these presents doth give grant, bargain and sell unto the said - Augustine Toney his heirs and assigns all the following de- scribed property, to wit, One front corner and lot in Emmitsburg together with all the appurtenances thereunto belonging, or in any wise appertaining, being known on the plat of Emmits- burg by N. and also two back lots, adjoining lots of Jacob - Danner and others, containing about four acres more or less also a mountain lot, containing about thirty acres more or less, adjoining the lots of Frederick Crabbe & others  
To have, and to hold the said described house, lots and premises unto the said Augustine Toney, his heirs & assigns forever in Trust to, and for the uses interests & purposes, that is to say in Trust for the use of Susanna Whitmore & Martin Whitmore her husband, both of the County & State aforesaid - for and during their joint natural lives, and at Susanna Whitmore Death, the above described property to be disposed of she may direct, or otherwise as the Law directy, and the said Augustin Toney promises, and agrees to release his- deed of trust, at any time it may be required of him by the parties in this deed. In Witness whereof we have here- unto set our hands & seals, the Day & year first above written