

by said mortgage, a true and certified copy whereof is filed herewith as Exhibit No. 1. That afterwards to wit, on the first day of June 1858 the said Samuel D. Walker and your Orators had a settlement of their said account and on such settlement, said Samuel D. Walker was found to be indebted to your Orators in the sum of thirty one hundred dollars, for which he executed and delivered to your Orators his two promissory notes bearing date the day and year last aforesaid payable twelve months after date with interest, each for the sum of fifteen hundred and fifty dollars, as will appear by said promissory notes filed herewith as Exhibits No. 3 and 4. That various payments on such indebtedness were made by Samuel D. Walker in his lifetime and one payment has been made by his administrator since his death, leaving due to your Orators on the 14th day of August 1861 a balance of twenty three hundred and sixty seven dollars and five cents with interest from said last named date, as will appear by said promissory notes and by a Statement filed herewith as Exhibit No. 5. Your Orators state further that the said Rebecca Walker died some three or four years since and that said Samuel Walker died sometime during the year 1863 leaving as their only children and heirs at law the following named children, to wit, Rebecca S. Walker, Ella S. Walker, Mary A. Walker and William H. B. Walker, who are all infants under the age of twenty one years and that the said Ella S. Walker died on the 13th day of August 1861 intestate and without issue, leaving her above named brother and sisters as her only heirs at law and that said Rebecca S. Walker resides in Baltimore City and Mary A. and William H. B. Walker reside in said County of Frederick that said sum of twenty three hundred and sixty seven dollars and five cents with interest as aforesaid remains due and owing and your Orators are advised that they are entitled to have said mortgaged premises sold for the payment of said balance.

Exhibit No. 2.

In tender consideration whereof and for that your Orators are remediless by the strict rules of the Common Law and relievable only in a Court of Equity, where matters and things of this nature are properly cognizable. And that therefore that the said Rebecca S. Walker, Mary A. Walker and William H. B. Walker may answer the above matters and things hereinbefore stated, as fully and particularly as if they were herein again repeated and they were thereunto specially interrogated, and that said defendants may be decreed to pay said sums of money with interest thereon on or before a certain day to be designated by your Honor, and in default thereof, then that the mortgaged premises aforesaid may be sold for payment of your Orators' claim with interest aforesaid, and that your Orators may have such other and further relief in the premises as the nature of the case may require. May it please your Honor to grant unto your Orators the writs of subpoena directed to the said Rebecca S. Walker of Baltimore City and Mary A. Walker and William H. B. Walker, commanding them and each of them to be and appear in your Honorable Court on some certain day therein to be named, to answer the premises and abide by and perform such decrees as may be passed therein. And your Orators will ever pray &c.

Frederick Eckelberger  
 Solicitor for Complainant

In the Circuit Court for Frederick County.

Exhibit No. 1

Abraham Buchwalter and John H. Wright, trading &c as Buchwalter & Wright

Samuel D. Walker

No 102 Originals -

February Term 1861.

1858 Feb 26th Debt appears in Open Court in S. P. and Confess judgment to pay for \$10,000 Current money damages and costs. The damages to be released on payment of \$4169. 50 Cts with interest thereon, from the 20th February 1858 until paid and costs of docket stay.