

filed a bill in your Honorable Court in said cause, No. 3273, Equity Docket, for the sale of said land for the satisfaction of said unpaid purchase money, and obtained a Decree for such sale and on the 9th day of June, A.D. 1866, did sell the same, which sale was duly ratified, and from the proceeds of which sale there accrued to said Executors, after the proper costs and expenses were allowed, in part payment of the said unpaid single bills, or purchase money, the net sum of \$996 81, as by reference to the proceedings in said cause, and a certified copy of the ratified Audit made in said cause and herewith filed as Exhibit D, will fully appear. And your Complainant further states, that besides the said cash payment so advanced to said Executors for said Murphy by him as aforesaid, on the maturity of said single bills and on the default of said Murphy to pay the same, your Complainant, as surety thereon, paid to said Executors on their maturity the said single bills and the interest accrued thereon, less the said sum of \$996.81, realized by said Executors from the sale of the said land so sold by them to said Murphy as aforesaid. And your Complainant further charges that no part of the said cash sum of \$1038 66, so advanced by him for said Murphy, or the interest accruing thereon, and no part of the money paid by him in discharge of said single bills, and the interest thereon, although the time limited for payment thereof by the condition of said Mortgage to him has passed, and payment thereof has been duly demanded of the said Horace L. Murphy, has been paid to your Complainant, but is still due and owing from said Murphy. And your Complainant further shows that the said Horace L. Murphy and Charlotte D. his wife, before the execution of their said Mortgage to your Complainant, did execute a deed of Mortgage conveying the said land designated as aforesaid, as the Home Farm of William Murphy at his death, to one John J. Jamison of Frederick County to secure the payment of a note in the principal sum of five hundred dollars, and the interest thereon, which note is over due and unpaid, and which Mortgage is a prior lien on said land, and entitled to be satisfied therefrom before the said claim of your Complainant, as by reference to a certified copy of which Mortgage, herewith filed as Exhibit E, will fully appear. And your Complainant charges that he is entitled to have the said John J. Jamison produce herewith his said Mortgage with a statement of his said Mortgage debt, that the land hereinafter prayed to be sold, may be sold for the satisfaction, and discharged of both the said Mortgage debt of said John J. Jamison and of your Complainant, and to have the purchase money arising therefrom applied to the payment of said Mortgage debts in the order of their priority. And your Complainant further states that he is advised that a certain Ann Murphy of Frederick County, a sister of the said Horace, is a tenant in common with the said Horace L. Murphy in the said Home Farm of William Murphy mortgaged as aforesaid, the said Ann owning an undivided one seventh interest, and the said Horace the other six sevenths in the same. To the end therefore that the said Horace L. Murphy, Charlotte D. Murphy, John J. Jamison and Ann Murphy may answer the several matters and things hereinbefore stated and charged, and that the said tract of land and premises described as the Home Farm of William Murphy deceased, mentioned in said Mortgage, or so much thereof as may be necessary, may be sold for the payment of the aforesaid claims of your Complainant, and said John J. Jamison, and the proceeds of said sale applied to the payment of the same, with the interest that may be due thereon in the order of their priority, and that your Complainant may have such other and further relief in the premises as the nature of the case requires. May it please your Honor to grant unto your Complainant the writ of Subpoena against the said Horace Murphy and Charlotte D. Murphy of Montgomery County, and John J. Jamison and Ann Murphy of Frederick County, commanding them and each of them to

Exhibit A

Exhibit B

Exhibit C