

the year Eighteen hundred and thirty eight a Certain David Will of the County and State aforesaid being indebted unto your Complainant by his single bill dated on the day and year aforesaid, in the sum of one hundred and fifty dollars payable twelve months after date with interest from date and intending to secure the payment of said single bill did by his deed of Mortgage dated on the 12<sup>th</sup> day of January in the year Eighteen hundred and thirty nine convey to your Complainant "all that tract of land situate, lying and being in Frederick County in the State aforesaid it being a part of a tract of land called 'Wardle Plantation' containing fourteen acres and three quarters of land more or less, and to which said deed of mortgage there is a condition annexed that provides that if the said David Will his heirs Executors or administrators do and shall well and truly pay or cause to be paid unto the said Howard Maynard his Executors, administrators or assigns the said full sum of one hundred and fifty dollars current money with legal interest for the space on or before the 17<sup>th</sup> day of November Eighteen hundred and thirty nine according to the tenor, note or obligation without any deduction or abatement whatsoever then and thenceforth these presents and every matter and thing therein contained shall cease and be utterly null and void"; all of which will appear by reference to the said single bill and mortgage herewith Exhibited marked Exhibits No 1 and 2, which together with all other Exhibits hereinafter produced your Complainant prays may be taken as part of this his bill of Complaint. And your Complainant charges that no part of the aforesaid sum of one hundred and fifty dollars or the interest thereon from the 17<sup>th</sup> day of November in the year Eighteen hundred and thirty eight has been paid except the sum of forty one dollars paid on the 26<sup>th</sup> day of May Eighteen hundred and forty and that the balance of said note together with the interest due thereon is still due and unpaid. Your Complainant further charges that the said David Will died intestate sometime in the year eighteen hundred and forty one leaving the following children his heirs at law, viz: Cecelia a daughter now the wife of Abraham May and who resides in Frederick County, Henry a daughter now the wife of Jacob Smith and who resides in Frederick County, Margaret a daughter now the wife of Lott Fisher and who resides in Frederick County, Adam Will a son who resides in the State of Pennsylvania, Amy a daughter now the wife of Lovelace Dorey who now resides in Frederick County, her husband Lovelace Dorey residing in Pennsylvania. Your Complainant further states that Margaret E. Fisher now the wife of Lott Fisher, Henry Smith now the wife of Jacob Smith and Amy Dorey now the wife of Lovelace Dorey, children and heirs at law of the said David Will did on the twenty second day of February in the year Eighteen hundred and forty five execute a paper admitting the debt of the said David Will to your Complainant - all of which will fully appear by reference to the paper herewith Exhibited marked Exhibit No 3. Your Complainant further charges that Adam Will and Lovelace Dorey are non residents and do not reside in the State of Maryland.

And the said therefore that the said defendants hereafter named may answer the matters and things hereinbefore stated as fully and as particularly as if they were therein again repeated & they were thereunto specially interrogated - and that the mortgage premises may be sold for the payment of your Complainant's claim with the interest that may be due thereon and that your Complainant may have such further and other relief as the nature and Equity of his case may require.

May it please your Honor to grant unto your Complainant an order of publication giving notice to the said Adam Will and Lovelace Dorey two of the defendants in this cause who are non residents as aforesaid 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 the said Abraham May and Cecelia May his wife, Jacob Smith and Henry Smith his wife Lott Fisher and Margaret E. Fisher his wife and Amy Dorey of Frederick County commanding them to appear in Court at some certain day to be therein named to answer the premises and abide by and perform such decree as may be passed therein - and as in duty lie.

Geo. J. & Charles Ross  
Solicitors for Complainant.

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