

but on the contrary that she always regarded the moiety of the said property belonging to said Fitzhugh as responsible and bound to her for the said debt and liabilities under and by virtue of the mortgage aforesaid.

Your Petitioner further shows that in the said petition the said Jacob M. Runkel prays and that in the said petition the said Jacob M. Runkel prays and that on the 19th day of March 1859 your Honor passed an order directing that an account be stated by the Auditor of all the Partnership matters in controversy between the said Dequines & Jacob M. which as your Petitioner is advised are exceedingly voluminous and complicated and she charges that such an investigation would occasion extraordinary delay and expense and subject her and the other Mortgage Creditors of the said Fitzhugh to great loss and inconvenience. Your Petitioner also avers that such a settlement of Partnership accounts can in no wise effect or be affected by the claims and interests of said Creditors or determine the legality or illegality thereof and that it is a matter that solely concerns the said firm of Fitzhugh & Runkel and ought not to be settled between them in this cause to the great delay & hindrance of the payment of the just claims of your Petitioner and other Creditors and to the large increase of the costs & expenses of this suit whereby the said trust fund which is now insufficient to pay all the said Creditors in full will be greatly reduced whereby your Petitioner prays that the said order passed by your Honor on the 19th of March 1859 may be recalled and that your Honor will pass an order referring said Cause to the Auditor with direction to state an account distributing the said trust fund according to the usual practice of your Honorable Court and that all of the aforesaid Claims liens and incumbrances of your Petitioner may be fully allowed and paid (or satisfied as the Court may be out of the said trust fund at least to the extent of the Undivided moiety or interest of the said Fitzhugh in the said property held by the said Trustee in this Cause as aforesaid and that your Petitioner may have all such other and further relief as the nature of her Case and Equity and good Conscience may demand and as in duty & bound she will ever pray &c.

C. Louis Love Sec
for Petitioner

State of Maryland Baltimore City to Wit
I hereby Certify that on the 17th day of August A. D. 1859
before me the Subscriber a Justice of the Peace of the said