admitted or considered by your Honor in the premises.

Wherefore insisting and maintaining that said deed of mortgage of 6 January 1857 can under no circumstances be regarded as creating a lien anterior to its date &c

Your Respondent further saith and charges that the said mortgage instrument dated the 9 October 1856 and referred to in said petition as Exhibit A filed with the bill of complaint is on its face null and void and without consideration in law so far as it purports to indemnify Sarah M. Pittsburgh who was then and there a feme covert incapable in law of binding herself or undertaken make a surety for her said husband Lodegaire Pittsburgh and your Respondent avers and charges that the same being null and void so far as it purports to indemnify said feme covert it could not become operative or legally sufficient by matter of fact and he charges that the same cannot be set up for any purpose in this cause as a contract of indemnity to said feme covert. This Respondent further saith that he has no knowledge of the truth of the allegations in said petition in regard to the notes and chose in action designed to be secured or indemnified in and by said mortgage instrument of 9 October 1856 and he requires strict proof of all such allegations and of legal damage to the said Petitioner in the premises

This Respondent in no wise admitting the truth of any allegations in said petition which he has failed to answer but requiring and demanding strict proof thereof humbly prays that the order of your honorable Court heretofore passed in this cause shall not be rescinded or modified and that the said petition may be dismissed with costs &c

R. L. Brent } for Respondent
Lo M. Palmer } J. M. Kunkel

Petition of S. F.

To the Honorable M. Nelson Judge of the Circuit Court for Frederick County sitting in Equity

The petition of Sophia Pittsburgh respectfully states that on the 2d day of July in the year 1859 she filed her petition in the cause No 2805 on the docket of your honorable Court in which amongst other things she prayed that an order passed by your Honor on the 19th day of March in the same year on the petition of Jacob M. Kunkel might be rescinded and that afterwards on the 31st day of August in the same year the said Jacob M. Kunkel filed a paper in your Honorable Court entitled to an answer to the said petition of your petitioner the character and contents of which said petition and paper entitled an answer thereto will more fully appear to your Honor from an inspection thereof respectively and your petitioner prays