

No 2982 Equity

At a Circuit Court for the Third Judicial Circuit of the State of Maryland, sitting as a Court of Equity, held at the Court Room in Frederick-Town, and for the County of Frederick, on the 11th day of February 1861

Present The Honorable Madison Nelson Circuit Judge

Michael H. Haller Esquire Sheriff

Benjamin C. Fitzhugh Clerk

Among others were the following proceedings to wit:

William R. Sanderson, Executor of the last will and testament of William R. Sanderson dec^d }
vs }
Josiah Jones, and Mary E. Jones his wife, et al }
It is remembered that heretofore, to-wit, on the 24th day of February 1861, came the said William R. Sanderson, Executor of the last will and testament of W^m R. Sanderson dec^d in Court here sitting, by W^m J. Peaslee Esquire, and filed in the Court here the following Bill and Exhibits, to-wit:

To the Honorable Madison Nelson, Circuit Judge for the Third Judicial Circuit of the State of Maryland, sitting as a Court of Equity

The Bill of Complaint of William R. Sanderson of Frederick County, State of Maryland, Executor of the last will and testament of William R. Sanderson late of said County, and State deceased, sheweth, that a certain Josiah Jones and Mary E. Jones his wife, being indebted unto Isaac Walken in the sum of Three Thousand Dollars, to secure the payment of the said sum of Three Thousand Dollars with interest thereon, by their deed of Mortgage dated on the 4th day of January in the year 1850, conveyed the lands therein described - situate in Frederick County, State of Maryland to the said Isaac Walken of said County and State, with condition thereto annexed to be void, on payment of said sum of Three Thousand Dollars with interest thereon from the first day of January 1850, or a before the fourth day of January 1852, all of which matters will more fully appear, reference being had to a certified copy of said Mortgage herewith exhibited marked Exhibit No 1, which your complainant prays together with all other Exhibits hereinafter produced may be taken as a part of this his Bill of Complaint - Your complainant further states that the said Isaac Walken Mortgage afterwards on the 24th day of October 1850, by deed assigned and transferred to W^m R. Sanderson your complainant's testator, the said Mortgage and the debt intended to be secured thereby, as will be fully seen by a certified copy of the said assignment herewith exhibited marked Exhibit No 2 - Your complainant further states that the said Josiah Jones and Mary E. Jones his wife by their note dated on the 28th day of December 1853, being indebted to W^m R. Sanderson, complainant's testator, in the sum of \$1000, payable on the 1st day of January 1855, with interest from date, the interest from date the interest payable semi-annually to secure the payment of the same, did convey the said lands and tenements, situate in Frederick County State of Maryland, and hereinbefore described in Exhibit No 1, to the said William R. Sanderson in his life time, with condition thereto annexed to be void, on payment of the said note, and the interest thereon at the time therein stipulated for payment as above stated, all of which will appear by the said note herewith exhibited marked Exhibit No 3, and by a certified copy of the said Mortgage herewith exhibited marked Exhibit No 4.

Bill

Your complainant further states that said W^m R. Sanderson the assignee of said Isaac Walken, and the Mortgage as aforesaid, is dead, having first made his will, and constituted your complainant Executor thereof and who has fully entered upon his duties as Executor as will appear by a certified copy of his will herewith exhibited marked Exhibit No 5 - Your complainant further charges that as part of the said two Mortgages herewith Exhibited, have been paid by the said Josiah Jones, and Mary E. Jones his wife, except the interest thereon to the 15th day of December 1858, and that the whole principal debts of the said Mortgages with interest thereon from the 1st day of December 1858, is still due and unpaid - although the day for payment, mentioned in the condition in said Mortgages has long since passed, and payment thereof has been demanded by your complainant - Your complainant further states that the said Josiah Jones and Mary E. Jones his wife, to secure to Rosina Prier the sum of \$700 due and owing by them to said Rosina Prier did on the 18th day of January 1858, convey the said lands and tenements situate in said County and State, hereinbefore described to said Rosina Prier on condition to be void, on payment of said sum of money with interest thereon, at the time specified in said condition, as will fully appear by a certified copy of the said Mortgage, herewith exhibited marked Exhibit No 6 - Your complainant further states that the said Josiah Jones and Mary E. Jones his wife, to secure to Charles Goldsborough the sum of \$1000 due and owing by them to the said Charles Goldsborough, did on the 14th day of June 1858, convey the said lands and tenements situate in said County and State, hereinbefore described to said Charles Goldsborough on condition, to