

Wright and Mary Wright his wife to said Noah Phillips - and that since he purchases he has paid part of the Mortgage debt, and knew that the balance thereof as claimed by your Petitioner as Executor was due and unpaid, and your Petitioner will ever pray &c ~

Wm. S. Ross Solicitor
for Petitioner ~

Court's Order

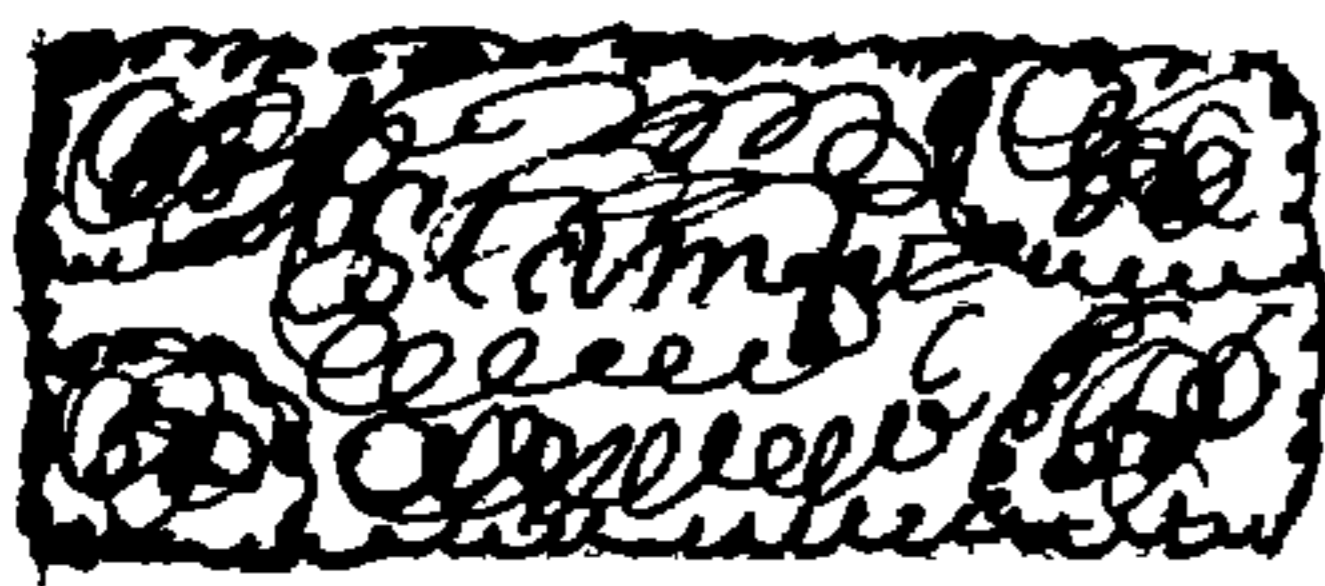
In No. 3131 Equity ~ Circuit Court for Frederick County as a Court of Equity -

The foregoing Petition being read and considered - It is this 27th day of May 1864 by the Circuit Court for Frederick County as a Court of Equity - Ordered that George N. Phillips Executor of the last will of Noah Phillips deceased, have leave to file an amended Bill as prayed - upon payment of such costs as shall accrue by reason of such amendment. ~

Filed May 28th 1864 ~

Madison Nelson

Amended Bill



To the Honorable Madison Nelson Circuit Judge for the Third Judicial Circuit of the State of Maryland sitting on the Circuit Court for Frederick County as a Court of Equity ~

The Amended Bill of George N. Phillips Executor of the last will of Noah Phillips late of Frederick County State of Maryland, deceased - respectfully shews, that heretofore he filed his Bill in this Court, against Charles Wolfe, Rebecca Shuck and John Shuck her husband, Elizabeth Switzer, Mary Wright and Isaac Wright her husband, Susan Repp and Christiana Repp her husband, Joseph Wolfe, Daniel Wolfe, John M. Wolfe, Margaret Wolfe, and Samuel Wolfe, children and heirs at law of Abraham Wolfe deceased, and Isaac C. Pearson, praying among other things for a sale of certain premises mortgaged by the said Isaac Wright and Mary Wright his wife, to the said Noah Phillips, and by said Isaac Wright and Mary Wright his wife sold and conveyed to Abraham Wolfe, ^{the father of said Charles Wolfe} Rebecca Shuck, Elizabeth Switzer, Mary Wright Susan Repp, Joseph Wolfe, Daniel Wolfe, John M. Wolfe, Margaret Wolfe and Samuel Wolfe subject to said Mortgage, and sold by Abraham Wolfe by the said Isaac Wright to Isaac C. Pearson, subject to said Mortgage. ~

That a Decree pro confesso was taken against Charles Wolfe, John Shuck and Rebecca Shuck his wife the non resident defendants. - That an interlocutory decree was passed against Samuel Wolfe, Elizabeth Switzer, Isaac Wright and Mary Wright his wife, Ephraim Repp and Susan Repp his wife, Joseph Wolfe Daniel Wolfe, John M. Wolfe, and Margaret Wolfe, defendants, who are summoned and did not appear to said Bill - That Isaac C. Pearson the defendant who appeared, filed his answer admitting all the facts charged in the Original Bill, objecting to the relief prayed, on the ground that there was no affidavit of consideration annexed to the said deed of Mortgage Exhibited in the original Bill, as Exhibited No. 5. All of which matters will appear by reference to the Bill and all other proceedings in said cause, which your Complainant prays may be taken as part of this his amended Bill of Complaint ~

And your Complainant charges by way of amendment to his original Bill of Complaint, that the said Isaac C. Pearson at the time he purchased the said mortgaged premises from said Abraham Wolfe, or his agent, the said Isaac Wright, had actual notice of the said Mortgage executed by the said Isaac Wright and Mary Wright his wife, and purchased said mortgaged premises with full notice of said Mortgage and of the balance of debt due thereon - And that said Isaac C. Pearson since the purchase by him of said mortgaged premises has paid part thereof to said Noah Phillips

Answer of J. S.

Commissioner
State Police