

and has admitted in writing signed by him the balance of the Mortgage debt as claimed by your Complainant in his Bill of Complaint ~

It is the end that the said Isaac E. Pearson May answer this amendment, and may set forth in his answer from whom or through whose agency he purchased said Mortgage Premises, and that your Complainant May have such relief against him as he has prayed in his original Bill. ~

May it please your Honor to grant to your Complainant, the writ of Subpoena against the said Isaac E. Pearson of Carroll County Maryland, commanding him to appear in this 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 bound.

Filed June 17th 1864 ~

Wm. Ross
C. W. Ross
Solicitors for Complainants

Maryland, Set:

The State of Maryland, to Isaac E. Pearson Esq. of Carroll County, greeting. You are hereby commanded that all expenses set apart, you personally appear before the Judge of the Circuit Court for Frederick County, sitting as a Court of Equity, to be held at the Court House in Frederick Town, in and for said County, on the First Monday of July next to answer the amended bill and Complaint of George N. Phillips, Executor &c of Noah Phillips deceased, against you in our said Court Exhibited, and so forth. ~ Hereof fail you not, as you will answer the contrary at your peril. Witness the Honorable Madison Nelson, Judge of our said Court, the 8th day of February 1864.

Issued the 17th day of June 1864 ~ To the Sheriff of Carroll County ~

Jos H. Leary Clerk

Which is thus Endorsed

Recd. 20th of June 1864, same day delivd. to Sheriff of Carroll County ~

Wm A. McCallip Clk.

"Summoned"

Filed June 24th 1864 ~

Jos. Ebaugh, Sheriff Carroll Co

Answer of I. E. Pearson

To the Hon. Madison Nelson Judge of the Circuit Court, for Frederick County on Equity ~

The Answer of Isaac E. Pearson to the amended Bill of Complaint of George N. Phillips; Executor of Noah Phillips deceased against him in this Court exhibited. ~ This defendant admits the facts alleged in the amended Bill of Complaint, but is advised that as to him the said Pearson, the paper writing purporting to be a Mortgage failed as an Exhibit on this cause, and marked "Exhibit No. 5" is, under the Act of Assembly of Maryland, as against him the said Pearson invalid ~

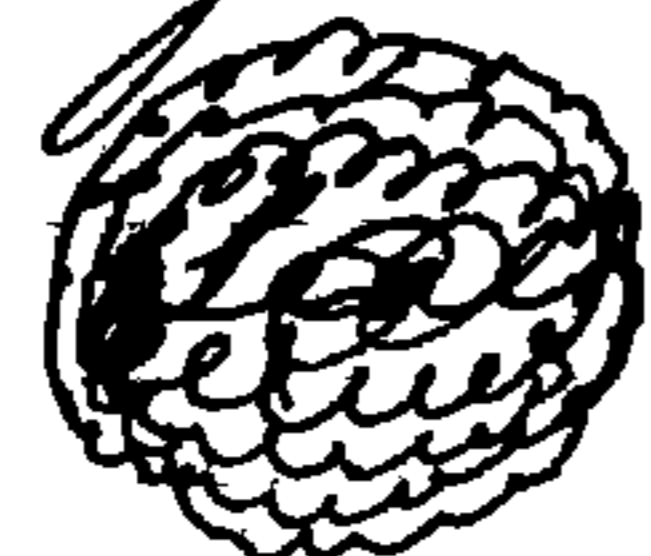
Wherefore the said Pearson prays that the Bill of Complaint may be dismissed with costs as against the said Pearson ~

Filed July 18th 1864 ~

William B. Nelson

Commissioners to Take Testimony

Maryland, Set



The State of Maryland, to William B. Nelson and Robert Nelson Esq. of Frederick County, greeting.

Be it known, that you are appointed Commissioners to examine evidences in a Cause depending in the Circuit Court for Frederick County as a Court of Equity between George N. Phillips Executor of the last will of Noah Phillips deceased, Complainant, and Charles