

to be secured by the Mortgage herewith Exhibited Marked No Exhibit No 2, and is the same debt and note other. ~

Your Complainant further states, that the said John H. Albaugh and Susan Albaugh his wife, to secure to Frederick White the sum of money therein recited, and also to secure the said Frederick as security in a note therein recited to Jacob Sharp, executed a Mortgage conveying to said Frederick White, the personal property therein described, as well be seen by a Copy of said Mortgage herewith Exhibited marked Exhibit No 5 - Which personal property so conveyed, is the same property heretofore conveyed to your Complainant and described in Exhibits No. 2 and No. 4 ~

Your Complainant further admits that sundry payments have been made to her by the said John H. Albaugh and Susanna Albaugh his wife at sundry times, and which payments were the proceeds in part of the proceeds of sale of the personal property mentioned in said Mortgage, Marked Exhibit No 2, and in the Bill of Sale Marked Exhibit No 4, which payments were made as follows. ~
 December 5th 1864, the sum of One hundred and nine dollars and eighty five cents, which is credited on the single Bill, Marked Exhibit No. 1, October 15th 1860. ~
 The sum of One hundred dollars paid through Joshua Biggs. ~
 December 9th 1865, The sum of Eighty one dollars and Eighty six cents through Joshua Biggs, but he insists and so charges that the payments on account of said Mortgage debt, when severally made, did not amount to the interest due, and owing when the several payments were made, and that the whole of said sum of seven hundred and sixty one dollars and thirty cents, secured by said Mortgage and Bill of Sale, with interest thereon from the fifth day of November in the year Eighteen hundred and fifty three, subject to the credit of the aggregate of the said payments, amounting to the sum of Two hundred and ninety one dollars and seventy one cents is still due, owing and unpaid, although the time limited for the payment thereof by the condition of said Mortgage has passed, and payment thereof has been duly demanded of the said John H. Albaugh and Susan Albaugh his wife. ~

It is the end therefore that the said John H. Albaugh and Susan Albaugh his wife, Abraham Stover, Frederick White, Joel Myers and Jacob Sharp may answer the several matters and things herein before stated - And that said Abraham Stover may set forth how much is due on his said Mortgage, and that Frederick White, Joel Myers and Jacob Sharp may set forth how much is due on their respective claims secured by said Mortgage to said Frederick White, and that the property real and personal mortgaged to your Complainant or so much thereof as may be necessary, may be sold for the payment of your Complainant's claim, with interest as aforesaid, and that your Complainant may have such other and further relief as his case may require. ~

May it please your Honors to grant to your Complainant the writ of Subpoena against the said John H. Albaugh and Susanna Albaugh his wife, Abraham Stover, Frederick White, Joel Myers and Jacob Sharp of Frederick County, Commanding them and each of them to be and appear in this Court at some certain day to be therein named, to answer the promises, and abide by and perform such decree as may be passed therein, and as in duty bound &c. ~

John P. Ross
 Chas W. Ross
 Solicitors for Complainant.

Filed April 9th 1869