

and interest is still due and unpaid, Your Complainant further states that she still holds the legal title in said Land, and that she holds the residue here on the said Land for the balance of the said purchase money, In the end therefore that the said John Alexander and Martin S. Alexander may answer the matters and things herein before stated as fully and as particularly as if they were herein again repeated, and they were thereunto specially interrogated thereto, and that the Land and premises therein mentioned may be sold under the decree of your Honorable Court to pay the balance of the purchase money due, and that said decree may stand as security for the balance of the purchase money not yet due and payable, and that your Complainant may have all such other and further relief in the premises as the nature and Equity of her cause may require. May it please your Honor to grant unto your Complainant the writ of Subpoena against the said John Alexander and Martin S. Alexander, commanding them to appear in this Court by some certain day to be therein named to answer the premises and to abide by and perform such decree as may be passed therein and as in duty &c.

Filed Nov 28th 1871.

John J. Ross

Chas. W. Ross

Soll for Complainant.

Exhibit This Indenture, made this ninth day of May One thousand Eight hundred and fifty six, Between George P. Hamburg and Mary G. Hamburg his wife of the one part and Valentine Birely of the other part all of Frederick County and State of Maryland. Witnesseth that the said George P. Hamburg and Mary G. Hamburg his wife in consideration of the sum of Thirty three dollars and ninety three cents paid to them by the said Valentine Birely before the sealing and delivery of these presents, the receipt whereof the said George P. Hamburg and Mary G. Hamburg hereby acknowledge, Have sold and by these presents do confirm unto the said Valentine Birely his heirs and assigns forever all those pieces and parcels of land hereinafter described, in the County and State aforesaid, the first being all that portion of land lying between the Baltimore and Chesapeake and Ohio Canal and the Chesapeake and Ohio Canal, and beginning at the Lock House Lot at Lock Twenty nine on said Canal, and running down between the Rail Road on the North side and the Canal on the south side, until it reaches the junction of the Canal and Rail Road at its Eastern extremity containing One acre and twenty one perches. The other parcel being all that Bottom land cut off from the farm of the said Hamburg by the Chesapeake and Ohio Canal and lying between and bounded on the North side by the said Canal and the Potomac River on the south side Beginning at a branch or creek at the west end of said Bottom which runs through the culvert near the Catoctin depot of the Baltimore and Chesapeake Rail Road and divided by said branch or creek from a parcel of Land called "Hempston's Bottom" this latter being a part of the farm purchased by Joseph Waltman from the heirs of William Graham decd, Running down between said