

Received Aug. 15th 1864 of Jos Culbertson one hundred and thirty five dollars on
within Mortgage for which I have paid my receipt as stated above
Cornelia D. Shorb.

Received Sept. 16th 1864 of J. Culbertson one hundred dollars on the within Mortgage
Cornelia D. Shorb

March 1866 paid \$347.⁹⁰ June 29th 1866 paid \$250.
Filed Oct. 16. 1868.

Subpoena

Maryland Set:

Seal The State of Maryland to Joseph Culbertson and Sarah Culbertson
his wife and Edward S. Toney of Frederick County, Greeting. You
are hereby commanded that all excuses set apart you personally appear
before the judges 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 Second Monday of December next to answer the Bill and com-
plaint of John A. Smith and Cornelia D. Smith his wife against you in
our said Court exhibited and so forth

Heed fail you not as you will answer the contrary at your peril.
Witness the Honourable Madison Nelson Chief Judge of our said Court
the 21 day of September 1868, Signed the 16th day of October 1868.

To the Sheriff of Frederick County

Subscribed and sworn to at O. Neighbors Shff.

Charles Mantz Clerk

Filed December 7, 1868.

Answer of
E. S. Toney.

The separate answer of Edward S. Toney to the Bill of Complaint
of John A. Smith and Cornelia D. Smith filed against the Defendant
and others in the Circuit Court for Frederick County sitting as a
Court of Equity. This Defendant for answer says he has no interest
in said suit but is willing to admit the statements therein set
forth and that a decree shall pass for the sale of said mortgaged estate
as prayed and prays to be hence dismissed &c

J. Dickelberger

Sol. for Respondent.

Filed Jan. 12. 1869.

Petition of
Complainants

John A. Smith & Cornelia D. Smith his wife
vs.

Edward S. Toney Joseph Culbertson
and Sarah Culbertson his wife

No. 3421 Equity.
In the Circuit Court for Frederick County
as a Court of Equity
To the Honourable the judges of the Circuit Court
for Frederick County sitting as a Court of Equity.

The Petition of Cornelia D. Smith one of the Complainants to the Bill of
Complaint in the above entitled cause exhibited respectfully sheweth
that on the 30th day of January 1858 Joseph Culbertson and Sarah
his wife two of the Defendants to the said Bill of Complaint ex-
ecuted to Edward S. Toney a mortgage which was assigned by
the said Toney to your Petitioner before her marriage to the said
John A. Smith that the Bill of Complaint aforesaid was filed to
foreclose said Mortgage that said John A. Smith was at the time
the said Bill was filed the husband of your said Petitioner but has