

one the said John H. Pomer departed this life, leaving a Last Will & Testament which has been duly probated in the Orphans Court for Frederick County, where in and whereby he bequeathed and devised all his Property of all kinds to your Complainant Mary E. Pomer and also constituted her Executrix of said Will and she duly qualified as such, and that said notes under seal and said Mortgage debt which belonged to said John H. Pomer, now belong to said Mary E. Pomer and your Complainants file herewith as part of their Bill of Complaint, a certified Copy of said Will marked Exhibit No. 5, and Exemplification of Letters Testamentary marked Exhibit No. 6.

Your Complainants further state that the time for the Payment of the Mortgage debt has passed and all of said notes under seal have long since matured, and that the same are due and wholly unpaid as to principal, and that the only payments made have been on account of interest and are credited upon said notes respectively; the interest being paid on the notes of Joshua Pomer up to the first day of July in the year Eighteen Hundred and Sixty Nine, and the interest on one note was held by Mary E. Pomer being paid up to the first day of July in the year Eighteen Hundred and Sixty Seven, and upon the other note held by Mary E. Pomer up to the first day of July in the year Eighteen Hundred and Sixty Eight.

The condition of said Mortgage not having been fulfilled, your Complainants are entitled to have the Premises sold for the Payment of said Mortgage debts.

To the end therefore that a sale of the Mortgaged premises may be had by a Decree of this Court for the Payment of the debts due to your Complainants and the interest due thereon and that your Complainants may have such other and further relief as their case may require, and that the said Charles A. Pomer and Catharine C. Pomer may answer this Bill under their respective personal oaths.

May it please your Honor to grant unto your Complainants a writ of Subpoena directed to the said Charles A. Pomer and Catharine C. Pomer his wife of Frederick County, commanding them to be and appear in this Court on some certain day to be therein named, to answer the premises and abide by and perform such Decree as may be passed thereon, and as in duty bound &c.

Wm. May Jr 1879

C. V. Levy  
Solicitor for Complainants

Exhibit No. 1. This Mortgage made this first day of July in the year Eighteen Hundred and Sixty seven by and between Charles A. Pomer and Catharine Amelia his wife Wetnepath that in consideration of the sum of Seven thousand Dollars now due from the said Charles A. Pomer to Joshua Pomer, and in consideration of the sum of Seven thousand Dollars now due from the said Charles A. Pomer to John H. Pomer we the said Charles A. Pomer and Catharine Amelia his wife do grant unto the said Joshua Pomer and John H. Pomer all the property which is conveyed to the said Charles A. Pomer by a Deed from Lewis Pomer, and Anne Rebecca his wife, John H. Pomer and Mary Elizabeth his wife and Joshua Pomer bearing date the same day with this Mortgage and not yet recorded; Provided that if the said Charles A. Pomer shall pay on or before the first day of July in the year Eighteen Hundred and Sixty nine to the said Joshua Pomer, the sum of Three thousand five Hundred Dollars with interest thereon from the date hereof, and shall also pay on or before the first