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No. 4777 Equity.

John Frederick Eyles
 Samuel Duffendall
 Henry J. Reever & others

No. 4777 Equity
 In the Circuit Court for Frederick
 County in Equity.

The object of this suit is to procure a decree for a sale of certain mortgaged premises in Frederick County Maryland, which were on the 29th day of April, 1865 mortgaged by the Defendant Samuel Duffendall to the Complainant.

The Bill states that on the 29th day of April 1865, the said Samuel Duffendall to secure the payment of nine hundred and twenty eight dollars due Complainant, conveyed certain real estate described in the Bill and Exhibits filed therewith to secure the payment of the same, that payments were made from time to time on said Mortgage debt and that there is now still due owing and unpaid one hundred and ninety dollars and thirteen cents, with interest from July 16th 1880. That in March 1877, said Samuel Duffendall by articles of agreement sold said Land to a certain Henry J. Reever for the sum of twelve hundred dollars and placed him in possession of the same, that said Reever paid all of the purchase money for said Land except the sum of six hundred and fifty six and two thirds cents, and that said sum with interest from April 1st 1882 is still due and unpaid.

That said Henry J. Reever being indebted to Reever, executed a Mortgage conveying said property to secure the same, a copy of which is exhibited with said Bill.

That being indebted to a certain David Harbaugh, and a certain Hamilton Harbaugh, suits of Attachment were instituted on said claims by Charles A. Eyles and Hamilton Harbaugh Executors of David Harbaugh dec. and by Hamilton Harbaugh and that at the Feb Term of the Circuit Court judgment of condemnation was rendered on said claims against H. J. Reever garnished in favor of Charles A. Eyles surviving Executor of David Harbaugh for the sum of And in favor of Cornelia A. Harbaugh, Executrix of Hamilton Harbaugh, dec. for the sum of Certified copies of said judgments being filed with said Bill as Exhibits

That said Samuel Duffendall is a non-resident of the State of Maryland and does not reside therein.

It is thereupon adjudged and ordered that the Complainant by causing a copy of this order to be inserted in some newspaper published in Frederick County once in each of four successive weeks before the first day of May, 1882 give notice to the said absent Defendant, of the object and substance of this Bill and warn him to appear in this Court in person or by solicitor, on or before the second day of August, 1882 to answer the premises, and then cause if any he has why a decree ought not to pass as prayed.

Adolphus Fearhake Jr.
 Clerk.

Filed March 23, 1882

The answer of Samuel Duffendall of the State of Ohio to the Bill of Complaint of John Frederick Eyles filed in the Circuit Court for Frederick County sitting as a Court of Equity against himself and others.

The Respondent for answer to said Bill of Complaint answers and says that he admits that he was indebted to the Complainant by way of Mortgage as charged in said Bill.