No 5170 Equity.

said 31st day of July A.D. 1876, by their Deed of Mortgage of said date, convey to your Orators David Arnold, Mahlon Arnold, John Arnold, Joshua Arnold, and Amanda C. Ruhenman and said Jacob Hightman, Thomas Hightman and Adam J. Boyer, all of the said real estate described in said Exhibit No. 1. as will fully appear by said Mortgage filed herewith marked Exhibit No. 2, prayed to be taken as part hereof.

4 – That said Mortgage was duly executed and delivered by said Ezra Arnold and Mary J. Arnold, his wife, but Your Orators Mistakenly and inadvertently and without any fraudulent intent, omitted to have the same recorded among the Land Records of Frederick County.

5 – That Your Orator Joshua Arnold fully paid said note to said Jacob Hightman, for said Ezra Arnold and now holds the same, and the sum of five hundred dollars is now due to Your Orator Joshua Arnold on account thereof, from said Ezra Arnold with a large amount of accrued interest, and the said note to Thomas Hightman was fully paid by your Orator Mahlon Arnold who now holds the same and to whom the same is now due and payable, and the said note to Adam J. Boyer was fully paid and satisfied by said Ezra Arnold in his life time.

6 – That the balance of said indebtednesses are still due and payable to Your Orators and Oratrix as in said Mortgage Mentioned, with the exception of certain credits to which said Ezra Arnold was entitled at the time of his death upon said note to David Arnold which would reduce the indebtedness thereon to about five hundred dollars and also a small credit upon said joint indebtedness to Your Orator Mahlon Arnold, David Arnold and Joshua Arnold.

7 – That Your Orators David Arnold, John Arnold and Mahlon Arnold are the same persons who as Trustees were the grantors in the said deed filed herewith as Exhibit No. 1. –

8 – That said Ezra Arnold died leaving the said Mary J. Arnold, as his widow, and the following as his only children and heirs at law Viz – Millard Arnold who is Married and his wife is named Hattie Arnold –

2 – Sophronia Mahala, a daughter, the wife of Burr Magaha.

3 – Calvin Arnold, a son, who is married and whose wife is named ----- Arnold.

4. Emory Arnold, a son,

5. Etta Arnold, a daughter.

6. Avarie Arnold, a Son, and

7. Samuel Arnold, a Son. –

9 – That all of said parties live in Frederick County and they are all adults with the exception of Etta, Avarie and Samuel Arnold, who are infants under the age of twenty one years.

10 – That Letters of Administration upon the personal estate of said Ezra Arnold have been granted by the Orphans Court for Frederick County to Thomas Arnold, as will appear by Exem-