

The amended bill of Complaint of Elizabeth A. Winebrenner, mother and next friend of John A. Winebrenner Samuel C. Geo C. Jas T. Noah and Mary Winebrenner respectfully shows that heretofore she filed her bill of Complaint in your Honorable Court against Richard H. Marshall and others, praying amongst other things the sale of certain real estate mortgaged by Geo A. Winebrenner in his lifetime to said Richard H. Marshall, as is particularly set forth in said original bill, and your Complainant now charges by way of amendment to her aforesaid bill of Complaint that the said Richard H. Marshall on the 14<sup>th</sup> day of December 1866, assigned all his interest in and to the said Mortgage premises to D. C. Winebrenner of Frederick County who is therefore party to this suit. To the end therefore that the said D. C. Winebrenner may answer as well the matters charged in the original bill of Complaint, as in this amended bill, and that your Complainant may have such relief against him as is prayed by her original bill against the said Richard H. Marshall; May it therefore please your Honor to grant unto your Complainant the State of Maryland's writ of subpoena directed to the said D. C. Winebrenner Commanding him to be and appear in your Honorable Court on or before some day therein named, to show cause why a decree should not pass as prayed. And your Complainant will ever pray to

Wm. G. Orner

Solicitor for Complainant

At the request of David C. Winebrenner the following assignment was recorded December 14<sup>th</sup> 1866

This Assignment made this fourteenth day of December in the year Eighteen hundred and sixty six by me Richard H. Marshall of Frederick County Maryland, Witnesseth, that whereas Geo A. Winebrenner and Elizabeth A. Winebrenner his wife did upon the 11<sup>th</sup> day of February 1863. by their deed of Mortgage bearing said date, convey to me the said Richard H. Marshall one hundred and forty three acres of land more or less, which is particularly described in said Mortgage which is duly recorded in Liber B G F. N. S. Folio 287 re. one of the Land Records of Frederick County, the better to secure to me the said Richard H. Marshall the sum of eight thousand dollars then due and owing to me from the said George A. Winebrenner with interest on the same from said eleventh day of February 1863. Now therefore in consideration of the sum of Eight thousand and four hundred and four dollars to me paid by David C. Winebrenner of Frederick County Maryland, I do hereby assign and convey to the said David C. Winebrenner, all my right, title and interest both in law and Equity, in and to said Mortgage and the property described therein. Witness my hand and seal

Richard H. Marshall trustee

Test.

James M. Harding

Which is thus Endorsed. State of Maryland Frederick County Set:

On this fourteenth day of December 1866 before me a Justice of the Peace in and for the said County personally appeared Richard H. Marshall and acknowledged the foregoing assignment to be his act and deed.

J. M. Harding

State of Maryland Frederick County Set.

I hereby certify that the foregoing is a true Copy of the original assignment of Mortgage, now filed for record in the office of the Clerk of the Circuit Court for Frederick County.



In testimony whereof I hereunto subscribe my name and affix the seal of the Circuit Court for Frederick County this 18<sup>th</sup> day of December A.D. 1866.

Jos. W. L. Barty Clerk

Maryland Set

The State of Maryland, to David C. Winebrenner of Frederick County, Greeting. You are here by commanded that all causes set apart, you personally appear before

Exhibit No 4

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