No. 4662 Equity

month of January in the year Eighteen hundred and eighty one, devising and bequeathing to his wife Catharine Warner all his property for life, and after her death, devising and bequeathing his property to his son Christian Warner, his daughter Catharine Herwick, wife of August Herwick, his daughter Mary Seeger, his daughter Annie Brookey wife of Theodore Brookey, in the mode and manner and as set forth in the last Will and Testament of said Valentine Warner, a certified copy whereof is herewith filed as a part thereof marked Exhibit No 3.

Your Complainant further states that said Catharine Warner the life tenant died a day or two after the death of her said husband. Your Complainant further that the personal estate of said Valentine Warner is utterly insufficient to pay his debts, and probably not sufficient even to pay his funeral expenses.

To the end therefore that a sale of the mortgaged premises may be had by decree of this Court for the payment of the debt due to your Complainant May it please your Honor to grant the writ of Subpoena directed to the said Christian Warner, Theodore Brookey and Annie Brookey his wife Mary Seeger the wife of your Complainant, August Herwick and Catharine Herwick his wife of Frederick County Commanding them to be and appear in this Court on some certain day to be therein named to answer this Bill and show cause if any they have why a decree should not pass as prayed, and your Complainant further prays for all such further and other relief as his case may require.

And as in duty &c

Charles M. Rose
C. C. S. Levy
Solicitor for Complainant

Filed February 8, 1881.

At the Request of Peter Seeger, the following Mortgage was recorded Feb 6. 1874

Exhibit No 1

This Mortgage made this Sixth day of February, in the year Eighteen hundred and seventy four, by and Valentine Warner and Catharine Warner his wife of Frederick County State of Maryland, Witnesseth, that in consideration of One hundred and twenty five Dollars, now due from me, the said Valentine Warner to Peter Seeger of Frederick County, State of Maryland, we the said Valentine Warner and Catharine Warner his wife, do grant unto the said Peter Seeger, all that Lot or portion of ground designated as Lot No. 2 lying on the South side of All Saints Street in the additions to Frederick Town, in Frederick County, State of Maryland. Beginning for the same at the end of seventy feet from the South West Corner of All Saints Street and Market Street, and fronting forty two feet on All Saints Street and running back for depth one hundred feet, being the same Lot which Valentine Warner obtained from Jacob Lulick and Ellen Cromwell by deed recorded in Liber B. G. H. No. 5 folio 497 &c one of the Land Records of Frederick County as by reference thereto will more fully appear: Provided, that if the said Valentine Warner shall pay on or before the Sixth day of February in the year Eighteen hundred and seventy five to the said Peter Seeger the sum of One hundred and twenty five dollars with the interest thereon from the date of this Mortgage, then this Mortgage shall be void.

Witness our hands and Seals

Test
W. Mahony

Valentine Warner (Seal)
Catharine her × mark Warner (Seal)