

No. 5051 Equity.

Executed to the Frederick Town Savings Institution, a Mortgage to secure the payment of the sum of five hundred dollars, a certified copy of which mortgage is recorded among the Land Records of Frederick County, is herewith filed as Exhibit No. 3 to this Bill and which deed of mortgage embraces the same real estate described in Exhibit No. 1.

5th. That on the 12th day of May in the year eighteen hundred and eighty three, the said Catharine Derr and her husband Daniel Derr, executed to the said Frederick Town Savings Institution, a deed of mortgage conveying to it the real estate described in Exhibit No. 1, to secure the payment of the sum of three hundred dollars, a certified copy of which mortgage is recorded among the Land Records of Frederick County is herewith filed as Exhibit No. 4 to this Bill.

6th. That on the death of the said Catharine Derr, the real estate described in Exhibit No. 1, descended to and vested in her above named sons and daughters as coparceners or tenants in Common, subject to the payment of the above mentioned mortgages.

7th. That said real estate is not susceptible of division among the above named parties without great loss and damage, and that it would be to the interest of all of them, as well as the below named Mortgagees and judgment creditors to have the same sold, and the proceeds divided among those entitled thereto.

Bill of Complaint 8th. That since the death of the said Catharine Derr, the said George C. Derr and Francis W. Derr, his wife, executed unto George B. Smith and T. H. Herpinger of Frederick County, Maryland, a deed of Mortgage conveying to them all their interest in the above described real estate to secure them from all loss by reason of their becoming security for the said George C. Derr on a promissory note for two hundred and fifty dollars, a certified copy of which mortgage is herewith filed as Exhibit No. 5 to this Bill.

9th. That since the death of the said Catharine Derr, there have been placed on record in the paper Docket in the office of the Clerk of the Circuit Court for Frederick County copies of certain Magistrates judgments against some of the above named sons and heirs at law of the said Catharine Derr, as follows, one against Charles E. Derr in favor of Lorenzo E. Muthnix of Frederick County, Maryland, one against Willard T. Derr in favor of David Lowenstein of Frederick County and one against her complainant in favor of John H. Hendrickson of Frederick County Md. and one against your complainant in favor of Isaac Lowenstein of Washington County, Maryland, which judgments are liens on the interest of the above named defendants in the said real estate in Exhibit No. 1. Certified copies of which judgments are so recorded, or herewith filed, marked respectively Exhibits Nos. 7, 8, 9, 10 & 11 in which will appear the dates and amounts of said judgments.

Your complainant therefore prays for the following relief:

1st. That a decree may be passed for the sale of the real estate of which the said Catharine Derr died seized and possessed above mentioned, and that the proceeds of such sale may be divided and distributed among

Exhibit No.