

No. 5886 Equity.

thereto will be filed shortly in this cause.
9th And this plaintiff charges and alleges that said real Estate should be treated as original partnership property, and subsequently as being the property of the said Leonard R. Wanche, by virtue of said agreement of dissolution of said partnership, that said mortgage having been executed simultaneously with the agreement and given to secure partly the payment of purchase money for said property, the said Mollie M. Wanche, the wife of the said Leonard R. Wanche has no dower right therein.

10th And this plaintiff further charges that he has always been ready to execute a deed to the said Leonard R. Wanche for his interest in said real Estate that that it has always been considered by all the parties unnecessary to do so, and that said mortgage being now due and unpaid this plaintiff has the right to have the same sold for the payment of said mortgage indebtedness, that although there is a power of sale in said mortgage, because of the supposed cloud on the title under such a sale it is deemed advisable by this plaintiff to invoke the aid of your Honorable Court and to have the same sold under a decree of this Court.

And the plaintiff prays for the following relief.

1st That a decree may be passed by your Honorable Court directing said real Estate in these proceedings mentioned, to be sold for the purpose of paying said mortgage indebtedness above mentioned.

2^d That a summons be issued directed to the said Leonard R. Wanche and Mollie M. Wanche his wife of Frederick County aforesaid commanding them and each of them to be and appear in your Honorable Court on some certain day to be named therein to answer the premises and abide by and perform such decree as may be passed in the premises.

3^d And that such other relief may be granted as the plaintiff may be entitled to in the premises.

And as in duty bound will ever pray.

John E. Motte
Plff.

Filed December 11th 1891.

Exhibit No. 1-

Exhibit No. 1

At the request of L. R. Wanche & others the following Deed was recorded Feb'y 19th 1892.

This Deed made this 27th day of May in the year eighteen hundred and seventy one, by George W. Stockdale and Annanora W. Stockdale his wife of Mechanistown, Frederick County in the State of Maryland, witnesses that for and in consideration of the sum of five hundred dollars, the said George W. Stockdale and Annanora W. Stockdale his wife do grant unto L. Randolph Wanche James J. Wanche and Abner Foreman as tenants in common all that Lot of Land called the remainder on Stony Corner being part of a Lot of Land conveyed by a certain Daniel Withie to the said George W. Stockdale for 2 1/2 acres, and the part hereby intended to be conveyed begins at the end of the first line of said lot, at a corner on a stone fence on the division line between Chew and Annacost Land, they obtained from Samuel

6000
Stamp
50