

No. 6348. Equity.

and Susan M. Zimmerman, his wife, executed a deed of mortgage conveying the above mentioned real estate to one Amanda Eichelberger for the purpose of securing the payment of the sum of fifteen thousand dollars due to her: that in the year 1885 the said Amanda Eichelberger died and said mortgage and the indebtedness secured thereby was distributed to Edward P. Eichelberger as part of her distributive share of the estate of the said Amanda Eichelberger, but said assignment has not been recorded in the land records of Frederick County although made on the original mortgage itself a certified copy of which mortgage is filed herewith marked Exhibit No. 3. to this bill, and there is due on said mortgage the principal sum of one thousand dollars, five hundred dollars of said original indebtedness having been paid

That on the 10th day of March in the year 1898, the said George M. Zimmerman executed a deed of mortgage conveying the above mentioned real estate to one Edward P. Eichelberger for the purpose of securing the payment of the sum of six thousand dollars due to him, and which amount although due is still unpaid to him.

And the plaintiff pray for the following relief:

That a decree may be passed by your Honorable Court for the sale of the real estate described in Exhibit No. 1 and after the payment of the above mentioned indebtedness, for a distribution of the proceeds of said sale among those entitled thereto as above set forth.

That a summons may be issued directed to the said Effie Q. Zimmerman and Edward P. Eichelberger of Frederick County, Maryland 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 therein.

And for such further and other relief as the nature of this case may require.

John E. Motter
at for Pte.

Filed Jan'y 16th 1895.

Exhibit No. 1.

At the request of Dr. George M. Zimmerman and Susan M. Zimmerman the following Deed is recorded April 28th 1879.

This Deed made this 13th day of April in the year Eighteen Hundred and seventy eight by David Kling of Frederick County, in the State of Maryland, witness, that whereas, the said David Kling have exchanged a certain farm situated on a joint the Town of Gaesham in Frederick County and taken in exchange therefore certain houses and lots situated in Mechanistown, Frederick County and State aforesaid. Of which there will be a deed made simultaneous with this deed by Dr. George M. Zimmerman and Susan M. Zimmerman his wife to the said David Kling, therefore in consideration of the aforesaid premises the said David Kling doth grant unto Dr. George M. Zimmerman and Susan M. Zimmerman his wife, the following property, situated and lying adjacent to Gaesham, Frederick County, Maryland, being the same tract

Exhibit No. 1.

Frederick
Equity
for Frederick
Mary Zimmerman
George M.
his wife,
Frederick
by deed
is recorded
with marked
the other
may be
to be described
Susan M. Zimmerman
in several
M. Zimmerman
the entire
M. Zimmerman
a son
man, all
and all
will and
real estate
no power
of which
Frederick County
Zimmerman
as tenants
or division
to have
of them
that said
without
represent
Zimmerman