

No. 7424 Equity.

John S. Neuman & William Wilson,
assignees of mortgage executed by
David Speck and Elizabeth Speck, his
wife to Caroline B. McCreery

No. 7424 Equity.
In the Circuit Court for Frederick County.
in Equity.

⑦
Petition.

To the Honorable the Judges of the Circuit Court for Frederick County, sitting as a Court of Equity.

The petition and report of sales of William Wilson and John S. Neuman, assignees of a mortgage executed by David Speck and Elizabeth Speck, his wife, to Caroline B. McCreery, respectfully shows unto your honors:-

1st. That on the 16th day of November, in the year, Eighteen hundred and Eighty seven David Speck being indebted to Caroline B. McCreery in the sum of Seven hundred dollars by his promisory note of that date payable one year after date, did in conjunction with his wife Elizabeth Speck, execute his deed of Mortgage of even date conveying unto the said Caroline B. McCreery all that tract or parcel of land being part of a tract of land called "Middle Plantation" and part a tract called "The Reservoir on Beattys Range" situate, lying and being in Mt. Pleasant District in Frederick County, Maryland, containing thirty-seven acres, one rood and twelve perches of land, more or less, subject to a road passing through it, and being the same property conveyed to the said David Speck by John Kreh and wife by deed dated on the 30th day of March, 1872, and recorded in Liber C. M. No. 8 folio 156 one of the Land Records of Frederick County.

2nd. That to said deed of mortgage there was a condition annexed that if default should be made in the payment of the said note at maturity, or of the interest thereon according to the tenor of said note &c. then it should be lawful for the said Caroline B. McCreery, her personal representatives or assigns to sell the said mortgage premises in the manner in said mortgage set forth and to apply the proceeds of sale as therein stated.

All of which will appear by reference to a certified copy of said mortgage herewith filed marked exhibit "M." and prayed to be taken as part of this petition and report.

3rd. That said mortgage was subsequently, to-wit, in the month of March, 1897. duly assigned and transferred, together with said mortgage note to Harriet S. Thomas and later to-wit, on the 27th day of August, 1901. was by the said Harriet S. Thomas, transferred and assigned together with said note, to the said John S. Neuman and William Wilson, for the purpose of foreclosure, as will appear by reference to the assignments at the foot of said mortgage and by reference to the mortgage note herewith filed as Exhibit "N." to this petition and report.

4th. That the said mortgagor David Speck having applied for the benefit of the Bankrupt Laws of the United States the said John S. Neuman and William Wilson, as assignees of said mortgage filed their petition in the District Court of the United States leave was granted said petitioners to proceed with the foreclosure of said mortgage, as provided therein, and under the jurisdiction and direction of your Honorable Court, default having been made in the payment of said mortgage note and mortgage and of the interest thereon.

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