No. 6747. Equity.

and marked Exhibits Nos. 2 & 3. & 2½.

4th. That the said Lewis Weinberg, who was at that time a widower being indebted unto Thomas E. Molesworth, in his lifetime, by his sealed note bearing date on the 31st day of March, in the year 1890, payable on or before the 31st day of March, in the year 1891, for the sum of Four hundred dollars, and intending to secure the payment of said sum of money mentioned in the said sealed note and the interest that might accrue thereon, did on the day and date aforesaid execute a deed of Mortgage, conveying to the said Thomas E. Molesworth, all that lot or parcel of Ground situate on the South side of Fifth Street in Frederick City, State of Maryland, described in the deed from Henry Williams to Elizabeth Williams and heretofore shown in this Cause, and described as Exhibit No. 1, Exhibit No. 5. & 6 as will appear by reference to a copy of said mortgage, said note filed herewith and numbered.

5th. And your Orator charges that no part of the aforesaid sum of money, except the interest thereon to the 19th day of September in the year 1896 has been paid to him. Although the time limited for payment thereof, by the condition aforesaid has passed, and payment thereof has been duly demanded of the said Lewis Weinberg but the whole, of the principal and interest that has accrued from September the Nineteenth, in the year 1896, as aforesaid, remains due and owing to your orator.

6th. That the said Lewis Weinberg, after the execution of the said mortgage, and while he had an Equitable estate in the said property married a certain Lucretia Anne Diggs whom your Orator has named before as one of the Defendants to this Cause, as appears from the marriage certificate, a certified copy of which is herewith filed as Exhibit No. 6.

7th. That in the year 1896, the said Thomas E. Molesworth died, and letters Testamentary were granted by the Judges of the Orphans Court of Frederick County, to your Orator, who has duly entered upon his trust, as will appear by Letters of exemplification here shown and marked Exhibit No. 4.

8th. That the said Mayberry Williams and Kerttie Williams his wife are non-residents of