

NO 7638 Equity

Petition.

Filed Oct. 24-1903.

Dr. Upton A. Sharrett Assignee  
of Assignee of Mortgage of  
Susanna Strawburg  
on Petition

In the Circuit Court  
for Frederick County,  
in Equity.

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

The Petition of Dr. Upton A. Sharrett, respectfully  
shows unto your Honor:—

1st — That on the 17<sup>th</sup> day of February,  
A.D. 1885, a certain Susanna Strawburg of Frederick  
County, Maryland, executed her note, which is secured  
by a mortgage deed to a certain Mutual Insurance  
Company, a body corporate duly incorporated by and  
act of Assembly of Maryland, for the sum of  
Forty five hundred dollars on certain real estate  
situated therein and described in Exhibit No. 1,  
filed herewith and prayed to be considered to  
be thereof.

2nd That on the 30<sup>th</sup> day of March 1894,  
said note and mortgage was duly assigned  
by the said Mutual Insurance Company to  
a certain Lejane S. Helfenstein, and the  
same was subsequently to wit — on the 2<sup>nd</sup>  
day of April A.D. 1892, duly assigned  
by said Helfenstein to your Petitioner Upton  
A. Sharrett, all of which appears by reference  
to Exhibit No. 1, filed as a part hereof.

3rd. That under the terms and conditions  
of said mortgage, it is provided that if  
default be made in the payment of the  
said sum of \$4500, or the interest thereon  
and the State and County taxes on the  
property that a certain George Martell, as  
agent and attorney in fact of the said  
Mutual Insurance Company, should be emp-  
owered to execute the power of Sale and  
foreclose said mortgage in the manner set  
forth therein.

4th. That default has been made in the  
conditions of said mortgage and your  
Petitioner is unable to protect his interests and  
to reverse the power of Sale without the aid of  
your Honorable Court, because of the said George  
Martell, the trustee named, therein.