

No. 8189. Equity.

Petition of Jesse W. Starr,  
And Court's Order allowing  
Second Mortgage.

Filed Aug-13-1907.

Jesse W. Starr, Mortgagee  
of  
Elizabeth Moushauer and  
Samuel Moushauer her husband  
or  
Petitioner

No. 8189. Equity.  
In the Circuit Court for  
Frederick County, sitting  
as a Court of Equity

To the Honorable the Judge of the said Court:-  
The Petitioner of Jesse W. Starr, Mortgagee of Elizabeth Moushauer  
and Samuel Moushauer her husband, respectfully represents  
unto Your Honor:-

1. That your petitioner holds a second mortgage upon the real estate described in the proceedings in this cause, which is a lien upon said real estate, subject to the first mortgage under which said real estate has been sold, and in which second mortgage the said Jesse W. Starr, has not joined.
2. That there is due your petitioner upon said mortgage the entire sum of \$185.00 and interest thereon amounting to \$22.90 making in all the sum \$207.90, as will appear from said mortgage and promissory note herewith filed and marked A. B. respectively.
3. That the said Jesse W. Starr, is entitled to such sum as to your Honor shall see just and proper out of the surplus proceeds of the sale of the Real Estate in this cause after the costs and expenses of said sale and the first mortgage and interest thereon are paid in full.
4. That there is more than sufficient surplus proceeds of sale to pay the first the first mortgage claim of your petitioner. Your petitioner therefore prays your Honor to pass an order directing the receipt of the surplus proceeds of sale after payment of the first mortgage claim and expenses of said sale and after allowing him, as will satisfy your petitioner's second mortgage claim to be paid over to your petitioner.

And for such relief to which he may be entitled:- and as in duty bound etc.  
L. N. Eckstein Solr. for Petitioner.

State of Maryland, Frederick County, to-wit:-

On this 13th day of August A.D. 1907, personally appeared before me the Subscriber a justice of the Peace in and for the State and County, aforesaid, Jesse W. Starr, and made oath in due form of law that the matters and things as set forth in the foregoing petition are true as therein set forth.

J. W. Starr  
John Francis Smith, J. P.

Court's Order.

The foregoing petition and exhibits having been