4th. That the property mentioned in said mortgage, consisting of the store property, the repository, and the farm at FeagAville, are worth, as your Orator is informed, verily believes and so charges, much less than the sum of Nine Thousand Dollars; that the Laundry Property mentioned in said mortgage has been long since released from its operation by said Winebrenner, and the stock of goods mentioned therein has long since been sold and pisposed of, and that said mortgaged property is not sufficient, by several Thousand Dollars, to pay the said indebtedness upon said notes secured by said mortgage, Exhibit No.1, together with the accured interest thereon, and the proper costs and charges of foreclosure proceedings.

5th. That the said trustees in bankruptcy of the said Augustus H. Ebert and Elizabeth Ebert, his wife, have no interest in the said mortgaged property, the liens thereon amounting to largely more than the said mortgaged property will sell for at public auction; that your petitioner has the lien prior in right to any other creditor of said bankrupts, as will appear by the schedules of the Bankrupts filed in your Honorable Court; and that there is no interest remaining in the other creditors of the said Bankrupts in the said mortgaged property; and that it would be to the best interest of all the creditors of the said Bankrupts to have the said land sold by your orator under forclosure proceedings in the Courts of the State of Maryland and under the laws thereof.

Your Orator, therefore, prays your Honor to pass an order granting unto your Orator permission to forclose said mortgage, Exhibit No.1, in the Courts of the State of Maryland, and under the laws thereof, and after deducting from the proceeds of said sale mortgage indebtedness and the interest thereon and all proper costs and charges, to pay over to the trustees in bankruptcy of the said Augustus H. Ebert, Bankrupt, the surpluss, if any there be, to be by said trustee returned to your Honorable Court for distribution among the creditors of the Bankrupts entitled thereto as their interest may appear, and for general relief; provided, due notice be given to the said Trustees in Bankruptcy of the object and purpose of this petition on or brfore the_____day of_____A.D.1908, to be and appear in your Honorable Court on or before the_____day of_____A.D.1908, to show cause, if any they may have, why an order should not be passed as prayed.

And as in duty, etc.

John S. Newman
Solicitor for Central National Bank, of Frederick.

United States of America, for the District of Maryland:-

I hereby certify that on this 31st day of December A.D.1907. before me, the subscriber, a Notary Public of the State of Maryland, in and for the County of Frederick, dult commisioned, qualified, and sworn, residing and having an office in said County and State aforesaid, personally appeared at said County and State William B. Storm, Cashier of the said Central National Bank, and made oath in due form of law that he is the Cashier of the said Central National Bank, of Frederick Maryland, and duly authorized by its Board of Directors to make this affidavit; and did futher make oath in due form of law that the matters and things setforh in the above and foregoing petition are true as therein set forth to the best of his knowledge, information and belief.

Given under my hand and Notorial Seal the day and year aforesaid.

Richard Potts
Notary Public.

(NOTARIAL SEAL)

In the matter of
Augustus H. Ebert, trading
as B. Ebert and Son,
Bankrupt.

No. 1 6 6 5 Bankrupt Docket H.

Ordered by the District Court of the United States, for the District of Maryland sitting as a Court of Bankruptcy, that permission is hereby given the Central