

No.10060 Equity.

No.2,folio 498,one of the Land Records of Frederick County,and this mortgage was,on March 12th,1896,duly assigned to said Mary A.Corbett.

That said last mentioned mortgage has never been released and now constitutes an outstanding lien on said property sold under the proceedings in this cause.

That these exceptants,purchasers of the property sold by the trustees in this cause bid for and were to receive a good marketable title to the real estate so purchased by them,and the Trustees herein were powerless to sell,and cannot convey to these exceptants such title as long as said last mentioned mortgage is outstanding,or until the same is properly released.

(Filed November 20,1920)

W John S. Newman  
Sol.for Exceptants.

AUTHORITY TO RELEASE MORTGAGE.

William J.Corbett,et al.	"	No.10060 Equity.
	"	In the Circuit Court
vs.	"	for Frederick County,
Charles M.Corbett,et al.	"	In Equity.
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TO THE HONORABLE JUDGES OF SAID COURT;

The Petition of Leo Weinberg and William M. Corbett,Trustees,respectfully shows;-

FIRST;- That they are <sup>the</sup> duly qualified Trustees,in the above entitled cause,and as such,they have reported the sale of the property mentioned in these proceedings,as will appear by the report filed herein November 1,1920.

SECOND; That Thomas L.Harper and Delia V.Harper,his wife,the purchasers.have excepted to the ratification of said sale,on the ground that there is of record a mortgage for the sum of Three Hundred (\$300) Dollars,which was assigned to Mary A.Corbett,the widow of James W.Corbett,who died seized and possessed of the property herein mentioned and that the said mortgage constitutes an outstanding lien against said property.

THIRD; That the said Mary A.Corbett is dead,and left no debts,except her funeral expenses,which were paid by your Petitioner,William J.Corbett,and said mortgage constitutes her only asset.

FOURTH; That the said Mary A.Corbett died intestate,and left surviving her,as her only heirs at law and next of kin,certain children and grandchildren,all of whom are parties to this proceeding,and the only persons interested in this mortgage.

FIFTH; That your honorable Court having,therefore,jurisdiction over the persons and over the subject-matter,involved,will grant unto your Petitioners,the necessary power and authority to release said mortgage,so that the title may be cleared,and the exceptions,filed as aforesaid,may be overruled.

WHEREFORE,They pray accordingly. And as in duty,etc.,

Leo Weinberg.  
Solicitor for Trustees.

Leo Weinberg  
William J.Corbett  
Trustees.

It appearing to the Court that the Trustees in this cause,represent all the persons interested,in the mortgage,mentioned in the foregoing Petition,and that,by the distribution,to said persons of the amount of said mortgage,and accrued interest,if any,out of the proceeds of sale,herein reported,their claim will be paid and satisfied--

It is thereupon this 4th day of December,1920,by the Circuit court for Frederick County,in Equity,Ordered that Leo Weinberg and William J.Corbett,Trustees,in this cause are hereby authorized and directed to formally release,on the Land Records of Frederick