

Sinn; the second mortgage held by your Petitioner, executed by Lewis H. Knock and E. Pauline Knock, his wife, is for \$25,000.00, dated January 2, 1929, and recorded in Liber No. 369, folio 277 &c., one of the Land Records for Frederick County, which conveyed the parcel of real estate hereinbefore mentioned, together with all that parcel of land located on the south side of West Second Street and being the same parcel of land conveyed to Lewis H. Knock and E. Pauline Knock, his wife, by deed from Newton M. Zentz and Jennie M. C. Zentz, his wife, dated August 28, 1915, and recorded in Liber No. 314, folio 98, one of the Land Records for Frederick County; as well as all that parcel of land described in a deed from John Hershberger, widower, to Lewis H. Knock and E. Pauline Knock, his wife, dated November 28, 1928, and recorded in Liber No. 368, folio 383; together with certain personal property located in said last mentioned property; the third mortgage held by your Petitioner executed by the said Lewis H. Knock and Pauline Z. Knock is for the sum of \$5000.00, dated October 1, 1931, and recorded in Liber No. 381, folio 165, which said mortgage conveyed the three properties hereinbefore mentioned, as being conveyed in the second mortgage, together with the personal property therein mentioned.

SECOND: That your Petitioner assigned said second mortgage to William M. Storm for the purpose of foreclosure and sold said three parcels of land, the first parcel being sold subject to the above mentioned \$20,000.00 mortgage; that the total proceeds of the sale of said three parcels, together with the personal property, amounted to \$28,000.00, which was more than sufficient to pay the mortgage under foreclosure, and would leave a balance to be applied to the mortgage for \$5000.00 dated as aforesaid on the 1st day of October, 1931 which is the next lien following said mortgage the original mortgage being filed herewith and made a part hereof.

THIRD: That by virtue of Section 12 of Article 66, of the Code of Public General Laws of Maryland, your Petitioner is informed that he is entitled to have the surplus of the said sale, after the payment of the mortgage foreclosed, together with the costs and expenses, paid over to him as a credit on his lien of mortgage dated as aforesaid, on October 1, 1931.

TO THE END, THEREFORE,

1st. That your Honorable Court will direct the auditor of the Circuit Court for Frederick County to apply the surplus in the sale reported by William M. Storm, Assignee, to the payment of his mortgage dated October 1, 1931.

2nd. And for such other and further relief as the nature of the case may require.

William M. Storm
ATTORNEY FOR PETITIONER

Sworn to and subscribed before me this 30th day of August 1938.

Ellis C. Wachter, Clerk of Court.

It is ORDERED this 30th day of August, 1938, by the Circuit Court for Frederick County, sitting as a Court of Equity and by the authority thereof, that the auditor of the Circuit Court for Frederick County apply the surplus in this cause to the mortgage dated October 1, 1931, and recorded in Liber No. 381, folio 165, subject to exception.

Arthur D. Willard

Filed August 30, 1938.

ORDER NISI ON SALES

William M. Storm, Assignee of	"	No. 13773 Equity
Rudolph M. Rau, Mortgagee of	"	In the Circuit Court
Lewis H. Knock and E. Pauline	"	For Frederick County,
Knock, his wife	"	Sitting in Equity.
On	"	July Term, 1938.
Petition	"	

In the Matter of the Report of Sales filed the 8th day of August 1938.