convey to your Petitioner by deed of Mortgage certain Real and personal property, and in which Mortgage it was provided that if the said Dennis Boon shall pay to the said Ele Burrier, the said sum of Three Thousand and Fifty-six dollars, with the interest thereon payable annually, on or before the twenty eighth day of February in the year Eighteen Hundred and Sixty nine, then said Mortgage to be void; And further provided, that if default shall be made in the payment of said principal and interest as aforesaid then it shall be lawful for the said Ele Burrier, and he is fully authorized and empowered to sell the property in said Mortgage mentioned on the premises by public Auction to the highest bidder therefor, for Cash, after having first given at least three weeks previous notice of the time, place, manner and terms of sale, by advertisements in one or more newspapers published in Frederick County, once in each of three successive weeks prior to the day of sale, and by handbills extensively circulated in the neighborhood; then to pay, first, All costs and expenses incident to said sale together with such Commission to said Petitioner as Trustee, as is usually allowed to trustees for the sale of real estate under decrees in Courts of Equity, Secondly, to pay the said sum of three thousand and fifty six dollars, with all interest due thereon And lastly, to pay the surplus, if any, to said Dennis Boon, his heirs and assigns. All which will fully appear by reference to a duly certified Copy of said Mortgage herewith filed as part of this Petition as Exhibit "A". ~

And your Petitioner further shows unto your Honors, that the said Dennis wholly failed to pay said Principal sum of three thousand and fifty six dollars, when the same became due, and was in default on the 22nd day of March A.D. 1870, the day of sale hereinafter mentioned for One hundred and Eighty five dollars of the interest accrued on said principal sum, and in default still for said principal sum and said balance of accrued interest thereon, making an aggregate indebtedness to your Petitioner on the said twenty second day of March A.D. 1870 of three thousand two hundred and forty one dollars. ~

And your Petitioner further shows that after giving bond with approved security, he proceeded in pursuance of the power vested in him by said Mortgage to make sale of the property conveyed and described in said Mortgage; after giving notice by publication in the Republican Citizen a newspaper published in Frederick County of the time, place, manner and terms of sale as provided as aforesaid for five Consecutive weeks, prior to the day of sale, and by handbills extensively circulated in the neighborhood, a certificate of which advertisement in said Newspaper from the publisher thereof is herewith filed as exhibit "B". And your Petitioner further shows that in pursuance of said notice he did on the premises of the said Dennis Boon at ten O'clock AM. – On the 22nd day of March A.D. 1870 sell the property mentioned in said Mortgage, for Cash, as follows. ~

Believing it to be to the advantage of all concerned, he sold the real estate described as follows. ~

1st That part of the said farm of said Boon contiguous to the dwelling and in no way disconnected therefrom, he sold as containing fifty six (56) acres more or less, to John H Cramer he being the highest bidder therefor at $50 62/100 per acre.

2nd A lot of ground embraced in said farm but lying on the North side of the middle Liberty Road, as ten Acres more or less, as an entirety, to your Petitioner Ele Burrier, he being the highest bidder therefor, for the gross sum of $332 00/100 ~

3rd A lot of land embraced in said Farm, but lying in the South East corner of the Angle of the said Middle Liberty road and the road or lane leading to John Crum's farm, as containing two and a half acres more or less, for the gross sum of $108 – to your Petitioner Ele Burrier, he being the highest bidder therefor. ~