

Birely has obligated himself to comply with the terms of sale, which are one half cash on the day of sale or ratification thereof, and the balance in three months from the day of sale, as appears by his acknowledgment of purchase filed herewith marked Exhibit "P.H. 613."

That there is now due your Petitioner on said Mortgage debt, the sum of Four Hundred dollars with interest from the 6th day of March 1865, less \$45 sub. paid and your Petitioner prays your Honors to pass an order ratifying and confirming said sale, and referring the case to the Auditor to distribute the proceeds with instructions to allow your Petitioner his expenses of Sale and Costs, with usual Commissions, and that your Petitioner May have such other and further relief in the premises as the nature of the case may require, and to your Honors shall seem just, he will ever pray &c. ~

Milton G. Wener
Att^y for Petitioner

State of Maryland, Frederick County a

On this 25th day of March 1872, before me a Justice of the Peace in and for the County and State aforesaid, personally appeared John W. Birely and made Oath in due form of law, that the matters and things stated in the foregoing report are true to the best of his knowledge and belief, and the sale therein reported was fairly made. ~

Filed March 26th 1872 ~

C. H. Eckstein J.P.

Report of Sales of
John W. Birely Mortgage
or
John P. Cox

No. 3771 Equity

In the Circuit Court for Frederick County, sitting in Equity ~

February Term 1872

Order This

Ordered this 26th day of March 1872, that on the 18th day of April 1872 the Court will proceed to act upon the Report of Sales this day filed by John W. Birely Mortgagee in the above case, unless cause to the contrary be shown before said day; provided a copy of this order be inserted in some newspaper published in Frederick County, for three successive weeks prior to said day. ~ The Report states the debt of sales at \$600⁰⁰ ~

Filed March 26th 1872 ~

Charles Maury, Clerk
of the Circuit Court for Frederick County

Exhibit No. 1



This Mortgage made this 6th day of March 1865, by us John P. Cox and Ellen Cox his wife of Frederick County State of Maryland Witnesses, that whereas the said John P. Cox by his promissory note dated the 6th day of March in the year 1865, payable six months after date, stand indebted to John W. Birely in the sum of four hundred dollars, and whereas for the purpose of indemnifying the said John W. Birely from any loss, We the said John P. Cox and Ellen Cox his wife do grant in fee simple to the said John W. Birely all that part of Lot No. 107 fifteen, being part of a tract of land called the "Reservoir on Mackey's Cleft" Situate in the County of Frederick and State aforesaid, containing fifteen Acres of land and contained within the courses and distances, meters and bounds described in the deed executed by Henry Pinebriek and wife to the said John P. Cox dated on the 13th day of January in the year 1864, and recorded in Liber J. W. & Co. No. 99, one of the Land Records of Frederick County. Provided always that if the said John P. Cox shall pay or cause to be paid the said sum of Money in said Note recited, when due, and all interest thereon, then this