

dollars and eighty cents, did upon said day by Deed of Mortgage duly executed by said Geo. Wachtler and Mary Ann Wachtler his wife convey to said Henry Stummel certain Real Estate, being One Hundred and Forty Acres of Land more or less, situated in Frederick County and particularly described in said Mortgage a copy of which is filed herewith marked Exhibit No. 1. which your Petitioner prays may be taken as part of this Petition as fully as if here inserted in words and figures, that in said Mortgage there was a proviso, that if the said Geo. Wachtler of J. would pay to the said Henry Stummel the said sum of Seventeen and Eighty One and $\frac{1}{10}$ dollars, with interest twelve months after date, according to his promissory note, as said note being filed herewith duly proved as Exhibit No. 2 then the said Mortgage was to be void, and provided further that in case of default, by the said Geo. Wachtler of J. the said Henry Stummel his administrators &c. were authorized to sell the said Mortgaged premises at public sale, after giving at least twenty days previous notice, of the time, place and terms of sale by advertisement in some newspaper published in Frederick City, as fully appears by said Exhibit No. 1 and your Petitioner further reports that said Henry Stummel the aforesaid Mortgages, died intestate some time during the year Eighteen Hundred and twenty One, and letters of administration were issued upon his estate to your Petitioner, by the Orphans Court for Frederick County, by a certificate thereof, filed herewith marked Exhibit No. 2 that the said Geo. Wachtler of J. being in default according to the provisions of said Mortgage, your Petitioner by virtue of the Authority vested in him by said Mortgage as the Adm^r of said Henry Stummel after giving bond with approved security according to Law, and after giving more than twenty days previous notice of the time, place, terms and manner of sale by advertisement in the Frederick Examiner and by hand bills extensively circulated, he did pursuant to said notice attend upon the premises on Thursday the 23rd day of May 1872, at 10 o'clock A. M. and there offered the said Real Estate described in said Mortgage at Public Sale to the highest bidder and sold the same to Michael Wachtler, he being the highest and best bidder therefor, at and for the sum of twenty dollars per acre, the whole amounting to Twenty eight Hundred and Eighty dollars, and your Petitioner sold the same upon the following terms. One third Cash on the day of sale or ratification thereof by the Court and the Balance in six and twelve months with interest from day of sale. And your Petitioner prays your Honorable Court to ratify and confirm the said sale, and refer the case to the Auditor to distribute the proceeds of said sale among the parties entitled thereto, and that your Petitioner may have such other and further relief as the nature of the case may require, and to your Honors shall shall seem just, he will ever pray &c.

Filed May 24. 1872.

Milton G. Vane, Sol. for Petitioner.