

shall be lawful for the said Emms to sell the Mortgage premises at Rockhills by public auction on the terms and in the manner and form therein specified.

Your Petitioner states that the said Emms on the 27th day of April A. D. 1875 did assign and transfer for value received the said note and Mortgage to your Petitioner all of which matters and things will fully appear by reference to a certified copy of said Mortgage herewith filed marked "Exhibit A" & "B" which together with the paper marked "Exhibit B" and all other Exhibits herewith filed or to be filed your Petitioner prays may be taken and considered as part of this his petition. Your Petitioner further states that the said Rutts or any one in his behalf has failed to pay the money or the interest thereon at the time specified in said Mortgage and some time having elapsed since the same was due and payable. Your Petitioner first gave bond to the State of Maryland as required by Law which was duly approved by the Clerk of the Circuit Court for Frederick County and then having advertised the property for public sale for four successive weeks prior to the day of sale in the "Republican Citizen" a paper published in Frederick County Maryland as will appear by reference to said "Exhibit B" and by hand-bills extensively circulated, your Petitioner did sell at public sale in the village of Rockhills in the said County and State on Saturday the 5th day of June A. D. 1875 on the terms and at the time and place specified in said "Exhibit B" the mortgaged property at and for the sum of six hundred and seventy dollars to George H. Kootz your Petitioner and Assignee aforesaid he being then and there the highest and best bidder therefor.

Your Petitioner further states that he has paid out the following sums for which he prays an allowance to Baughman Bros for advertising \$6.50 to E. L. Karm Auctioneering \$5.00 vouchers for which are herewith filed marked respectively vouchers 182. Your Petitioner being advised that he is entitled to the aid and protection of your Honorable Court therefore prays your Honors to ratify and confirm said sale and for such other and further relief as the Equities of his case may require.

and your petitioner will ever pray.

Carlton Shafer

Sol for Petitioner.

State of Maryland Frederick County to wit:

On this 7th day of June A. D. 1875 before the subscriber a justice of the peace of the said State in and for the said County personally appeared George H. Kootz the within named assignee of Joseph Emms Mortgagee and made Oath in due form of Law that the matters and things stated in the foregoing report and petition are true to the best of his knowledge information and belief and that the sale therein reported was fairly made.

Filed June 7 1875

Robt. Stokes J. P.

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George H. Kootz Assignee of  
Joseph Emms Mortgagee of  
James W. Rutts & wife

on  
Petition

No. 4072 Equity.  
In the Circuit Court for Frederick County,  
sitting in Equity.

May Term 1875.

Ordered this 7th day of June 1875 that on the 30th day of June 1875 the Court will proceed to act upon the Report of Sales this day filed by George H. Kootz Assignee of Joseph Emms in the above case unless cause to the contrary be shown before