No 4643 Equity

Report of Sale of Wm Carnack Mortgagee
of
George Fleckenger

In the Circuit Court for Frederick County sitting as a Court of Equity.

To the Honorable the Judges of the Circuit Court for Frederick County sitting as a Court of Equity.

The Report of Sales of William Carnack mortgagee of George Fleckenger respectfully shows unto your Honors that heretofore, to wit, on the first day of April in the year Eighteen hundred and seventy-five a certain George Fleckenger being indebted unto the said William Carnack for the unpaid purchase money of the real estate hereinafter mentioned in the sum of three thousand eight hundred and fifty three dollars and ninety-three cents, to secure the payment thereof executed to the said William Carnack a certain deed of Mortgage conveying to the said William Carnack all that lot and parcel of ground situated in Johnsville District, Frederick County Maryland, which was conveyed by the said William Carnack and wife to the said George Fleckenger on the same date by deed duly recorded among the Land Records of Frederick County aforesaid in Liber J. G. No folio and a certified copy whereof is herewith filed as Exhibit A, and as well as all other Exhibits herein exhibited, is to be prayed may be taken and considered as a part hereof as fully as if herein at large in words and figures set forth.

Report of Sales

That appended to said Mortgage is a certain condition that if the said George Fleckinger shall pay to the said William Carnack the sum of One thousand dollars with interest thereon according to his promissory note dated the first day of April Eighteen hundred and seventy-five and payable to the said William Carnack or order twelve months after date, and also that if the said George Fleckenger shall pay to the said William Carnack or order the sum of One thousand dollars with interest thereon according to his promissory note dated the first day of April Eighteen hundred and seventy five and payable two years after date, and also that if the said George Fleckenger shall pay to the said William Carnack or order the sum of One thousand dollars with interest thereon according to his promissory note dated the first day of April Eighteen hundred and seventy five and payable three years after date; and also that if the said George Fleckenger shall pay to the said William Carnack or order the sum of Eight hundred and fifty-three dollars and ninety three cents according to his promissory note dated the first day of April Eighteen hundred and seventy-five and payable four years after date, that then said mortgage should be void And the said Mortgagee further respectfully shows that the said deed of Mortgage further provides that if default shall be made in the payment of the aforesaid or the interest thereon at the time or in the manner aforesaid then it shall be lawful for the said William Carnack to sell the said Mortgaged premises at public sale for cash after giving at least twenty days public notice of the time place and terms of sale in some newspaper published in Frederick County prior to the day of sale and to apply the proceeds of such sale to the payment in the first place of the expenses attending said sale and then to the payment of the said debt and the surplus if any to pay to the said George Fleckinger

That a default did occur in paying the said notes and the interest thereon whereby the right to exercise the power of sale aforesaid accrued to the said William Carnack who in pursuance thereof after first giving bond to the State of Maryland in the penalty of six thousand dollars for the faithful performance of his duties in the premises as required by the provisions of the code in this behalf made and enacted, proceeded to advertise the said property in the "Examiner" and "Republican Citizen" two newspapers printed in Frederick County and also by handbills at public sale on the premises as will appear by reference to a certified copy of said advertisement herewith filed marked Exhibit B

That on Saturday the twentieth day of November 1880 more than three weeks after the first insertion of said advertisement in the Newspapers, the said William Carnack attended on the premises at the hour of two O'clock p.m. the time and place mentioned in said advertisement and then and there offered