No. 4751 Equity

373, one of the Land Records of Frederick County, a copy of which is filed herewith marked Exhibit No. 1, and which, with all other Exhibits herewith filed is prayed to be taken as part of this report and petition as fully as if here inserted in words and figures. Your Petitioner after giving Bond with approved security as required by law and after giving more than three weeks public notice of the time, place, manner and terms of sale, in the Examiner and Daily Times, two Newspapers published in Frederick, did, in pursuance with said notice attend on the premises on Thursday the 15th day of December A. D. 1881, at Eleven O'Clock A. M. and then and there offered the Real Estate described in said Mortgage, being one hundred and seventeen Acres, One Rood and thirty three perches of Land, more or less, situated in Frederick County, at Public Sale to the highest bidder and sold the same to himself he being the highest and best bidder therefor at and for the sum of Thirty two dollars per acre upon the Terms of Cash as prescribed by said Mortgage. - The Growing crops upon said land being excepted from said sale. - And your Petitioner prays Your Honors to ratify and confirm said Sale and to appoint some suitable person to execute a good and sufficient deed for said land to your Petitioner

The said sale amounted to $3758.00. All of which is respectfully submitted

B. Amos Cunningham

State of Maryland, Frederick County, Sct:

I hereby certify that on this 24th day of December, A. D. 1881, before me Clerk of the Circuit Court for Frederick County, personally appeared B Amos Cunningham and made Affirmation 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 and belief and the sale therein reported was fairly made.

Adolphus Fearhake Jr
Clerk

Filed Dec 24, 1881

Exhibit No. 1

This Mortgage, made this fifteenth day of December, in the year Eighteen hundred and seventy-four, by Benjamin W Duvall, and Anna M Duvall his wife, of Frederick County in the State of Maryland. Whereas the said Benjamin W. Duvall by his promissory note of even date herewith stands indebted unto B. Amos Cunningham of said County and State in the sum of Three thousand eight hundred dollars payable six months after date, to the said B. Amos Cunningham or order with interest from date and for the purpose of securing the payment of said promissory note, at maturity, or any renewal of said Note, the said Benjamin W. Duvall and Anna M. Duvall his wife have agreed to execute these presents.

Now therefore this Mortgage witnesseth, that for and in consideration of the premises, we the said Benjamin W Duvall and Anna M. Duvall his wife do grant in fee simple unto the said B. Amos Cunningham all that part or parcel of Land being part of a tract of Land called the Resurvey on Hope situated lying and being in the County of Frederick and State of Maryland, containing one hundred and seventeen Acres One Rood and thirty three perches of Land, more or less, which the said Benjamin W Duvall obtained from Richard H. Murdoch and his wife Mary E Murdoch by deed dated the 17th day of August in the year 1874 and recorded among the Land Records of Frederick County aforesaid, in Liber J. G. No. 2 folio 64 as by reference thereto for a full and particular description thereof will at large appear. Provided that if the said Benjamin W. Duvall shall pay on or before the fifteenth day of June in the year Eighteen hundred and seventy five to the said B. Amos Cunningham, the said sum of Three thousand Eight hundred Dollars with interest thereon from the date hereof, according to the tenor of his promissory note, aforesaid then this Mortgage shall be void