

No. 4900 Equity.

George W. Rowe, Assignee of Mortgage from Martha M. Weaver & William H. Weaver her husband to Mary C. Nielman

Proceedings Recorded July 12, 1883.

List

Adolphus Shanker, Jr.

Clerk.

on Petition

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

The Petition and Report of sales of George W. Rowe assignee of Mortgage from Martha M. Weaver, and William H. Weaver her husband respectfully represents unto your Honors - That on the Twenty second day of April in the year Eighteen hundred and eighty two, a certain Martha M. Weaver and William H. Weaver her husband, by their deed of Mortgage duly executed, acknowledged and recorded a certified Copy whereof is herewith filed as part hereof marked Exhibit No. 1, conveyed to one Mary C. Nielman the Equity of redemption in and to certain Real Estate described therein to secure the payment of a promissory note for six hundred dollars dated the fourteenth day of April in the year Eighteen hundred and eighty-two, payable one year after date with interest from date and filed herewith as part hereof marked Exhibit No. 2, conditioned that if default should be made in the payment of said promissory note and the interest thereon at the time aforesaid according to the tenor of said promissory note, and if default should be made in the payment of the interest annually upon all prior liens that it should be lawful for the said Mary C. Nielman her personal representatives or assigns to sell the said mortgaged premises either in front of the premises or at any Hotel in Emmittsburg at Public Auction for Cash, after giving at least three weeks public notice of the time, place, manner and terms of sale by advertisements inserted for three successive weeks 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 costs and expenses attending said sale including usual Chancery Commissions and reasonable Counsel fees and then to the payment of the said mortgaged debt and all interest thereon, then to the payment of any insurance premiums or assessments and taxes paid by the Mortgagee or her assigns if any with interest thereon and then to pay the surplus if any to the said Martha M. Weaver her personal representatives or assigns. (Your Petitioner further states that at the time of the execution of said Mortgage filed as Exhibit No. 1 and long before there were two prior mortgages upon the same Real estate certified copies of which said Mortgages are filed herewith as part hereof marked Exhibits Nos. 3 & 4, one for four hundred and seventy-six dollars with the interest thereon paid to the twenty fifth day of March in the year Eighteen hundred and eighty-one - the other for three hundred and fifty dollars with the interest thereon paid to the second day of April in the year Eighteen hundred and eighty-one both of which said Mortgages and the promissory notes secured thereby have passed by mesne assignments to one Eugene S. Rowe, who is now the holder of the same, which said promissory notes are filed herewith as part hereof marked Exhibits Nos. 5 & 6. - Your Petitioner further states that the said Mary C. Nielman on the sixth day of April in the year Eighteen hundred and Eighty three assigned the said Mortgage filed as Exhibit No. 1 and the promissory note filed as Exhibit No. 2 to your petitioner, and that Lawrence L. Nielman

Petition and Report of sales