

No. 5098 Equity

Christian Winebrenner Mortgagee of
John Wood & wife and Attorney of
the heirs of John Wood decd

In the Circuit Court
for Frederick County

Sitting as
a Court
of Equity

or
Petitioner

To the Honorable the Judges of said Court

The Report and petition of Christian Winebrenner mortgagee and attorney respectfully shew:

1. That on the 19th day of March in the year Eighteen hundred and Eighty five John Wood and Sophia Wood his wife by their deed of Mortgage of said date conveyed to your Petitioner a lot of land in Frederick County containing five and one tenth acres of land more or less as will appear by said mortgage filed herewith marked Exhibit N^o. 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.
 2. That said mortgage was executed to secure to your Petitioner the payment of the sum of two hundred and sixty seven dollars and seventy three cents due and owing from said John Wood to your Petitioner and contained a provision that if the said John Wood should pay to your Petitioner the said sum of money with interest on or before the 1st day of April A. D. 1886 then said mortgage should be void, but if default should be made in the payment of the money aforesaid or the interest thereon when due as aforesaid then it should be lawful for your Petitioner to sell the said mortgaged premises by public auction for cash.
 3. That shortly after the execution of said mortgage the said John Wood died intestate leaving said Sophia Wood as his widow and Nancy Devilbiss wife of Wesley Devilbiss and Harriet Eyer wife of George Eyer as his only children and heirs at law.
 4. That said widow and heirs at law of John Wood deceased were desirous that your Petitioner should sell said real estate before the time limited by said mortgage for the sale of the same, whereupon on the 28th day of April A. D. 1885 the said Sophia Wood Wesley Devilbiss and Nancy Devilbiss his wife and Geo Eyer and Harriet Eyer his wife by their power of Attorney filed herewith marked Exhibit No. 2. did authorize and empower your Petitioner to sell said mortgaged property at public sale for cash in the same manner he would be authorized to make such sale by the terms of said mortgage upon the maturity thereof.
 5. That your Petitioner by virtue of said powers of sale, after giving bond with approved security and after giving at least three weeks previous notice of the time, place, manner and terms of sale by advertisement in the Examiner a newspaper published in Frederick County, he did pursuant to said notice attend on the premises on Saturday the 30th day of May A. D. 1885 at one O'clock P. M. and then and there offered said real estate at public sale to the highest bidder and sold the same to Edward Her he being the highest and best bidder therefor for \$317.50 and for the sum of three hundred and seventeen & 7/10 dollars and the said Edward Her has obligated himself to comply with the terms of sale as will appear by his acknowledgment of purchase filed herewith marked Exhibit E. D.
- And your Petitioner prays your Honors to ratify and confirm said sale and grant him all such other and further relief to which he may be entitled:

Christian Winebrenner

State of Maryland Frederick County, Ct:

I hereby certify that on this 12th day of June A. D. 1885 before me a Justice of the Peace in and for the County State aforesaid personally appeared Christian Winebrenner 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 and belief and the sale therein reported was fairly made

Filed June 12. 1885.

Randolph G. Barwick J.P.