

No 5235 Equity

Samuel Hargett Mortgage of William McDewitt and wife } No. Equity. In the Circuit Court for Frederick County sitting as a Court of Equity.

or Petition

To the Honorable, the Judges, of said Court.

The Report of sales of Samuel Hargett respectfully shows:

- 1. That the said William McDewitt and Christiana L. McDewitt his wife being indebted to the said Samuel Hargett did to secure the payment thereof on the twenty second day of March in the year eighteen hundred and eighty three execute and deliver to said Samuel Hargett their certain deed of mortgage conveying the real estate therein described lying and being in said Frederick County as will fully appear by reference to a certified copy of said mortgage herewith filed as Exhibit No. 1 which as well as all other exhibits herewith filed it is prayed may be taken and considered as a part hereof as fully as if herein set large in words and figures set forth;
2. That the amount of money so secured by said mortgage was the sum of seven seven thousand five hundred dollars with interest and that the said amount was by said mortgage made payable in one year from the date of said mortgage as by said mortgage will fully appear;
3. That appended to said mortgage is a provision whereby it is declared that if default be made in the payment of said sum of money when due and payable according to the tenor and effect of said mortgage the said mortgage was to be in trust with power and authority in the said Samuel Hargett to make sale of the said real estate after giving at least three weeks public notice of the time place manner and terms of sale by publication in some newspaper printed in Frederick City in the County aforesaid as will appear by reference to said copy of said mortgage;
4. That a default did occur in making payment of said sum of money and the interest thereon which authorized and empowered the said Samuel Hargett to exercise the said trust so as aforesaid reposed in him by said mortgage and to sell said mortgaged premises under said power in said mortgage contained;
5. That said mortgage debt and interest accrued thereon is long overdue and unpaid;
6. That after said default in the payment of said debt and interest the said Samuel Hargett filed his bond in the office of the Clerk of this Court with securities duly approved by said Clerk conditioned in the usual form for the faithful performance of the trust reposed in him in the premises as will fully appear by the said bond now of record in said office of said Clerk;
7. That thereafter said Samuel Hargett Mortgagee and Trustee advertised in the Examiner a newspaper printed in Frederick City Frederick County aforesaid a notice that said mortgaged property would be sold on the premises in said Frederick County at public auction for cash on the twenty ninth day of October eighteen hundred and eighty six at 10 o'clock P.M. as will appear by reference to a copy of said advertisement herewith filed as Exhibit No. 2;
8. That on the said twenty ninth day of October last past the said Samuel Hargett Mortgagee and Trustee as aforesaid did attend on the premises in said County at the time named in said advertisement and did there and there offer said mortgaged property at public auction to the highest bidder for cash as specified in said advertisement and did there and there sell the same to Frederick Oland at and for the sum of eight thousand five hundred and

Report of sales

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