

No 5315 Equity

John E Unkefer, Mortgagee of Francis S Unkefer and Elizabeth H Unkefer, his wife.

No. 5315 Equity.

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

on Petition

To the Honorable, the Judges of said Court: Your Orator, John E Unkefer of Frederick County in the State of Maryland complaining, says: -

1. That a certain Francis S Unkefer, of the said County and State being indebted unto Your Orator as Trustee in the Sum, of Two Thousand, Two Hundred and Twenty - Seven Dollars and Thirty Cents (\$2227.³²) in order to fully secure the payment thereof, did execute a Deed of Mortgage and Your Orator as Trustee aforesaid on a Tract of One Hundred and sixty - three and one - half (163¹/₂) Acres of land situate in said County, which Mortgage bears date May 22nd A.D. 1877, and is duly recorded in Liber T. H. No. 7, folio 658^{re} One of the Land Records of said County, a copy whereof is filed herewith as Exhibit No. 1. and which with other Exhibits herewith filed is prayed to be considered a part hereof as if fully and at large set out in words and figures.

2. That the said Francis S. Unkefer being further indebted unto the said John E. Unkefer, individually, in the sum of Eight Hundred, and seventy - nine dollars and twenty cents (\$879.²²) in order to secure the payment thereof, did execute unto the said John E. Unkefer, individually, another Mortgage, on said real estate, which Mortgage also bears date May 22nd 1877, and was simultaneously with the aforesaid mentioned Mortgage recorded among the Land Records of said County in Liber T. H. No 7, folio 660^{re}, a copy whereof is filed herewith as Exhibit No 2. but which is intended to be subject to the Mortgage first above mentioned as thereon appears.

3. That on the 28th day of June A. D. 1880 the sum of five Hundred and seven dollars and seventy six cents (\$507.²⁶) was paid, on the last mentioned Mortgage leaving due at that date, the sum of three hundred, and Seventy - one dollars and forty - four cents (\$371.⁴⁴) as appears by a credit on said Mortgage.

4. That said last mentioned Mortgage contains a Power Sale, authorizing Your Orator, the Mortgagee as aforesaid, in case of a default in the payment of the money thereby secured to sell the Mortgaged Premises at public auction for cash and to apply the Proceeds of sale to the payment of the Mortgage debt, and to pay the surplus, if any, over to the said Francis S. Unkefer.

5. That a default has occurred in the payment of the money secured by the said last mentioned Mortgage, and in the compliance with the conditions therein specified, authorizing Your Orator to exercise the power of sale therein contained.

6. That Your Orator has filed with the clerk of this Court a bond to the State of Maryland in the penalty of Six Thousand Dollars with sureties, conditioned to the faithful performance of the duties reposed in him, which bond has been duly approved by said clerk.

7. That your Orator has given twenty days public Notice of the time, place, manner and terms of sale by advertisement in the Banner of Liberty, a Newspaper published in Frederick County, prior to the day of sale, as required by said Mortgage and as shown by the Certificate of Publication thereof herewith filed as Exhibit No. 3. and by hand - bills extensively circulated.

8. That having filed his bond as aforesaid, and having given the Notice aforesaid.