No. 5794 Equity

Robert Biggs & John C. Motter Mortgagees of Lewis Bonner on Petition	No. 5794 Equity. In the Circuit Court for Frederick County in Equity.

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

The petition and report of sales of Robert Biggs and John C Motter Mortgagees of Lewis Bonner respectfully represents unto your Honors—

1st. That the said Lewis Bonner being indebted unto the said Robert Biggs and John C Motter, Committee, in the sum of four thousand dollars, by his promissory note, payable in one year from its date, with interest at five per cent per annum, which promissory note bore date the 19th day of December 1889, in order to secure the payment of said indebtedness at its maturity, on the said 19th day of December 1889, Executed his deed of Mortgage conveying to the said Robert Biggs and John C Motter Committee, certain lots and parcels of land, situated in Frederick City Frederick County, Maryland, all of which will fully appear in a certified copy of said Mortgage as recorded among the Land Records of Frederick County, herewith filed as Exhibit No. 1, to this Report, and which Exhibit with such other Exhibits as the Plaintiffs may file herewith it is prayed may be taken and be considered as a part hereof as fully as if herein inserted in words and figures. And these petitioners file herewith said promissory note as Exhibit No. 2 to this Petition.

2d. That as appears in Exhibit No. 1. there was a power of sale in said deed of Mortgage, which provides that "if default shall be made in the payment of said Mortgage debt, or of any interest when the same shall become due and payable, according to the tenor of said promissory note, then it shall be lawful for the said John C Motter and Robert Biggs, their successors, personal representatives or assigns to sell the said Mortgaged premises for cash, or on such credit as they may deem most advantageous, but before making said sale they shall first give at least three weeks public notice in one or more newspapers published in Frederick County Maryland, of the time, place, manner and terms of sale: and that a default was made by the said Lewis Bonner in the payment of both the principle and interest of said promissory note, when it became due and payable, and it is yet due and unpaid, by reason of which the said John C. Motter and Robert Biggs became authorized and Empowered to Execute said power of sale, which they have accordingly done in manner following, They first Executed their bond to the State of Maryland in the penalty of ten thousand dollars Conditioned for the faithful discharge of their duty in making said sale as provided by law, which bond was duly approved and filed according to law in the office of the Clerk of the Circuit Court for Frederick County, and they then advertised said real estate described in Exhibit No 1. at public sale in The Examiner, a newspaper published in Frederick County,