No. 5820 Equity

2nd. That the said John Shues has made a default in the payment of said promissory note and there is now due the principal indebtedness mentioned in said note and interest from May 23, 1889.

3. That about the month of December 1888 the said Joseph Hays departed this life, leaving a last will, of which the said Elizabeth Hays was the executrix and duly qualified as such, a copy of her letters being filed herewith as Exhibit No 2 to this Report, and on the 25th day of March 1891, the said Elizabeth Hays as said Executrix duly assigned the said promissory note aforementioned to this Petitioner, which promissory note with said assignment on it is filed herewith as Exhibit No 3 to this Report, and at said time she also assigned said Mortgage, which will appear by reference to Exhibit No 1, which assignments she was authorized to make as said Executrix.

4th. That there being a default in the payment of said indebtedness this petitioner became authorized and empowered to sell the real estate described in said Mortgage, and after executing a bond for the faithful discharge of his duties in the penalty of three thousand dollars, as required by law, which bond was duly approved and filed in the Office of the Clerk of the Circuit Court for Frederick County; and after giving notice of the time, place, manner and terms of sale by advertisement in the Emmitsburg Chronicle, a newspaper published in Frederick County and by hand bills, once a week for three successive weeks prior to the day of sale, your Petitioner on Saturday the 25th day of April a.D. 1891. at the hour of two o'clock P.M. did attend at the premises according to said advertisement, and then and there offered said real estate consisting of a farm containing ninety six and one fourth acres of land, more or less, situated in Emmitsburg District, Frederick County, Maryland, about three fourths of a mile west of Bridgeport on the public road leading from Bridgeport to Emmitsburg, adjoining the lands of John J. Hockensmith, Niles Wilhide and others, it being the same farm of which the said John Shues died seized and possessed, and sold the same to Hezekiah D. Hawk at and for the sum of two thousand and twenty one dollars and twenty five cents to be paid on the ratification of said sale, he being the highest and best bidder therefor, and your petitioner took from said Hawk a certificate of purchase for said real estate, which is filed herewith as Exhibit No. 3. to this Report.

All of which is respectfully submitted for the action of your Honorable Court.

And as in duty bound &c

George T. Motter

J. C. Motter
Solicitor

State of Maryland, Frederick County sct.

I hereby certify that on this 28th day of April a.D. 1891. before the subscriber, a Justice of the Peace of the State of Maryland, in and for Frederick County, personally appeared the above named George T. Motter and duly made oath according to law that the matters and things set forth in the above Report of sale are true as therein stated and that said sale was fairly and bona fide made.

Filed April 29. 1891.

C. H. Eckstein J.P.