No. 5283 Equity.

John C. Motter Trustee of Vincent Morningstar

vs

Petition

No. 5283 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 John C. Motter Trustee of Vincent Morningstar respectfully represents unto your Honors.

1st That the said Vincent Morningstar of Frederick County, Maryland being largely indebted unto sundry parties and being unable to pay his said indebtedness in full in conjunction with his wife Morningstar on the day of February 1867 executed a deed of Trust conveying to the said John C. Motter for the benefit of his creditors all his real estate of every kind whatsoever, with power to sell and dispose of the same and to collect all debts due the said Vincent Morningstar and to apply the proceeds of said sales and collections to the payment of the debts of the said Vincent Morningstar according to their priority where liens had been obtained and pro rata with respect to all other claims, all of which will fully appear by reference to a Certified Copy of said deed of Trust as recorded among the Land Records of Frederick County, herewith filed as Exhibit No 1 to this petition and report, which Exhibit with all other Exhibits by this petitioner herewith filed. He prays may be taken and considered as a part hereof.

2nd That after giving a bond as required by law for the faithful discharge of his duty as said Trustee, which bond was duly approved and filed in the office of the Clerk of the Circuit Court for Frederick County your petitioner advertised all the real Estate owned by the said Vincent Morningstar at public Sale upon the following terms, the one third of the purchase money to be paid Cash on the ratification of said sale by your Honorable Court and the balance in one and two equal annual payments which advertisement was published for once a week for not less than three successive weeks prior to the day of sale and by hand bills extensively circulated, and which advertisement contained a full description of said real Estate, and the time, place, manner and terms of said sale, and was published in the Banner of Liberty a newspaper published in Frederick County Maryland.

3rd That on the 12th day of March 1877 according to said advertisement he attended at C. C. Naylors Store in Johnsville, Frederick County Maryland at the hour of 10 O'Clock A.M. and then and there first offered the tract of land described in said advertisement as a valuable little farm containing Twenty Nine and 3/4 acres of land more or less, but not getting a sufficient bid for the same withdrew it. He then offered and sold to Parker C. Gennrich the 2nd Tract Containing seven acres more or less of Timber Land situated about three fourths of a mile north of Johnsville and fully described in a deed from David Miller to the said Vincent Morningstar, which deed is duly recorded in Liber S. T. No 7, folio 149