No. 5930, Equity.

Clayton O. Keedy Assignee of Mortgage David Lyzar and Clara Lyzar his wife

vs

Petition

No. 5930, Equity.

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

To the Honorable the Judges of said Court,

The Petition and Report of sale of Clayton O. Keedy Assignee of Mortgage of David Lyzar and Clara Lyzar his wife respectfully shows unto your Honors! —

1st That a Certain David Lyzar and Clara Lyzar his wife of Frederick County being indebted unto a Certain James A. Lyzar in the sum of Two Hundred and Fifty dollars bearing interest from the 29th day of October 1888 and intending to secure the payment of the same did by deed of Mortgage dated on the said 29th day of October 1888 convey to the said James A. Lyzar all that piece of land situated in Frederick County Md. the same being part of a tract of land called "The Range about the Three Movable Nobs" and being the same land which was conveyed to said Clara Lyzar by Chas. Grossnickle Trustee by deed dated on the said 29th day of October 1888 and recorded in Liber W.J.S. No 13 folio 666 said piece of land containing twelve and a quarter acres of land, more or less, and which is fully described by metes and bounds Courses and distances in said deed of Mortgage and to which said deed of Mortgage and to which said deed of Mortgage there was annexed a Condition to the effect that if default should be made by said Mortgagor in the payment of said Mortgage debt at the end of three years from its date according to the terms of said Mortgage and accompanying note executed therewith, then the said James A. Lyzar, his executors or assigns were empowered and authorized to sell the Mortgaged premises in the manner prescribed by law and to distribute the proceeds of said sale as set forth in said deed of Mortgage. all of which will more fully appear by reference to the original of said Mortgage and its accompanying and annexed promissory note herewith filed as part hereof marked Exhibit A.

2d That in the year Eighteen hundred and Ninety-one the said James A. Lyzar the Mortgagee, departed this life leaving a last will and testament duly admitted to probate and on which letters testamentary have been issued to John H. Magraw the Executor therein named as will appear by reference to an Exemplification of said Letters herewith filed as part hereof marked Exhibit B.

3d That the said Executor who is now engaged in Collecting the debts due to his decedant assigned the said Mortgage and its accompanying note to your Petitioner who is his Attorney for the purpose of having said indebtedness Collected by process of law, by assignment duly recorded,

4th And your petitioner further reports that default having been made in the terms and conditions of said Mortgage and repeated demands for payment having been made upon the Mortgagors, Your Petitioner then filed his duly approved Bond to the State of Maryland in the penalty of Five Hundred Dollars in the Clerks office of your Honorable Court and having advertised the said Mortgaged premises in the "Catoctin News" a newspaper published in Frederick County for more than twenty days as required by law and also by hand-bills circulated in the neigh-