No 5832 Equity.

Robert Biggs and John E. Motter Committee of Harriet Morrison a lunatic. Mortgagee of Olivia J. Eyler and wife

vs

Petition

No. 5832 Equity. In the Circuit Court for Frederick County, sitting as a Court of Equity.

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

1st The petition and report of sales of Robert Biggs and John E. Motter Committee of Harriet Morrison a lunatic respectfully reports unto your Honors that one Olivia J. Eyler being indebted unto your petitioner in the sum of three thousand dollars by his promissory note bearing date the 29th day of January 1890. payable in one year from date with interest at five per cent per annum on said 29th day of January 1890 in connection with his wife, Executed their deed of Mortgage to the said Robert Biggs and John E. Motter as Committee aforesaid conveying to them the real Estate below described for the purpose of securing the payment of said indebtedness of three thousand Dollars and the interest thereon when the same should become due and payable. all of which will appear by reference to a Certified Copy of said Mortgage as recorded among the land Records of Frederick County filed herewith marked Exhibit No. 1 and which Exhibit with such other Exhibits as these petitioners may file herewith it is prayed may be taken and be considered as part hereof, and these petitioners also file herewith said promissory note as Exhibit No 2.

2d That in said Mortgage there is a power of sale providing that in default of the payment of said indebtedness or the interest thereon at its maturity or the keeping of any of the Covenants in said Mortgage, that it should be lawful for the said Mortgagees to sell at public sale the real Estate described in Exhibit No. 1 and to apply the proceeds in payment of the Costs, Expenses and Mortgaged debt, all of which will appear by reference to Exhibit No. 1.

3rd That the said Olivia J. Eyler utterly failed to keep his covenant to keep said property insured as provided in said Mortgage. And to pay either the said Mortgage debt or the interest thereon and that the same is wholy due and unpaid both as to said principal of three thousand dollars and the interest from its date, by reason of which defaults your petitioners became authorized and empowered to sell said real Estate in Exhibit No. 1 described.

4th That your petitioners in exercising said power of sale, first gave a bond to the State of Maryland in the penal sum of six thousand dollars for the faithful discharge of their duties in making said sale, which bond was executed according to law and was duly approved as provided by law and filed in the Office of the Clerk of the Circuit Court for Frederick County, they then advertised said real Estate at public Auction for Cash in the Emmitsburg Chronicle, a newspaper published in Frederick County (and by hand bills generally circulated) by publication once a week for three successive weeks prior to the day of sale, giving notice of the time, place manner and terms of sale, since on Saturday the 30th day of May 1891 at 1 Oclock P.M. according