No. 5777. Equity.

file herewith it is prayed may be taken and be considered as a part hereof.
2nd That said trustee duly executed his bond 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 according to law, and that after trying to sell the below described real Estate at private sale as provided in said deed of trust your petitioner advertised the same for sale in the Times a newspaper published in Frederick City, Maryland once a week for three successive weeks prior to the day of sale, giving notice of the time, place, manner and terms of sale, said real Estate being the real Estate described and conveyed to your petitioner in said deed of Trust and on Saturday the 16th day of August 1890, at the hour of 11 O'clock at the Court House Frederick County, Maryland according to said advertisement, your trustee offered at public sale to the highest bidder said real Estate consisting of a lot or lots of land situated on the North East Corner of West 9th street in Frederick City, Frederick County, Maryland, and the improvements thereon, it being the same real Estate conveyed to the said Elza Mulhorn by deed from John Mulhorn duly recorded in Liber E.M.S. No 6 folio 213, one of the Land Records of Frederick County by reference whereto it will fully appear and sold the same to your petitioner he having been compelled to purchase the same to save himself at a price for the sum of six hundred dollars, there being no one else willing to pay that sum therefore, and that said sum of money was the largest bid he could get for said property.
3rd Your petitioner further represents that within a year previous to the execution of said deed of trust on not less than two occasions the said Elza Mulhorn, with the concurrence of your petitioner who had a Mortgage on said real Estate, offered the same at public sale and that she was unable to procure a single bid thereon on either occasion, and that for a long time it was advertised at private sale but no one would purchase the same - that this petitioner did not wish to purchase it on this occasion but having a Mortgage on it in order to secure him against loss by reason of his being security for the said Grantors on two notes set forth in said deed of trust, it became a matter of necessity with him to make said purchase and especially as said notes were overdue that in said Mortgage there was a power of sale authorizing him to sell said real estate on a default being made in the payment of said notes and said sale was to be for Cash.
4th Your petitioner files herewith a Copy of said advertisement in which it appears that said real estate is divided into two parts that at said sale he offered said lots in the first place separately but could not get a bid on either in that way and he then offered them jointly and purchased them himself as aforesaid and your petitioner prays that said sale be ratified and confirmed.

And as in duty bound &c.

John C. Motter
Trustee