No. 6226. Equity.

James H. Harris, Acting Executor of the last will and Testament of Thomas Harris, deceased, Mortgagee of William E. Eaves.

No. 6226. Equity.
In the Circuit Court for Frederick County, sitting as a Court of Equity.

Petition.

To the Honorable, the Judges of said Court:

Your petitioner, James H. Harris, the acting Executor of the last will and Testament of Thomas Harris, late of Frederick County, deceased, the mortgagee of William E. Eaves, reporting sales of real Estate made by him under and by virtue of the power of sale Contained in said mortgage, says,-

1. That a certain William E. Eaves of Frederick County, Maryland, being indebted unto a certain Thomas Harris in the sum of Eight hundred and fifty dollars did, on the 15th day of January A.D. 1887 execute a mortgage on the real estate hereinafter mentioned and described conveying the same to the said Thomas Harris for the purpose of better securing the payment of said sum of money when due, together with the interest thereon, all of which will fully appear by reference to a Certified Copy of said mortgage filed herewith as Exhibit No. 1. which with other Exhibits herewith filed is prayed to be considered a part of this report;

2. That several years after the execution of the said mortgage the said Thomas Harris departed this life leaving a last will and testament in which were named several executors, all of whom have renounced excepting the said James H. Harris, who has been the acting executor of the said will;

3. That said mortgage contained a power of sale authorizing the said mortgagee to sell the said property in case of a default in the payment of said mortgage debt and the interest thereon and to apply the proceeds of said sale to the payment of said mortgage debt;

3 That such a default did occur on the part of the said William E. Eaves authorizing the said mortgagee to execute the power of sale aforesaid, which the said James H. Harris, acting executor as aforesaid, has proceeded to do;

4 That Your petitioner filed his bond to the State of Maryland in the penalty of two thousand dollars conditioned to the faithful performance of the duties imposed in him as mortgagee as aforesaid, and after having given more than twenty days public notice of the time, place, manner and terms of sale by advertisement in the Banner of Liberty, a newspaper published in Frederick County, as shown by the Certificate of the Editor thereof hereunto filed as Exhibit No. 2, and by handbills extensively circulated, he attended on the premises on Saturday December 23rd A.D. 1893 at the hour of 2 O'clock P.M. the time and place mentioned in said advertisement, and offered for sale at public sale the real Estate mentioned in said mortgage, the same consisting of all that, or parcel of 34 acres and 1 3/4 square perches of land, more or less,