Petition & Report

No. 7130 Equity.

Thomas F. Bitte, Assignee of Dennis F. Staley Mortgagee of John H. Early and wife (on) Petition.

No. 7130 Equity. In the Circuit Court for Frederick County sitting as a Court of Equity.

The Honorable Judges of the Circuit Court for Frederick County, sitting as a Court of Equity,

The Petition and the Report of Sales of Thomas F. Bitte, Assignee of Dennis F. Staley Mortgagee of John H. Early and Mary J. Early, his wife, witnesseth unto your Honors:

1. That a certain John H. Early and Mary J. Early, his wife, by their single Bill bearing date on the 21st of December, 1898, payable one year after date to Dennis F. Staley for the sum of Fifty six Dollars with interest from date, stood indebted unto the said Dennis F. Staley in the sum of money in said single Bill recited and for the purpose of securing said single Bill, the said John H. Early and Mary J. Early, his wife, (by their single Bill bearing date on the 21st of December, 1898, payable one year after to Dennis F. Staley for the sum of Fifty six Dollars with interest from date) on the date and day aforesaid executed their deed of Mortgage, conveying unto the said Dennis F. Staley:- All those parcels of land, situate, lying and being in Catoctin District, Frederick County, Maryland about two miles from Ellerton, improved by a log dwelling house, stable and other outbuildings said tracts containing about twenty one acres of land, more or less, described in said deed of Mortgage and to which said mortgage there was a condition annexed that if default be made in the payment of said single bill at maturity or the interest thereon then it should be lawful for the said Dennis F. Staley, his personal Representatives and assigns to sell the said mortgaged premises at public auction for cash, after first giving, at least twenty days notice of the time, place, and terms of sale, in some newspaper published in Frederick County, and to distribute the proceeds of said sale as provided in said mortgage, as will fully appear by reference to said single bill and a certified copy of said deed of Mortgage herewith exhibited, marked "Exhibits A. B." respectfully, which together with all other Exhibits hereinafter produced it is prayed may be considered as part hereof. "Exhibit A"

2. That on the 19th, day of December A.D. 1899. said Mortgage was duly assigned by the said Dennis F. Staley to your said petitioner and the same has been duly recorded among the land Records of Frederick County, Maryland as will also appear by reference to "Exhibit-B" above referred to, and said single bill was also duly and properly assigned as will appear by reference to "Exhibit-A"

3. That your petitioner further reports that the said Mortgage of fifty six Dollars with the Exception of two payments aggregating the sum of twelve Dollars together with the interest on the whole of said Mortgage debt for the period of one year and with the interest on the balance of said Mortgage debt is still due, owing and unpaid. "Exhibit

4. And said petitioner further reports and states that default having been made in the payment of the mortgage debt and interest and your petitioner as Assignee of said Mortgage being authorized by the terms of said Mortgage to make sale of said Mortgaged premises, and having first filed his duly approved bond to the State of Maryland in the office of the Clerk of the Circuit Court for Frederick County, and having duly advertised the mortgaged premises for sale in the Daily News, a Newspaper published in Frederick City, Maryland, once a week, for three successive weeks prior to the day of sale, setting forth the manner, place, and terms of sale he did pursuant to said notice, attend at the Court House door in Frederick City, Maryland on Saturday the 13th day of January A.D. 1900. at 11 o'clock A.M. and then and there proceeded to make sale of the said premises as follows.