

No. 7076 Equity.

Petition & Report
of Sale.

John N. Clary, Assignee of
Hannah N. Whalen, Mortgagee of
Charles E. Fox and wife

Ⓢ
Petition.

No. 7076 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 John N. Clary, Assignee of Hannah N. Whalen, mortgagee of Charles E. Fox and wife, respectfully show unto your Honors:-
1st That a certain Charles E. Fox and Frances E. Fox, his wife, did by their deed of mortgage bearing date May 3, A. D. 1894, convey to Hannah N. Whalen certain real estate situate in Frederick County, to secure the payment of their single bill, bearing date, May 3, A. D. 1894, payable to the said Hannah N. Whalen, or order three years after date, in the sum of two hundred and fifty dollars with interest from date, which mortgage was on the 5th day in the year Eighteen hundred and ninety four, assigned to the said John N. Clary, all of which will appear by reference to said original mortgage herewith filed and marked Exhibit No. 1 this report which together with all other exhibits your petitioners prays may be taken as a fact thereof.

2nd That said mortgage contained a covenant that if the said Charles E. Fox and Frances E. Fox his wife should default in the payment of the promissory note or the interest thereon as the same become due and payable, it should be lawful for the said Hannah N. Whalen or her assigns to exercise the power of sale therein contained, that the said Charles E. Fox and Frances E. Fox were in default in the payment of the principal sum of said debt as well as the interest thereon thus authorizing the said John N. Clary, to exercise the power of sale therein contained, whereupon the said John N. Clary, qualified as required by law by giving bond to the State of Maryland, conditioned upon the faithful discharge of his duties as such trustee, and the twenty days public notice as required by said mortgage by advertisement inserted in the "Weekly News," a newspaper printed and published in Frederick County, did pursuant to said notice of advertisement attend at the Court House in Frederick City, on Saturday the 19th day of August at the hour of 11 o'clock A. M. the time and place named in said notice of sale and there offered said real estate, by public auction to the highest bidder for cash and sold the same to Hannah N. Whalen at and for the sum of \$397.81 she being then and there the highest bidder therefor, taking her certificate of purchase for the amount of the purchase money which is filed herewith and marked Exhibit No. 2. All of which is submitted for the action of your Honorable Court, and your petitioners prays that said sales may be ratified and confirmed.

John N. Clary
Assignee of mortgagee.

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