

Petition & Report
of Sale.

No. 7338 Equity.

Felix A. Diffendall
Petitioner.

In the Circuit Court for
Frederick County
Sitting as a Court of Equity.

Petition

To the Honorable the Judges of said Court: -

The Petition and Report of Sale of Felix A. Diffendall mortgages, respectfully show unto your honors: -

1. That a certain Ann Eliza Witzel of Frederick County being indebted to the said Felix A. Diffendall on her promissory note, dated the 23rd day of April 1892, in the sum of One hundred and twenty dollars payable one year after date and with interest from date, and intending to better secure the payment of the said note at maturity and the interest thereon when due and payable the said Ann Eliza Witzel, did on the said 23rd day of April, 1892, convey by deed of mortgage duly executed and recorded in Liber J. L. J. No. 2 folio 64 one of the Land Records of Frederick County, to the said Felix A. Diffendall all that tract of land situated and lying in said Frederick County, containing ten acres and thirty eight perches of land more or less and more fully described in said deed of mortgage, to which said deed of mortgage there was a condition annexed that if default should be made in the payment of the said note or the interest thereon at the time and in the manner set forth therein it would be lawful for the said Felix A. Diffendall to sell the mortgaged premises by public auction for cash after giving at least three weeks notice in some newspaper published in Frederick County, of the time, place, manner and terms of said sale, and to apply the proceeds of said sale as set forth in said mortgage, all of which will appear by reference to said note, and deed of mortgage herewith filed as parts hereof, marked respectively Exhibits Nos. Nos. 1 and 2.

Exhibit 1

Exhibit 2

2. That default having been made in the terms and conditions of said mortgage, and in the payment of the said mortgage debt and interest thereon, your petitioner having first filed his bond to the State of Maryland, duly approved according to law, and having advertised the mortgaged premises, in the "Emmitsburg Chronicle", a newspaper published in Frederick County, for more than three successive weeks prior to the day of sale and by hand bills extensively circulated in the neighborhood of said property giving notice of the time, place, manner and terms of sale, a duly certified copy which said notice is herewith filed as part hereof, marked Exhibit No 3; did pursuant to said notice attend at the public square of the town of Emmitsburg in Frederick County, Maryland, on Saturday the 9th day of March, 1901, at the hour of two o'clock p. m. and there and there offered the said mortgaged premises to the highest bidder for cash by public auction and sold the same to himself, the said Felix A. Diffendall, he being then and there the highest and best bidder therefor at and for the sum of two hundred and fifteen Dollars.

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3rd That he has executed a certificate of purchase and will comply with the terms of sale, on the ratification of the same by your Honorable Court as will appear by said certificate herewith filed as part hereof marked Exhibit No. 4. That the aggregate amount of said sale is two hundred and fifteen dollars and that the entire amount of said note is due and unpaid and interest thereon from the 23rd day of April, 1898.