

No. 8363. Equity.

if default should be made in the payment of said note at maturity and the interest thereon when due and payable or any part of either of them, then it should be lawful for your said petitioner to sell the said properties mortgaged and each of them, by public auction, for cash, at the Hotel Spangler, in the town of Emmittsburg, Frederick County, Maryland, after first giving three <sup>successive</sup> weeks notice of the time, place, manner and terms of sale prior to the day of sale, inserted in some newspaper published in Frederick County, and such other notice as your petitioner deemed best, and to apply the proceeds of said sale first to the payment of all costs and expenses attending said sale, including a reasonable counsel fee and commissions and then to the payment of the said note and the interest thereon, and the surplus, if any, to be paid to the said John B. Nipe, his heirs or assigns.

2. That default having been made authorizing the exercise of the power of sale contained in the said mortgage your petitioner first filed with the Clerk of the Circuit Court for Frederick County, his bond to the State of Maryland in such sum and with such sureties as were approved by the said Clerk as required by law in such case made and provided, and having given three successive weeks notice of the time, place, manner and terms of sale inserted in the Emmittsburg Chronicle, a newspaper published in said Frederick County, and also by printed hand bills extensively distributed in the district where said properties are located, did in pursuance of such notice attend at the Hotel Spangler, in the town of Emmittsburg, Frederick County, Maryland, on Saturday, the 31st day of October, 1908, at the hour of two o'clock P.M. and then and there proceeded to sell said mortgaged property advertised as No. 1, and sold the same to William H. Nipe at and for the sum of Three Hundred and Forty Dollars Cash, he being the highest and best bidder therefor, and took his written acknowledgment of purchase filed herewith as part hereof marked Exhibit No. 3.

3. That your petitioner then and there proceeded to sell the property described in the printed advertisement of sale as No. 2, and also sold the same to William H. Nipe at and for the sum of Five Dollars Cash, he being then and there the highest and best bidder therefor, and took his written acknowledgment of purchase therefor, filed herewith as part hereof marked Exhibit No. 4.

4. That your petitioner hereby reports his said sales to

the  
notice  
Certificat  
this  
to the

See  
for  
it  
unity.

and  
his wife,

as certain  
by  
and  
with as  
a  
cause  
and  
in  
one  
as an  
a default  
be with  
said  
party,  
kak