

4478. Equity

John A. Gessy and Frank L. Stoner, assignees of Egra of Egra Kouck. Mortgagee of Jacob D. Hinterman and Ellen Hinterman.

In the Circuit Court for Frederick County in Equity.

Our Petition

To the Honorable the Judges of the Circuit Court for Frederick County, sitting as a Court of Equity The petition and report of Sale of John A. Gessy and Frank L. Stoner assignees of Egra Kouck Mortgagee of Jacob D. Hinterman and Ellen Hinterman his wife respectfully shew:-

1st. That a certain Jacob D. Hinterman and Ellen Hinterman his wife, did on the 28th. day of March in the year A.D. 1896. by their deed of Mortgage duly executed and acknowledged and recorded, convey certain real estate therein mentioned to Egra Kouck to secure the payment of their promissory note of even date with said Mortgage payable one year after date to the said Egra Kouck or order, in the sum of Fifteen hundred dollars, which Mortgage was on the 19th. day of February A.D. 1902. assigned to John A. Gessy and Frank L. Stoner, all of which will appear by reference to said original Mortgage herewith filed, marked Exhibit No. 1. That said Mortgage contained a Covenant, that if the said the said Jacob D. Hinterman should default in the payment of said promissory note aforesaid or the interest thereon as the same fell due and become payable it should be lawful for the said Mortgagee or his assigns, to exercise the power of Sale therein contained, that the said Jacob D. Hinterman and Ellen Hinterman were in default in the payment of said promissory note then authorizing the said John A. Gessy and Frank L. Stoner assignees to exercise the power of Sale therein contained whereupon Your petitioners qualified by giving bond to the State of Maryland Conditioned upon the faithful discharge of their duties and the three weeks public notice required by said Mortgage, giving notice of the time place manner and terms of said by Advertisement of the time place manner and terms of Sale by advertisement inserted in the "Weekly News" a newspaper printed in Frederick County, and pursuant to said notice attended at the Court House door in Frederick City, Maryland on the 18th day of March A.D. 1902. at the hour of eleven O'clock and there sold the same to Francis E. Michars, at the and for the sum of \$3744.00 he being the highest bidder then and therefore, taking his Certificate of Purchase which is filed herewith as Exhibit No 2. Your petitioners reports the aggregate amount of