

NO. 9253 EQUITY.

Samuel R. Barr, Trustee; named in a mortgage from James S. Higdon and Catherine R. Higdon his wife, to The Real Estate and Improvement Company of Baltimore City.

No. 9253 Equity.
In the Circuit Court for Frederick County, in Equity.

On
Petition. This case already recorded.

To the Honorable the Judges of the Circuit Court for Frederick County, sitting as a Court of equity.

The petition and report of Samuel R. Barr, Trustee named in a mortgage from James S. Higdon and Catherine S. Higdon his wife, to The Real Estate and Improvement Company of Baltimore City, respectfully shows unto Your Honors--

1st. That the said James S. Higdon and Catherine R. Higdon, his wife, being indebted unto The Real Estate and Improvement Company of Baltimore City in the sum of Nine Hundred Dollars, (\$900.00) did, on the 7th day of August, in the year 1913, to secure the payment of said indebtedness, execute to said Real Estate and Improvement Company of Baltimore City, their deed of mortgage bearing date on said day, and which is duly recorded in liber H. W. B. No. 305, folio 399 &c., one of the land records of Frederick County; by which deed of mortgage they conveyed unto said Real Estate and Improvement Company all that lot or parcel of ground situate in Frederick County State of Maryland, near the town of Brunswick, beginning at a point on the North side of Brunswick street eighty (8-) feet west of the west side of McDonald Avenue, and running thence Northerly on a line parallel with and at a uniform distance of eighty (80) feet, from the west side of McDonald Avenue, one hundred and thirty-five (135) feet to the South side of a fourteen (14) foot alley thence along the South side of said alley forty (40) feet; thence Southerly on a line parallel with the west side of McDonald Avenue one hundred and thirty-five (135) feet to the North side of Brunswick street, thence Easterly along the North side of Brunswick street forty (40) feet to the place of beginning. being lot number one hundred and twenty-seven (127) as shown on the plat of the Brunswick Industrial Company's Addition to the town of Brunswick, Frederick County, State of Maryland, with the right of the owner of the adjoining lot No. 136 to use the well of water on said premises; to which mortgage there was a condition annexed that if the said James S. Higdon and Katherine R. Higdon his wife, their heirs, personal representatives or assigns, should pay said mortgage debt on or before the 1st day of August, in the year 1921, with interest thereon payable monthly at the rate of 6% per annum, from the first day of August, 1913, said payments to be made in monthly installments of at least \$13.50 including interest, &c., &c., then said mortgage should be void, but in the event of three of the above mentioned monthly installments being due and unpaid, it was provided the entire mortgage debt should be deemed due and demandable; and said presents were declared to be in trust, and Samuel R. Barr, of Baltimore City was authorized and empowered in said event to sell the mortgaged property or so much thereof as might be necessary, in the manner in said mortgage provided, and to convey the same to the purchaser or purchasers thereof. The proceeds of sale to be applied in the manner in said mortgage set forth; all of which will fully appear by reference to a certified copy of said mortgage herewith filed as exhibit J. S. H. to this petition and report, and which, together with all other exhibits herewith produced it is prayed may be taken and considered as part hereof.

2d. That more than three of the above mentioned installments being due and unpaid, the said Samuel R. Barr, trustee, became by the terms of said mortgage, authorized