

NO. 9344 EQUITY.

Elias B. Hartle and Joseph W. Wolfinger,
Attorneys named in a mortgage from Samuel
Musser, mortgagor to The Peoples Banking
Company, of Smithburg, Maryland, a body
Corporate.

No. 9344 Equity.

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

ON

Petition.

To the Honorable, the Judges of said Court--

The petition and report of sales of Elias B. Hartle and Joseph W. Wolfinger, attorneys named in a mortgage from Samuel Musser to The People's Banking Company of Smithburg, Maryland, a body corporate, respectfully shows unto Your Honors--

1. That a certain Samuel Musser, widower, being indebted unto The Peoples Banking Company, of Smithburg, Maryland, a body corporate, for the sum of Three Thousand Dollars (\$3,000.00) loan to him, it being part of the purchase money for the real estate mortgaged and herein reported sold, conveyed to The Peoples Banking Company of Smithburg, Maryland, a body corporate, and its assigns in fee simple all those tracts or parcels of land situated, lying and being in Havers District, in Frederick County Maryland, and containing in the aggregate one hundred, eight and one-half acres of land, more or less; it being the same real estate that was conveyed to The Blue Ridge Real Estate and Development Company by J. Howard Wolfe and wife by a deed dated the 9th day of November, A. D. 1906, and recorded in liber S. T. H. No. ²⁷⁶267 folio 508, etc., one of the land records for Frederick county; it being the same real estate that was conveyed to the said Samuel Musser by Milton G. Urner, Jr., assignee, by a deed bearing date the 21st day of July 1910, and duly recorded among the land records for Frederick County, Maryland; and whereas, that in said deed of mortgage there is a proviso that if the said mortgagor shall default in the payment of said sum of Three thousand Dollars (\$3,000.00) with the interest thereon six months after date of said mortgage, which is dated the 21st day of July 1910, unto the said The Peoples Banking Company of Smithburg, Maryland, a body corporate, then it should be lawful for the said Elias B. Hartle and Joseph W. Wolfinger or either of them as attorneys for the Peoples Banking Company of Smithburg, Maryland, a body corporate, to sell the lands and premises mentioned in said mortgage together with all annual crops then pitched or in cultivation thereon at public sale for cash at the Court House door in Frederick City Maryland after giving notice for at least three successive weeks previous to the time of sale in each of three successive weeks of the time, place, manner and terms of sale by advertisement in one or more newspapers published in Frederick County and apply the proceeds of sale as set forth in said mortgage, as will appear by reference to the original of said deed of mortgage, as will appear by reference to the original of said deed of mortgage herewith filed as a part hereof and marked exhibit No. 1.
2. That default having been made in the terms and conditions of said mortgage it became lawful for the said Elias B. Hartle and Joseph W. Wolfinger, attorneys as aforesaid to execute the power of sale contained in said mortgage and having first filed their duly approved bond in the Clerk's Office of the Circuit Court for Frederick County, and having advertised the mortgaged premises in The Post, a newspaper published in Frederick County for once a week in each of three successive weeks prior to the date of sale, and also by handbills circulated in the neighborhood of said property and in Frederick County, giving notice of the time, place, manner and terms of sale, they did, pursuant to said notice attend at the Court House Door in Frederick City, Maryland, on Saturday, the 17th day of July, in the year 1915, at 11 o'clock A. M. and then and there offer the mortgaged premises at public sale to the highest bidder on the terms set forth in said mortgage and then and there sold the same on the terms in said mortgage viz--