

Lewis S. Clingan, Surviving Executor
of the last Will and Testament of
Ann C. Kunkel, late of Frederick
County, deceased, Mortgagee of
John W. Weller and wife,

No. 9432 EQUITY.
In the Circuit Court for
Frederick County, sitting
as a Court of Equity.

OR.
P E T T I O N.

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To the Honorable, the Judges of said Court!:-

The Petition and Report of Sales of Lewis S. Clingan Surviving Executor of the last Will and Testament of Ann C. Kunkel, late of Frederick county, deceased, Mortgagee of John W. Weller and Olivia M. Weller his wife, respectfully shows unto your Honors: \$

1. That John W. Weller of said County being indebted unto a certain Ann C. Kunkle, your Petitioner's testatrix, in the sum of Two Thousand and Five Hundred Dollars upon his promissory note dated on the 3rd day of July, 1902, payable three years after date to the said Ann C. Kunkel, or order, with interest thereon from date at the rate of four and a half per cent, per annum, did, for the purpose of securing the payment of said promissory note and interest, in conjunction with his wife, Olivia M. Weller, by their deed of Mortgage dated on the said third day of July, 1902, convey to the said Ann C. Kunkel the following described lot or parcel of land, situated in the Second Election District in Frederick County, to-wit: -First, a part of a tract called "Locust Level" embracing Lots Nos. 1, 2, 3, and 4, in Falcooner's subdivision of said tract, it being the same land conveyed to the said John W. Weller by Laura V. King by deed dated on the 21st day of September, 1889, and recorded in Liber W. I. P. No. 9, Folio 522, one of the Land Records of said County, and Second, all that adjoining piece or parcel of land containing and laid out for one-half acre of land, and being the same land which was conveyed to the said John W. Weller by George T. Cline by deed dated on the 26th day of June, 1902, and recorded in Liber D. H. H. No. 13, Folio 745, one of the Land Records for said County, which parcels of land are more fully described in said deed of mortgage, and to which deed of mortgage there was a condition annexed that if default should be made in the payment of said promissory note or in any one installment of interest when the same should become due and payable by the terms thereof, it should then be lawful for the said Ann C. Kunkel, her Executors, administrators or assigns, to sell the said mortgaged premises at the Court House door in Frederick City, Frederick county, Maryland, at public auction for cash, first giving at least three weeks notice of the time, place, manner and terms of sale by advertisement inserted in some newspaper published in Frederick County once a week for three successive weeks prior to the day of sale and the proceeds of sale should be applied as set forth in said deed of mortgage, all of which will fully appear by reference to a certified copy of said deed of mortgage herewith filed as part hereof, marked Exhibit No. 1.

2. That the said Ann C. Kunkel having departed this life leaving a last will and testament, Letters Testamentary thereon were granted thereon to your Petitioner the surviving Executor named therein, as will appear from an Exemplification of said Letters herewith filed as part hereof marked Exhibit No. 2

3. And your Petitioner further reports that default having been made in the terms and conditions of said mortgage whereby your Petitioner became authorized to execute the power of sale in said mortgage and having first filed his duly approved Bond to the State of Maryland in the penalty of six thousand dollars in the Clerk's office of your Honorable Court, and having advertised the mortgaged premises in the "Daily News", a newspaper published in Frederick County once a week for more than three successive weeks prior to the day of sale (a copy of which advertisement is herewith filed as part of the acknowledgement of purchase) giving notice of the time, place, manner and terms of sale as required by said mortgage, he did, pursuant to said advertisement, attend in front of the Court house door in Frederick City in Frederick County, on Saturday the 4th day of March, 1916, at 11 o'clock A.M. and then and there offered the said mortgaged premises at public sale to the highest bidder on the terms set forth in said mortgage and advertisement, and then and there sold the same to P. Merle Hitesshew at and for the sum of Thirty Six Hundred and Sixty five Dollars (\$3665.00) he being the highest and best bidder therefor.