

No, 10414 Equity,

P E T I T I O N and R E P O R T
of Sale

Reno S, Harp, Assignee of Ada S, Mercer
Assignee of William E, Mercer, mortgagee
of Franklin B, Smith, Trustee,

(No, 10434 Equity,
) In the Circuit Court of
) Frederick County, Sitting
(as A Court of Equity,
)
(

On

P E T I T I O N

To The Honorable the Judges of said Court,

The Petition and report of sale of Reno S, Harp, Assignee of Ada S, Mercer, assignee of William E, Mercer, mortgagee, of Franklin B, Smith, Trustee respectfully represents, unto your Honors;

1- That on the 13th day of February A,D,1883, the said Franklin B, Smith, Trustee named, in the will of Catharine Smith, late of Frederick County, deceased, executed a deed of mortgage conveying to one William E, Mercer, certain real estate in Frederick County, Maryland, and below sold, for the purpose of securing the payment to the said William E, Mercer, of the sum of Two Hundred and Eighty Dollars, due and owing to him, which money was to be paid on or before the Eighth day of February, 1884, the Original mortgage as recorded in Liber A, F, No, 6, folio 329, one of the Land records of Frederick County, a certified copy of which mortgage is herewith filed, marked "Exhibit No, 1" to this Petition and Report of Sales, which Exhibit with such other exhibits as your petitioner may, file herewith, it is prayed be considered as a part here-

of,
2- That it ^{is} provided in said mortgage, "that if default be made in the payment of the said sum of two-hundred and eighty dollars, at maturity, the amount of said mortgage, then it shall be lawful for the said William C, Mercer to sell the said property, at the City Hotel, in Frederick city, Maryland, at public auction for cash after having given at least three weeks notice of the time and place, manner and terms of sale in some newspaper published in Frederick County once a week for three successive weeks, prior to the day of sale, and to apply the proceeds of sale, as provided in said mortgage,

3- That default was made by said mortgagors in the payment of the said mortgage for the sum of \$280, 00 with interest, which is now due and owing, by the said mortgagors to your petitioner

4- That default having been made as aforesaid, it became lawful for your petitioner, assignee of Ida S. Mercer, assignee of William E. Mercer, to foreclose the said mortgage, and your petitioner first filed his bond, as required by law, in the office of the Clerk of the Circuit Court, for Frederick County, Maryland, which said Bond was duly approved by said Court, and having given at least three weeks previous notice of the time, place, manner and terms of sale as appears from the printers certificate filed herewith, as a part hereof, marked exhibit No, 2, your petitioner did attend in front of the City-Hotel in Frederick City, Frederick County, Maryland, on Saturday September 3rd, 1921, at the hour of 11-o'clock A, M, and then and there offered for sale, at public auction to the highest bidder, for cash, all that piece or tract, of land, containing One acre, three rods and twenty two perches, of land, and being the same real estate, which was devised to Franklin B, Smith, in trust by Catharine Smith, by her last will and testament which is duly recorded in Liber J, P, P, No, 1, folio 273, one of the will records in the office of the Register of Wills, for Frederick County, and did then and there sell the same to William C, Mercer He being the highest and best bidder therefor, at and for the sum of two-hundred and forty-five dollars, and the proceeds of said sale, of said real estate, Your petitioner reports aggregate the amount of \$245, 00 and prays that that said sale may be finally ratified and confirmed, by your Honorable Court,

And your Petitioner herewith files the acknowledgement of purchase, of the said William C, Mercer, marked Exhibit No, 3,

And as in duty, etc.,

Reno S. Harp,
Assignee,

State of Maryland, Frederick County, Md,

I hereby certify that on this 3rd day of September, A, D, 1921, before me the subscriber the Clerk of the Circuit Court, for Frederick County, personally appeared Reno S, Harp, Assignee and made oath in due form of law that the matters and things stated in the foregoing petition and report of sales are true to the best of his knowledge and belief, and that the sales therein reported were fairly made,

Eli G. Haugh,
Clerk,