

E.Austin James, Assignee of Mortgagee from William E. Spring, unmarried, to John N. Clary, Trustee in No. 7359 Equity.	" " " " " "	No. 11793 EQUITY. In the Circuit Court for Frederick County, Maryland, In Equity.
On <u>P E T I T I O N</u> .	"	

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To the Honorable, The Judges of said Court;-

The Petition and Report of Sale of E. Austin James, assignee respectfully shows unto Your Honors;- FIRST;- That on the 28th day of March, 1919, William E. Spring, unmarried, executed a deed of mortgage conveying certain real estate to John N. Clary, Trustee in No. 7359 Equity, in the Circuit Court for Frederick County, in the amount of Four Thousand (\$4,000) Dollars, a certified copy of which together with note itself being filed herewith as "Exhibit No. 1, and 1A" to this Petition, the mortgage being recorded in Liber No. 325, Folio 478, one of the Land Records of Frederick County, Maryland; which said mortgage contains a provision that if the said William E. Spring, unmarried, his heirs, executors, administrators and assigns, should default in the payment of said mortgage debt or the interest thereon when due and payable, or in any of the covenants or conditions of said mortgage, John N. Clary, Trustee as aforesaid, or any assignee of the mortgage is authorized and empowered to exercise the power of sale in said mortgage provided.

SECOND; That the said William E. Spring, unmarried, did convey the said real estate, subject to the said mortgage, to a certain John A. Esworthy, by deed dated April 1, 1921, and recorded in Liber 335, Folio 258, one of the Land Records of said Frederick County; that the said John A. Esworthy did default in the payment of said mortgage debt when due and payable and the interest thereon, whereupon your Petitioner being the assignee of said mortgage under an assignment bearing date November 15, 1928, became authorized to exercise the power of sale in said mortgage contained; and having given bond as required by law, did advertise, pursuant to said power of sale, the property to be sold at the Court House door in Frederick City, Maryland, on the 10th day of December, 1928, at the hour of 11 o'clock a.m. and having given notice once a week for three successive weeks prior to the day of sale of the time, place, manner and terms of sale by advertisement in The News, as will appear by the annexed certificate, and having printed and distributed numerous handbills in the neighborhood, did then and there offer said real estate at public sale to the highest bidder for cash, on ratification of the sale by the Circuit Court for Frederick County, then and there sold the same to John L. Beall at and for the sum of Twenty Four Hundred and Seventy-Five (\$2475) Dollars, he being the highest and best bidder therefor, taking his certificate of purchase for Twenty Four Hundred and Seventy-Five (\$2475) Dollars, Five Hundred (\$500) Dollars of the purchase money having been paid in cash on the day of sale, said acknowledgement of purchase being filed herewith as "Exhibit No. 2" to this Petition and Report of Sale.

Your Petitioner reports the aggregate amount of sale to be Twenty-Four Hundred and Seventy-Five (\$2475) Dollars, and prays your Honorable Court to ratify and confirm the same.

And as in duty bound, etc.

Austin James
Assignee for the purpose of
foreclosure and collection.

STATE OF MARYLAND, COUNTY OF FREDERICK, SS.

I hereby certify that on this 15th day of December, 1928, before me, the subscriber, Clerk of the Circuit Court for Frederick County, Maryland, personally appeared E. Austin James, assignee and made oath in due form of law that the matters and things set forth in the foregoing Petition and Report of Sales are true as therein set forth and that the sale was fairly made.

Eli G. Haugh
Clerk of the Circuit Court for Frederick
County, Maryland.

(Filed December 15, 1928)

EXHIBIT No. 1