when due, and when payment thereof should be demanded, by deed of Mortgage dated on the twelfth day of August in the year Eighteen hundred and sixty two, convey to the said President and Directors of the Frederick County Bank" – all that moiety or one half of Lot No 33 situate on the South side of Patrick Street, Frederick City, heretofore conveyed by William M Merrick Trustee to said Jacob Markell by deed Recorded in Liber E.D. No 4 folios 670 and 671 One of the Land Records of Frederick County, and also all those Lots lying and being in Frederick County State of Maryland, being parts of a Tract of Land called "Birmingham" which were heretofore conveyed by Evan T Ellicott Executor of the last will of Bolton Jackson deceased to said Jacob Markell by deed recorded in Liber W.B.T. No 2 folios 524 &c One of the Land Records of Frederick County – Excepting and reserving such parts of said lots as have been heretofore sold by said Jacob Markell" which Mortgage is subject to the condition, to be void on the payment of said note when due, by the said Jacob Markell, or if renewed, on payment of any note in renewal thereof at maturity when payment thereof shall be demanded by said Bank, together with all interest thereon –

But if default shall be made by said Jacob Markell, his Executors or Administrators or assigns in the payment of said note when due, or default be made in payment of any note in renewal thereof at Maturity when payment shall be demanded – then that John H Williams Cashier of said Bank, or any future Cashier of said Bank, to sell said Mortgaged premises at Public Sale at the time, place, and on the manner and terms of sale herein provided, with power and authority in the said John H Williams Cashier, or the Cashier for the time being of said Bank, when default shall be made as aforesaid, to make such sale and to make, execute and acknowledge all such deeds or Conveyances as may be necessary to convey to the purchaser or purchasers a good title in fee simple, to said Mortgaged premises. – And upon the further trust to distribute the proceeds of such sale as therein provided, all of which matters will more fully and at large appear, reference being made to a certified copy of said deed of Mortgage herewith exhibited, marked Exhibit No 2 – which Exhibit with all other Exhibits heretofore produced, or hereafter to be produced, the said Perry B. McCleary Cashier prays may be taken as part of his report. –

The undersigned further reports that said Jacob Markell, by Will dated on the fifteenth day of November Eighteen hundred and sixty two, devised the said House and Lots situate on Patrick Street Frederick City to his grandsons Charles F Markell and William M Markell, sons of testator's son Frederick Markell, and directed the property to be sold by his Executors, when the youngest of his two grandsons attained the age of twenty one years, and directed the proceeds of sale to be distributed as therein prescribed, between his said grandsons. –

And further directed the rest and residue of his Estate to be sold by his Executor, and applied to the payment of his debts, and the residue, to be divided between his son Frederick Markell and his daughter Sophia Markell, and constituted his son in law George Markell sole Executor thereof, all of which will fully appear, by a certified Copy of said Will herewith Exhibited marked Exhibit No 3 – The undersigned further reports that Jacob Markell died without revoking said Will, and that George Markell the Executor having filed his approved bond, sold the Lots described in the Mortgage as part of the Tract of Land called Birmingham – and applied the purchase money arising therefrom in part payment of said Mortgage debt, and that there is still a balance of Mortgage debt amounting to the sum of three thousand four hundred and thirty two dollars and twelve cents, with interest from June 20th Eighteen hundred and sixty seven due and owing, which had not been paid by said Jacob Markell in his lifetime, nor by said George Markell his Executor since his death, or by the devisees of