for the said James Whitehill to sell the said Mortgaged premises at the premises by public auction for cash after giving at least three weeks public notice of the time place and terms of sale in some Newspaper published in Frederick Town once a week prior to the day of sale and to apply the proceeds of such sale to the payment of the note or notes then due upon which the said James Whitehill is my surety or endorser and then to payment and satisfaction of all other of said notes that may fall due and not be paid by me the said Jacob Byerly until all the notes aforesaid upon which the said James Whitehill is surety or endorser for me shall be fully paid with the expenses thereon and then to pay the surplus of said proceeds of sale if any to the said Jacob Byerly

Witness my hand and seal

Test
W Mahony

Jacob Byerly (seal)

State of Maryland Frederick County Set
I hereby certify that on this 22 day of April in the year 1873 before me the subscriber one of the Justices of the Peace of the state of Maryland in and for the County of Frederick aforesaid personally appeared Jacob Byerly and acknowledged the aforegoing Mortgage to be his act and at the same time before me also appeared James Whitehill the Mortgagee therein named and made Oath in due form of Law on the Holy Evangelys of Almighty God that the consideration in the said Mortgage is true and bona fide as therein set forth

W. Mahony J. P.

State of Maryland Frederick County Set.
I hereby certify that the foregoing is a true copy of the original as found recorded in Liber C. M. No. 10 folio 4, 5 & 6 one of the Land Records of Frederick County.

(Seal)

In testimony whereof I hereunto subscribe my name and affix the seal of the Circuit Court for Frederick County.

Filed April 11th 1874.

Thomas Gorsuch Clerk.

Petition of Jas Whitehill

Jas Whitehill Mortgagee of Jacob Byerly on Petition

No. 3956 Equity

In the Circuit Court for Frederick County,

To the Honorable the Judges of the Circuit Court for Frederick County sitting as a Court of Equity.

The Petition of James Whitehill Mortgagee respectfully shows that in execution of the authority vested in him by a Mortgage from Jacob Byerly to your Petitioner dated the 2nd day of April A. D. 1873 a copy of which is filed in the above case as Exhibit No. 1 he did on the 7th day of March 1874 sell unto a certain Catharine E Byerly of Frederick County the Real Estate described in said Mortgage at and for the sum of Forty Six hundred dollars and which was to be paid on the day of Sale or ratification thereof by the Court "Cash" and that said sale has been duly reported to and ratified by your Honorable Court as by the report and the proceeding thereon in the above case will fully appear and your Petitioner further charges that the said Catharine E Byerly has paid no part of said purchase money although she has had notice of the ratification of said sale