

No. 4931 Equity.

South East of Emmittsburg on the South side of Tom's Creek and known as Moyers Mill and the mountain tract of land, lying near the public road running past Amos's Farming to Friends Creek the first named tract containing 19 3/4 acres and the Mountain Tract containing 25 1/4 acres, being the same tracts of land conveyed to the said Frederick Stambaugh by Joseph Moyers by deed bearing date of the second day of April in the year Eighteen hundred and eighty by reference to said deed it will more fully and at large appear, Provided that if the said Frederick Stambaugh shall pay to the said Elijah Close the promissory note aforesaid at maturity with the interest thereon then this mortgage shall be void. Provided that until default be made in the payment of the promissory note aforesaid at maturity or of the interest thereon, then the said Frederick Stambaugh shall possess the mortgaged premises as of his present estate therein, and provided that if default be made in the payment of the promissory note aforesaid at maturity or of the interest thereon, then it shall be lawful for the said Elijah Close to sell the said mortgaged premises at the premises by public auction for cash after having first given at least three weeks public notice of the time, place and terms of sale in some newspaper published in Frederick County once a week prior to the day of sale and to apply the proceeds of such sale to the payment in the first place of the expenses attending said sale including reasonable Counsel fees and commissions, and then to the payment of the said promissory note and all interest due thereon and the surplus if any to pay the same to the said Frederick Stambaugh

Witness our hands and seals

Witness

Henry Stokes.

Frederick Stambaugh Seal

Margaret ^{his} _{wife} Stambaugh Seal

State of Maryland, Frederick County to wit:

I hereby certify that on this third day of April in the year Eighteen hundred and eighty before me the subscriber a Justice of the Peace of the State of Maryland in and for Frederick County aforesaid personally appeared Frederick Stambaugh and Margaret Stambaugh his wife and did each acknowledge the aforesaid mortgage to be their respective act, and at the same time before me also appeared Elijah Close and made oath in due form of law that the consideration in the aforesaid mortgage is true and bona fide as therein set forth.

Acknowledged and sworn to before

Henry Stokes J.P.

For value received, I hereby assign the within mortgage to Eugene L. Rowe without recourse

Witness my hand and seal this 24th day of August A.D. 1883

Test:

J. M. Fisher

Albert B. Case Seal

Administrator of Elijah Close deceased

(Recorded August 25. 1883

Test Adolphus Freshake Jr. Clerk)

I hereby assign the within mortgage to Lewis M. Motter

Witness my hand and seal this first day of September A.D. 1883

Test: Cameron M. Motter

Eugene L. Rowe Seal

(Recorded Sept. 8. 1883

Test: Adolphus Freshake Jr. Clerk)

State of Maryland, Frederick County, to wit:

I hereby certify that the aforesaid is a true copy of the Original mortgage and assignments thereof as recorded in Liber A. F. No. 1. folio 5 by one of the Land Records in the Office of the Clerk of the Circuit Court for Frederick County. In testimony whereof I have subscribed my name and affixed the seal of the Circuit Court for Frederick County this 8th day of October A.D. 1883

Place Seal

Filed Oct. 8. 1883

Adolphus Freshake Jr. Clerk.