

No. 4879 Equity

and whereas the said Mary E Ecker has a right of dower in a portion of the land herein after conveyed and a right in lieu of dower to a part of the proceeds of sale of the land mentioned in the proceedings in the Cause No. 4464 Equity on the docket of the Circuit Court for Frederick County sitting in Equity and whereas the said Mary E Ecker is willing to join in the execution of this conveyance to secure the payment of the money borrowed by said William P Maulsby Jr Trustee for the purposes herein mentioned and specified in the decree in this cause No. 4467 Equity in the Circuit Court for Frederick County sitting in Equity, Now this Mortgage, Witnesseth that for & in consideration of the premises aforesaid, we the said William P Maulsby Jr Trustee as aforesaid and Mary E Ecker widow of Levi Ecker late of Frederick County deceased to grant unto Henry Swope in fee simple all those tracts parts of tracts or parcels of land situated lying and being in Frederick County State of Maryland which are described in a deed from Samuel Ecker and Elizabeth his wife to Levi Ecker duly recorded in Liber C. M. No 6 folio 389 &c one of the Land Records for Frederick County and containing one hundred and three acres two rods and twenty seven & one half perches of Land more or less, it being the same land mentioned in the Bill of Complaint filed in the Cause No 4467 Equity in the Circuit Court for Frederick County sitting in Equity as contained in Exhibit No 1. filed with said Bill and the same land mentioned in Exhibit L. C. filed with the Commissioner filed in said Cause

Provided that if the said William P Maulsby Jr Trustee & Mary E Ecker or any one in their behalf and for their benefit shall pay to the said Henry Swope upon the 10 day of June in the year 1880, the said sum of Fourteen Hundred dollars with interest on said sum from the date hereof then this Mortgage shall be void. And provided that until default of payment the said Mary E Ecker, Ellen Eugenia Ecker, Cordelia E Ecker, Ida May Ecker George Levi Ecker, Albert W Ecker, Thomas Calvin Ecker, Carrie Bell Ecker and Clarence J Ecker shall possess the premises as of their present estate therein; and provided that if default shall be made in the payment of the money aforesaid at the time or in the manner aforesaid then it shall be lawful for the said Henry Swope to enter upon said Mortgage premises and to sell the same upon the premises by public auction for cash after giving at least three weeks public notice of the time, place, manner and terms of sale in one or more newspapers published in Frederick County at least once a week for three successive weeks before the day of sale and to apply the proceeds of sale to the payment in the first place of the Expenses attending said " " " including a Commission of 4 per cent on the gross amount of sales, next to the payment of the Mortgage debt & the interest therein and the surplus if any to the said Ellen Eugenia Ecker, Cordelia E Ecker, Ida May Ecker, Albert W Ecker, Carrie Bell Ecker, Thomas C Ecker and Clarence J Ecker and George Levi Ecker and Mary E Ecker in proportion to the legal interest in said property

Witness our hands & seals the seventh day of July 1879
 Signed sealed in the presence of
 as to W^m P Maulsby Jr Trustee
 and Mary E Ecker
 W Mahony
 William P Maulsby Jr Trustee (Seal)
 Mary E Ecker (Seal)

Which is thus endorsed Viz:

State of Maryland Frederick County to wit
 On this 7th day of July 1879 before the subscriber a Justice of the Peace of the State of Maryland in and for Frederick County personally appeared William P Maulsby Jr Trustee & acknowledged the aforesaid Mortgage to be his act & at the same time personally appeared Henry Swope & made oath on the Holy Evangelists of Almighty God that the Consideration in said Mortgage expressed is true & bona fide as therein set forth

W Mahony J.P.
 State of Maryland Frederick County to wit: On this seventh day of July 1879 before