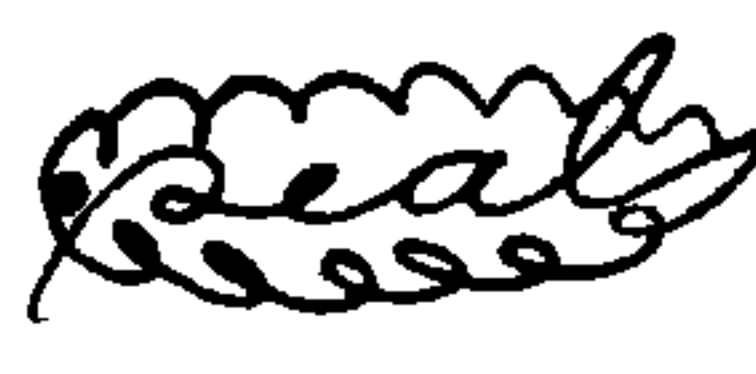


No. 5444 Equity

the first day of July in the year Eighteen Hundred and Seventy Eight One payable on or before the first day of July in the year Eighteen Hundred and seventy Nine and the third, and last note being payable on or before the first day of July in the year Eighteen Hundred and Eighty each note bearing interest from the first day of April in the year 1877, the interest to be paid annually and for the better securing the payment of the said several sealed Notes, as they shall respectively fall due and mature and of the interest on said several sealed notes, annually according to the tenor of the same I the said David C. Heim, do grant in fee simple unto the said Evolina St. Birely, all those pieces and parcels of land situate lying and being in the County of Frederick, and State of Maryland which are mentioned and described in the deed from the said Evolina St. Birely to the said David C. Heim bearing date the ninth day of February in the year Eighteen Hundred and Seventy Seven and intended to be recorded among the Land Records of Frederick County aforesaid simultaneously with these presents, and being the same property and premises which the said Evolina St. Birely obtained from William P. Mansby and Charles W. Rofs trustees by deed recorded in the Land Records aforesaid in Liber T. S. No. 1 folio 700 &c the deed aforesaid having been delivered to the grantee upon the Execution and delivery of this Mortgage to the grantor and these presents are given to secure the payment of part of the consideration money for said property and premises. Provided that if the said David C. Heim shall pay to the said Evolina St. Birely the several notes aforesaid as they shall severally mature and fall due and shall also pay the interest on said Notes annually according to the tenor of said sealed Notes then this Mortgage shall be void. Provided that until default be made in the payment of the sealed Notes aforesaid, or of either one of them at maturity or of the interest, or either one of them annually according to the tenor of said sealed Notes the said David C. Heim shall possess the Mortgaged Premises, and provided that if default shall be made in the payment of the sealed Notes aforesaid, at Maturity or of either one of them at maturity or of the interest on said sealed Notes annually or of the interest upon either one of them according to the tenor of said sealed Notes then the whole Mortgage debt intended to be secured hereby shall be deemed due and demandable, and it shall be lawful for the said Evolina St. Birely her personal representatives and assigns to sell the said Mortgaged Premises at the City Hotel in Frederick City Maryland by Public Auction for Cash after first giving 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 Counsel fees and Commissions and then to the payment of the said sealed Notes and interest whether the said sealed Notes shall have then matured or not and the surplus if any there be to pay the same over to the said David C. Heim.

Test - The words the first day of April 1887 being first interlined

Witness my hand and seal  
 David C. Heim   
 W. Mahoney.