No. 5852. Equity.

Nisi on Sale.

deed dated on the third day of May in the year Eighteen hundred and sixty-five and recorded in Liber J.W.S. No. 3 folio 135 &c one of the Land Records of Frederick County, Provided that if the said Emanuel Sauble shall pay on or before the first day of February in the year Eighteen hundred and Eighty eight to the said Mary M. McKinstry or to her Executors, Administrators or assigns the said sum of five thousand dollars with interest thereon from the date hereof according to the tenor and effect of said promissory note under seal then this Mortgage shall be void, Provided further that if default shall be made in the payment of the money aforesaid or the interest thereon at the time or in the manner aforesaid according to the tenor and effect of said promissory note under seal then it shall be lawful for Mordecai E. McKinstry to sell said Mortgaged premises at public sale for Cash either on the premises or at Johnsville in Frederick County after giving notice of the time place manner and terms of sale by advertisements inserted in some newspaper published in Frederick County once a week for three successive weeks prior to the day of sale, and to apply the proceeds of sale to the payment in the first place of the Costs and expenses attending such sale including usual Commissions and a reasonable Counsel Fee for preparing bond report of sale and attending to the ratification thereof, then to the payment of said Mortgage debt and all interest due thereon and then to pay the surplus if any to said Emanuel Sauble.

Test
James H. Clemson,

Witness our hands and seals
Emanuel Sauble {Seal}
Mahalia B. Sauble {Sauble}

State of Maryland,
Frederick County, to wit.

I hereby Certify that on this first day of February in the year Eighteen hundred and Eighty seven before the subscriber a Justice of the peace of the said State in and for the County aforesaid personally appeared Emanuel Sauble and Mahalia B. Sauble his wife and did each acknowledge the foregoing Mortgage to be their respective act; and at the same time before me also personally appeared Mordecai E. McKinstry Agent of Mary M. McKinstry the Mortgagee named in and for the foregoing Mortgage and made oath in due form of law that the consideration in the foregoing Mortgage is true and bona fide as therein set forth and further in like manner made oath that he is the agent of said Mary M. McKinstry and is authorized by her to make such affidavit.

James H. Clemson J.P.

Examined, Received for Record February 7th 1887 at 12 20 o'clock P.M. and same day Recorded in Liber W.J.S. No 3 folio 373 &c one of the Land Records of Frederick County & Examined

Test W. Irving Talbott Clerk.

Filed August 3rd 1891.