

## No. 7836 Equity

No 5. folio 634, one of the Land Records of Frederick County, for fifteen acres of land and ninety-one square perches of land, also excepting thereout and therefrom all that part of said tract of land which said Rebecca F. Smith had formerly sold off and conveyed to Elizabeth J. Jackson, as for one acre and thirty-one perches of land (by deed dated September 25<sup>th</sup> 1808 and recorded in Liber H & P. No 6. folio 474 &c., one of the Land Records of Frederick County,) leaving as the remainder conveyed by said mortgage, as recited about one hundred and forty nine acres of land, but which in reality, left as conveyed by said mortgage one hundred and forty-seven acres, three rods and four square perches of land, as will appear by reference to said mortgage duly recorded among the Land Records of Frederick County in Liber Q to L. No. 9. folio 396., and by reference to a Certified Copy of said mortgage and said mortgage note herewith filed as exhibits Nos. 1 & 2. to this petition and report of Sales which said Exhibits with all other exhibits hereinafter produced, it is prayed may be taken and considered as part of this petition and report of Sales.

2nd.

That to said mortgage there was a condition annexed that if default should be made in the payment of said promissory note at the maturity thereof, or if default should be made in the payment of any one installment of interest thereon when the same shall become due and payable by the terms thereof, it should then be lawful for the said George W. Zimmerman, his executors, Administrators or assigns to sell the said mortgaged property, at the Court House above, in Frederick City, Maryland, at public Auction for Cash, after first giving the Notice prescribed by the terms of said mortgage, and the proceeds of said sale to apply as in said mortgage directed, all of said sale to apply as in said mortgage directed, all of which will fully appear by reference to said mortgage and the Certified Copy thereof herewith filed.

3rd

That said mortgage note and mortgage were on the 8<sup>th</sup> day of October, in the year