

NO 8378 Equity.

of note or notes given in renewal thereof, when the same shall mature and become payable, then it shall be lawful for Joseph Robison and J. Marshall Miller, or the Survivor of them as Trustees or in case of their or his death or declining to execute said trust, then for any other trustee to be appointed by order of the Circuit Court for Frederick County, as a Court of Equity, in place of the said deceased or declining Trustees, Consent being hereby given by the said Mortgagee upon petition to be filed by the said Mortgagee to said Court, for the appointment of such trustee, to sell the said property and premises hereby mortgaged at the Court House door in Frederick City, Md. by public auction, for cash, after having first given at least three weeks previous notice of such sale in some newspaper published in Frederick County, of the time, place, manner and terms of sale, and such other notice as said Trustee or Trustees shall think proper, and to apply the proceeds of such sale to the payment in the first place, of all costs charges and expenses attending such sale, including the usual Commissions and reasonable Counsel fees for preparing bond and report of sale, and attending to the ratification thereof, and then to the payment of the promissory note, aforesaid, or renewal thereof with all interest due thereon and the Supt. if any to pay the same to the said Richard Kelly his heirs or assigns.

And the said Richard Kelly Commands, and agrees with the said Frederick Town Savings Institution that he will keep during the continuance of this mortgage, the buildings erected on the said mortgaged premises, covered for a sum of not less than Five Hundred dollars in some safe and reliable fire Insurance company, paying the premiums and assessments thereon as they fall due and payable, and that he will assign the Policy of Insurance, or cause the same to be made payable to the said Frederick Town Savings Institution, for its benefit in case of loss or damage by fire.

And the said Richard Kelly further in like manner Commands and agrees that should he fail in this particular and the said Frederick Town Savings Institution pay the premiums and assessments necessary to keep said policy of Insurance in force, the same so paid with interest thereon shall be a lien on the said mortgaged property as though included in the first instance in the mortgage itself.