

## No 8363. Equity.

Secondly. All that tract or parcel of land particularly described in a deed from John B. Eyles and Elizabeth Eyles, his wife, to Elizabeth J. Nipe, bearing date the 6th day of April A.D. 1886, duly recorded in Liber N. S. T. No. 4, folio 666, &c. one of the Land Records of Frederick County, containing Three acres one rood and eight square perches of land, more or less and Third all that tract of Mountain land situated on South Mountain in said Frederick County, adjoining the lands of the heirs of Henry Miller, containing seven acres, two rods and thirty five perches of land, more or less, particularly described in a deed from William A. Shomaker and wife to George J. Nipe, to be recorded among the land records of Frederick County, and of the said tracts or parcels of land above described are the same tracts or parcels of land conveyed by deed from William H. Nipe, attorney, to the said John B. Nipe, bearing date the 27th day of May A.D. 1892, to be recorded among the Land Records of Frederick County, together with the improvements thereon, and on each of the said tracts or parcels of land described, and the rights and appurtenances thereto and to each of them belonging or in anywise appertaining, I have and to hold the above granted properties unto the said Felix A. Bliffudal his heirs and assigns forever in fee simple.

Provided that until default shall be made in the payment of the said note and the interest thereon or any part of either of them or in any covenant hereinafter contained on his parts to be performed, the said John B. Nipe shall possess the said properties as of his private estate therein.

And provided that if default shall be made in the payment of the said note at maturity and the interest thereon when due and payable, or in any part of either of them or in any covenant herein contained on the part of said mortgagor to be performed, then it shall be lawful for the said Felix A. Bliffudal to see the said properties and such of them being mortgaged, by public auction, for Cash, at the Hotel Spangler, in the town of Emmittsburg, Frederick County, State of Maryland, after first giving three successive weeks notice of the time, place, manner and terms of sale prior to the day of sale, inserted in some newspaper published in Frederick County, and such other notice as said mortgagor may deem best, and to apply the proceeds of said sale, first to the payment of all costs and expenses attending said sale, including a reasonable counsel fee, and commissions and there to the payment of the said note and the interest thereon, whether the same be then due or not, and the surplus, if any to be paid to the said John B. Nipe