Marion Dickerson and Wife
vs
Alice A. Small, Assignee of
Albert Small.

Be it Remembered, That now here, on the first Monday in April being the day of the said month, in the year of our Lord one thousand eight hundred and eighty five, the Judges of the fourth Judicial Circuit of Maryland, in pursuance of the directions of the Act of Assembly in such case made and provided, transmit to the Court of Appeals here, the Record of Proceedings of a cause which was lately depending before them in the Circuit Court for Washington County between Alice A. Small Assignee of Albert Small Plaintiff and Marion Dickerson & wife Defendants, and wherein the said Circuit Court passed a Decree for the said A.A. Small assignee of Albert Small against the said Marion Dickerson & Wife and from which said Decree the said Marion Dickerson and Wife appealed to the Court of Appeals here, the tenor of which said Record of Proceedings is in form following, to wit:

In the Circuit Court for Washington Co. Maryland:

Alice A. Small, Assignee of
Albert Small, Mortgagee,
vs
Marion Dickerson and Wife,
Mortgagors.

No. 3,531, Equity.
In the Circuit Court for Washington County, sitting as a Court of Equity.

Mortgage.

This mortgage, made this twenty-fourth day of July, in the year one thousand eight hundred and seventy-six, by Marion Dickerson and Ann Elizabeth Dickerson, his wife, of the County of Washington, in the State of Maryland:

Witnesseth, whereas, the said Ann Elizabeth Dickerson is indebted unto Albert Small for moneys advanced for the payment of a balance due the Hagerstown Building Association

upon a mortgage and for the payment of taxes due and levied, and certain judgments, amounting in the aggregate to the sum of two hundred dollars, the payment of which it is designed hereby to secure.

Now, therefore, in consideration of the premises and of the sum of one dollar, the said Marion Dickerson and Ann Elizabeth Dickerson do grant in fee-simple unto Albert Small all that parcel of ground situate on the south side of West North street in said Hagerstown, whereon they now reside, the same containing the whole of lot numbered three hundred and twenty-eight, and part of three hundred and twenty-nine, as laid out on the plat of said town, fronting seventy-three feet, more or less, on said street, with a depth of two hundred and forty feet; it being a part of that heretofore conveyed to the said Ann Elizabeth before her marriage to said Marion, by deed bearing date the fourteenth day of December, in the year one thousand eight hundred and sixty-seven, by Robert Farmer and wife, and William Farmer and wife, and now of record in Liber W. M. K. K., No. 3, p. 190; together with its buildings, rights, ways and appurtenances; provided, that if they, the said grantors, shall pay, or cause to be paid to the said Albert Small, his heirs, executors or assigns, the said sum of two hundred dollars, with legal interest thereon from the date hereof, payable semi-annually on or before the 1st day of July, in the year A. D. 1878, and shall perform all the covenants herein on their parts to be done, then this mortgage shall be void; but in case of default in any of the conditions herein, or in the event of the failure of the said grantors to pay the said interest as the same is reserved, or to pay all and any taxes legally assessed thereon when demanded, then and in such case the said Albert Small, his executors or assigns, or his or their duly constituted attorney, is hereby