

for Frederick County, sitting as a Court of Equity. The Petition of Geo. S. McMill of Baltimore County Respectfully sheweth unto your Honor - That George H. Buckley, and David B. Buckley described and named in said Bill of Complaint, in the above case as George Buckley & David Buckley, are the Children and only heirs at Law of said David Buckley dec<sup>d</sup>. and that they were each entitled to one sixth part of the proceeds of sales of the Real Estate, described, and decreed to be sold in this case, your Petitioner further sheweth unto your Honor - that the said David B. Buckley - one of the parties to said Equity proceedings, and heir at law of said David Buckley dec<sup>d</sup>. on the 20<sup>th</sup> day of May, 1853, by deed of Conveyance, conveyed to said George H. Buckley, all his right title & Interest in and to all the Real Estate and property - which he had and owned as the Estate of his late grand father, George Buckley, which fully appears from said deed of Conveyance, here exhibited, marked Exhibit A, which together with all other exhibits, your Petitioner prays may be taken and considered as part of this Petition, as if inserted in words and figures, &c.

your petitioner further sheweth unto your Honor - That the said George H. Buckley, on the 5<sup>th</sup> day of July, 1853, for the consideration of Four Hundred & Seventy dollars, assigned, and transferred - all his right title and Interest - which he had & held both at Law, and in Equity to said property, and all the proceeds of sale thereof in the hands of Lewis Kemp, the Trustee in said case, to your Petitioner, as is fully shown by the said deed of assignment, here exhibited, marked exhibit B, which is to be taken as part of this Petition. your Petitioner further sheweth unto your Honor - That on the 20<sup>th</sup> day of October, 1851, the auditor of your Honorable Court, stated an account, and made report, allowing to the said George H. Buckley, One Hundred and Five dollars, and four Cents,  $\frac{1}{2}$  cent, and to said David Buckley, One Hundred, and five dollars, & four cents  $\frac{1}{2}$  ct, which report was on the 17<sup>th</sup> day of Nov. 1851, finally ratified, and confirmed, and that said sums of money, are now in the hands of Lewis Kemp Esq: the Trustee in said case, and as your Petitioner is advised of right belongs to your Petitioner by virtue of said assignment, your Petitioner further sheweth, unto your Honor - That there is at this time - a considerable sum of money, in the hands of said Trustee for distribution, the proceeds of the sales, of the Real Estate, in said proceedings specified, which proceedings in Equity, including bill, answers, exhibits, and all other papers in said case, are to be taken, and considered as a part of this Petition as if here inserted at length, your Petitioner states - That he is advised, that he is in Equity, entitled to one third of the proceeds of the purchase money now in the hands of said Trustee un-audited, and he claims the same to be allowed to him. May it please your Honor to order and decree - that the auditor of your Honorable Court, in stating, and auditing an account in this case, of the money, the proceeds of the last sale, of the said Real Estate in said case, now in the hands of said Trustee, allow to the said George S. McMill, your Petitioner, that part of the money the proceeds of said sale, assigned to him, by the said George H. Buckley as specified in the foregoing Petition, and that the said auditor report the same to this Court accordingly, subject to the further order, and direction of this Court, and may it please your Honor to extend to your Petitioner all such other & further relief, in the premises - as the nature of the case may require, and as to your Honor may seem meet &c.

J. M. Palmer Solr. for Petr.

In the Circuit Court, for Frederick County, sitting as a Court of Equity, July Term 1853. The Court having read and considered the foregoing Petition & exhibits & being satisfied - that the Petitioner is entitled to relief &c. It is thereupon this 8<sup>th</sup> day of July, 1853, Ordered - that the auditor in stating an account, in this case of the proceeds of the last sale, allow in said account to the said George S. McMill the Petitioner, all that part, or portion of said purchase money, assigned to him