

Ordered by the Court this 3^o day of October 1859 that the matter of the foregoing Petition be and the same is hereby taken pro Confesso no cause having been shown although notice has been given as ordered as appears by the as filed and it is further ordered that this case be and the same is hereby referred to the auditor with directions to State an Account accordingly
 1859 27^o

No Nelson

To the Hon Madison Nelson Circuit Judge of the Third Judicial District of the State of Maryland, The Petition of Gideon Bantz Administrator of Gideon Bantz late of Frederick County State of Maryland deceased humbly sheweth to your Honor that the personal estate of said Gideon Bantz is insufficient to pay the debts that heretofore by a decree of your Honorable Court as a Court of Equity the real estate of said deceased was sold for the purpose of partition and that one thousand dollars of the proceeds of the sale are in the hands of your Honorable Court for the purpose of distribution Your petitioner further states that out of his own personal estate he has advanced the sum of nine hundred and ninety seven dollars and fifty three cents to pay the debts of the said Gideon Bantz as deceased as will more fully appear by the exhibits marked exhibits N^o 12304 Your petitioner states that at the time of his death the said Gideon Bantz dec^d left the following children his heirs at law your petitioner Gideon Bantz William S Bantz and Elizabeth M Roberts of Frederick County State of Maryland Theodore S Bantz and Edwara Bantz of the City of Baltimore Algonum S Bantz of the State of Missouri both Anne A S Day wife of Henry S Davis of the State of Virginia and Peter Loring Bantz of Frederick County in tender consideration thereof and for as much as your Petitioner is compelled in the premises by the strict rules of Common Law and only relyable in a Court of Equity and to the end that the proceeds of sale of the real estate of the said Gideon Bantz deceased now in this Court for distribution may be applied to the payment of his debts may if please your Honor to pass an order directing the proceeds of sale of the real estate of Gideon Bantz deceased now in your Honorable Court for distribution should be applied to the payment of his debts unless cause to the contrary be shown by the said heirs at law of Gideon Bantz deceased and your petitioner prays your Honor to grant to your Petitioner all such other and further relief in the premises as the nature and Equity of his case may require and your petitioner will ever pray
 D^d J^o P^o Solicitor for Petitioner