

Petition

Jacob M. Bushey,
Mortgagee of Mrs. S. Wurcker
and wife
on
Petition

To
In the Circuit Court for Frederick County
Sitting as a Court of Equity
To the Honorable the Judges of the Circuit
Court for Frederick County sitting as a Court of
Equity

The Petition of John Seals, respectfully shows unto your Honors that Jacob M. Bushey as Mortgagee of John S. Wurcker & wife sold at Public Sale the Real Estate described in the Petition in this Cause at 8 for the sum of one thousand Eight hundred and fifteen Dollars which is largely more than sufficient to pay the amount of Costs and expenses attending said Sale and the Mortgage Debt of said Jacob M. Bushey that said John S. Wurcker being indebted unto your Petitioner in a large sum of money, to wit: the sum of One thousand one hundred and Eighty - Nine Dollars and sixty five cents your Petitioner obtained a Judgment for that sum against the said John S. Wurcker and a certain George A. Abbott on the 15th day of May A. D. 1872 together with his costs of suit amounting to Eight Dollars, that thereafter there was paid on the said Judgment on the first of June 1872, the sum of seven hundred and fifty one Dollar and forty cents and on the second of September 1872, the further sum of one hundred and twenty four Dollars and sixty Eight cents, as will appear by a certified copy of said Judgment herewith filed as Exhibit A That on the 29th day of April 1872 your Petitioner filed in this Court in Equity Cause No 3785, a Bill of Complaint against the said John S. Wurcker and Christina S. W. Wurcker his wife alleging that a certain Deed of Conveyance executed by one Charles W. Miller to said Christina S. W. Wurcker was fraudulent and void, and made with intent to hinder and delay the creditors of the said John W. Wurcker and to defeat and render fruitless their Judgments against him, that the said Property so conveyed to said Christina S. W. Wurcker is the same property, ... in this Cause by the said Jacob M. Bushey Your Petitioner further prays that on the seventh day of June 1873, a Decree was passed in said Equity Cause No. 3785, declaring the said Deed of Conveyance null and void as against your Petitioner and ordering and directing the said Property to be sold and appointing a Trustee to make sale thereof as will appear by the Record of Proceedings in said Equity Cause No. 3785, still remaining in this Court, and by and from a certified copy of said Decree herewith filed marked Exhibit B. That said Property was not sold by said Trustee because of there being other Liens thereon Your Petitioner further shows that there is now due and owing to him by the said John S. Wurcker on said Judgment the sum of \$324.30 with Interest from the second day of September 1872, and the costs of Judgment as well as the costs taxed by the Clerk of said Equity Cause No. 3785, That the amount of said Judgment and interest is up to February 26 last the day of the sale by said Bushey, then One hundred and Eighty nine Dollars and twelve cents together with Eight Dollars and twenty cents Costs, and thirty nine Dollars and sixty five cents Costs in said No. 3785, Equity making in the aggregate the sum of four hundred and twenty nine Dollars and ninety seven cents most part of which had been paid Your Petitioner is advised that after paying the said Mortgage claim of Jacob M. Bushey the surplus proceeds available under said Decree to be applied to the payment of your Petitioner's said Judgment, interest & costs and he therefore prays that an account may be stated at the proper time by the Auditor allowing the said Judgment Interest and costs to your Petitioner out of the