No. 4448 Equity (Additional Proceedings)

Horner et al
vs
Horner et al

No. 4448 Equity
In the Circuit Court for Frederick County
sitting as a Court of Equity.

Petition of J. A. Elder.

The Petition of James A. Elder respectfully represents unto your Honors that he purchased of the Trustee John C. Motter the Real Estate reported by said Trustee as having been sold to him on the 12th of March, 1881, that according to the terms of said sale it was to be one third Cash and the balance in one and two years, that said sale has not yet been ratified and confirmed by Your Honorable Court, although no objections have been filed to the ratification thereof. This Petitioner represents unto your Honors that it would suit him to pay the whole of said purchase money cash, it amounting to Four Hundred and twenty-seven Dollars and fifty-eight cents, and that the Trustee representing those who are interested in the division thereof has no objection to its reception. He therefore prays your Honors to ratify said sale, as a Cash sale. And as in duty bound will ever pray

James A. Elder.

And

I concur in the above

J. C. Motter, Trustee.

Filed April 26, 1881.

Court's Order thereon

The above Petition having been read and considered, it is thereupon ordered and directed that the Trustee John C. Motter receive from said Petitioner the whole purchase money due from him, receiving interest on the deferred payments from the day of sale, and it is further ordered that the Report of Sales filed on the 17th of March A. D. 1881, be and the same are hereby ratified and confirmed, so far as the sale reported to James A. Elder is concerned and no further no cause having been shown although due notice appears to have been given as required in the Order nisi, passed in said Cause, with the privilege of paying all the purchase money to the Trustee.

April 26th, 1881

John A. Lynch
Judge of the Cir. Court.

Filed April 26th, 1881.

3rd Statement of an account between Newton M. Horner & John C. Motter, Trustee, in No. 4448 Equity, and the Heirs of Eli Horner deceased, with reference to part of the purchase money for lands sold March 12, 1881 & corn sold to Eisenhart.

Auditor's Report.

By	First payment for Land sold John Monaghan				
	1/3 of whole purchase money			$2102	35
"	" " " " Jacob Gillelan				
	1/3 of whole purchase money			156	93
"	" " " " John Agnew, whole purchase money			234	56
"	Whole of purchase money for land sold James A. Elder			427	58
"	Corn sold Eisenhart			82	50
	Whole Amount for distribution			$3003	92
To	John C. Motter Trustee's usual Commissions	120	10		
"	3rd Satisfaction filed	9	80		
	~~Balance~~ Carried forward	129	90	3003	92