

No 4864 Equity

3rd That the real estate of said May A Saylor has been sold by a trustee appointed by decree of your Honorable Court in the above case and the proceeds of sale, are liable, as your Petitioners are advised for the payment of the said Claims of your Petitioners as well as the Claims of all the other Creditors of said May A Saylor dec^d.

4th That on the 4th day of January A.D. 1884 an audit was filed in your Honorable Court in said Case distributing the proceeds of sale of said real estate, but not allowing the Claims of your Petitioners, although the Trustee David A Baker well knew of the existence of said Claims

5th That the real estate of said May A Saylor, her personal estate being insufficient, is liable for the payment of her debts and the purchaser of said real estate bought the same supposing he was getting a good title thereto, and equity and justice requires that the just debts of said May A Saylor should be paid out of said proceeds of sale. Therefore your Petitioners pray

1st That said audit may be vacated and set aside and the case referred to the auditor to restate an account and allow out of the proceeds of sale the said Claims of your Petitioners as well as all other just Claims against the estate of said May A Saylor after he shall have first given due notice to creditors to file their Claims

2nd That the heirs at law of said May A Saylor dec^d and who are the parties Complainant and defendant in the above case may be required to show cause on or before a certain day why this petition should not be granted

3rd That your Petitioners may have all such other and further relief in the premises as the nature of the Case may require and to your Honors shall seem right. And your Petitioners will ever pray &c.

Milton G Verner
Sol^r for Petitioners

January Term 1884

Ordered by the Court this 14th day of January A.D. 1884 that the proceedings in this Cause be and the same are hereby remanded to the Auditor to state another account allowing the Claims of the above Petitioners as therein set forth and the Claims of all other creditors of said May A Saylor dec^d that shall be filed with the Auditor duly proved after he shall have first given the usual notice to creditors to file their claims unless cause be shown to the contrary on or before the 1st day of February A.D. 1884. provided a copy of the foregoing petition and this order be served on the Complainants and defendants in the foregoing Case or their Solicitors on or before the 19th Inst.

Filed January 14. 1884.

Jno Ritchie

Copy of the foregoing Petition of Margaret Shank and Henrietta E Albaugh and Courts order delivered to Sheriff, which is endorsed thus:

Copy of Courts order served upon Jno. C Mottel Esq, James McSherry Esq M G Verner Esq Counsel on W. A Young Guardian

George H Gove

Sheriff

Return filed January 18. 1884

Statement of an account between David A Baker Trustee in No 4864 Equity of the Trust fund reported & parties interested

To	Amount Trust funds in clearing rent			\$ 2345 00
By	Trustee the usual Chan Commissions	\$	103 35	
"	Mottel & Gilpin for filing Bill		75 00	
"	" " Appearance fee		10 00	
"	A Fearhake. Clerk's fees		22 40	
	Amounts carried forward	\$	210 75	\$ 2345 00