

No 4950 Equity

No 4950 Equity
In the Circuit Court for Frederick County, sitting as a Court of Equity:
Robert E Poole and Nicholas Thompson
Mortgagees of Sarah Williams dec'd
On
Petition

January Term 1884

To the Honorable the Judge of said Court.

The petition of John Thomas Smith of said County respectfully shows unto your Honors:

1. That he is executor of John Moses Butler.
2. That Sarah Williams the mortgagor herein named, was a debtor of the said John Moses Butler in his lifetime, and that the said John Thomas Smith Executor of the said John Moses Butler, is indebted in the Equity of redemption, by reason of the said John Moses Butler being a creditor of the said Sarah Williams
3. Your Petitioner therefore prays for the following relief
 1. That an order may be passed directing the Auditor in distributing the proceeds of sale, to allow to your Petitioner as Executor of said John Moses Butler, the amount due to the said John Moses Butler by the said Sarah Williams the within mortgagor out of the surplus of the proceeds remaining after paying the mortgage under which the sale of the real estate belonging to the said Sarah Williams was made, and the lawful expenses attending such sale
 2. For such other and further relief as the nature of his case may require and as to your Honors may seem meet. And as in duty bound

January 22 1884

H. H. Menaker
Sol for Petitioner

The foregoing petition having been read and considered, it is therefore this 28 day of January A.D. 1884, by the Circuit Court for Frederick County adjudged and ordered, that the Auditor in distributing the proceeds of sale in this cause after allowing the mortgage debt, and interest, and proper costs, audit to John Thomas Smith Executor of John Moses Butler the amount due to him as Executor, out of the residue, and remainder of said proceeds, subject to the rights of any one in interest to object to such allowance in such audit
Filed Jan'y 28. 1884. Jno Ritchie

Robert E Poole and Nicholas Thompson
Mortgagees of Sarah Williams
On
Petition

No 4950 Equity
In the Circuit Court for Frederick County

To the Honorable the Judge of the Circuit Court for Frederick County sitting in Equity
The Petition of Robert E Poole Executor of the last will of Sarah Williams respectfully shows:

Petition of
Robt E Poole

- 1st That your Petitioner Robert E Poole and one Nicholas Thompson as mortgagees sold the Real Estate of which Sarah Williams late of Frederick County died seized and possessed as will appear by the proceedings in the above case -
- 2nd That said Real Estate sold for more than sufficient to pay the mortgage debt and interest and costs and expenses attending the sale.
- 3rd That said Sarah Williams died after having made and executed a last will and testament, which was duly admitted to probate by the Orphans Court for Frederick County, of which said will your Petitioner was named as the Executor
- 4th That said Sarah Williams left no personal estate and no real estate other than