

No 4947 Equity

- to the payment of all other claims against said Basil Maynard per parum
- 8th. That said real estate was sold subject to the right of choice of the widow of said Basil Maynard and the only children and heirs at law of said Basil Maynard are Scott Maynard and Juliet E. E. Maynard both of whom are adults and reside in Frederick County
- 9th. That said Basil Maynard left a will which has been admitted to probate in the Orphan's Court for Frederick County and letters Testamentary thereon have been issued to Peter Sugenbeil the Executor named therein. And your Petitioner prays
- 1st That the Auditor be instructed in stating an account to allow to your Petitioner out of said proceeds of sale, the amount of said Judgment, after allowing the said mortgage debt and interest with commissions and costs.
- 2nd That the said Auditor be instructed to allow the said other claims of your Petitioner out of said proceeds of sale, after allowing said mortgage debt, interest, commissions, costs and said judgment
- 3rd That the Auditor be directed to allow all other just claims against said Basil Maynard decd that may be duly proved and filed, after he shall give such notice as your Honors shall direct to the creditors to file their claims
- 4th That your Petitioner may have all such other and further relief as to your Honors shall seem right and to which he may be entitled.

Milton G. Turner
Soc for Petitioner

Dennis H Maynard
Mortgage of Basil Maynard
Or
Petitioner

No 4947 Equity
In the Circuit Court for Frederick County
January Term 1884

Court order

Ordered by the Court this 15th day of January A.D. 1884 that this case be referred to the Auditor to state an account with instructions to allow to the Petitioner Dennis H Maynard, out of the surplus proceeds of sale after paying mortgage debt, interest, commissions and costs, the amount of his said judgment and costs, and then the amount of his claims filed as Exhibits D. H. M. No 2. and D. H. M. No 3 and all other claims against said Basil Maynard that may be duly proved and filed, subject to the further order of this Court, unless Cause be shown to the contrary on or before the 15 day of February next, provided a copy of the foregoing petition and this order be served on the said Scott Maynard, Juliet E. E. Maynard and Peter Sugenbeil Executor of Basil Maynard decd on or before the 4th day of February next. And it is further ordered that before the Auditor proceed to state an account in the above case making distribution of said surplus that he give the usual notice to creditors to file their claims

Filed January 18. 1884

John A Lynch
Judge of the Cir. Court

No. 261
Dennis H Maynard
vs
Basil Maynard

April 13th 1883. Judgment Confessed by the Defendant in favor of Plaintiff for thirty eight dollars and thirty six cents (\$38.56) Current money with interest thereon till paid and 25 cts. costs
Witness my hand
James H. Clemons J.P. (Seal)

Exhibit D.H.M.
No. 1.

April 14th 1883 I hereby certify that the above Confessed Judgment is a true copy of the original Judgment from my docket

James H. Clemons J.P. (Seal)

Enrolled: Recd April 16. 1883 at 10:55 O'clock A.M. and same day recorded as No 393 in Record of Magistrates judgments
No. 2. One of the Record Books in the Office of the Clerk of the Circuit Court for Frederick County and Examined
Test: Adolphus Feanbakey Clerk.

State of Maryland, Frederick County, to-wit:
On this 17th day of Jan'y A.D. 1884 before me