

No. 5043 Equity

Sumpter Heard. } No. 5043 Equity.
 Lucretia S. Street & others } In the Circuit Court
 for Frederick County
 vs. the Honorable the Judges of Said Court:
 The Petitioners of Thos

E. Pope shews:

1st. That he is the Executor of the last Will and Testament of Mary A. Schleigh, decd, and also the Trustee in the above Cause to sell the Real Estate of Said decd

2. That as such Executor he is settling the Personal Estate of said deceased in the Orphans Court for Frederick County, that he has not been able to make a final settlement of said personal Estate, but has progressed sufficiently far in such settlement to ascertain that the personal Estate will not be sufficient to pay the costs of administration and the funeral expenses & debts of said deceased.

Petitioners of
 Thomas E. Pope
 that audit be
 not ratified

3 That as Trustee he has sold said Real Estate and the proceeds of Sale have been distributed by audit to the heirs at law or devisees of said Mary A. Schleigh decd after payment of judgment and Mortgage liens, but said Audit has not yet been ratified

4 That he expects to shortly finally settle said personal Estate, and he has been advised that the proceeds of Sale of said Real Estate will be liable to pay the balance of the funeral expenses, debts &c. of said Mary A. Schleigh, not paid by said personal Estate. Wherefore Your petitioner Prays Your Honor not to ratify said Audit until the final settlement of said personal Estate, so that the parties in interest may have an opportunity to apply for the appropriation of so much of said proceeds of Sale of said Real Estate as may be necessary to make good the deficiency of said personal estate, when the amount is ascertained.

And that Your Petitioner may have all other relief to which he may be entitled he will ever pray &c.

William G. Meyer
 Solr. for Petitioner

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 Lucretia S. Street & others } In the Circuit Court for
 Frederick County.
 vs. the Honorable the Judges of the Circuit Court for Frederick County sitting in Equity.

The petition of Thomas E. Pope, Executor of the last Will Testament of Mary A. Schleigh late of Frederick County deceased and Henry F. Ruprecht, who file this petition as well for themselves as for all creditors of Mary A. Schleigh, deceased, who may come in and contribute to the expenses of this proceeding, respectfully shews:

1st. That Mary A. Schleigh late of Frederick County deceased, was in her lifetime indebted to Lucretia S. Street by her promissory Note bearing date the 17 day of May A.D. 1883, for Seventy one dollars