

No 5316 Equity

which the said Luther J. Leather, died, seized, and possessed, and is fully described in the above mentioned Mortgage, by reference thereto it will fully appear. Said real estate is improved with a new frame dwelling house, about 28 x 20 feet, also a new barn, of comfortable size, corn house, hog pen, and other outbuildings, there is a thriving Young Orchard of choice fruit, a fine spring of never failing water and spring house on the premises. The land is red land of fine quality. Terms of sale as prescribed by the Mortgage - cash.

John L. Nuttall, Abst.

John D. Baughner, Mortgagee

I hereby certify that on this the 18th day of June 1887, I purchased of John D. Baughner Mortgagee the real estate described in the annexed advertisement, at and for the sum of Ten Hundred and Fifty Dollars and promises to pay that therefor on the ratification of the sale.

Witness - John L. Nuttall. George W. Leather Seal

John D. Baughner, Mortgagee, of  
Luther J. Leather and Mary Ann Leather. } No. 5316 Equity.  
 } On the Circuit Court for  
 } Frederick County, sitting  
 } as a Court of Equity.  
 }  
 } Petition

To the Honorable, the Judges, of said Court: - The Petition of Joseph McMiller and Daniel V. Snook, partners trading under the name style and firm of Miller and Snook, respectfully shows:

Petition of  
McMiller and Snook.

1. That your Petitioners are interested in the property sold under the mortgage referred to in the proceedings in this cause having a judgment against the Mortgagee, rendered on the second day of April in the year eighteen hundred and eighty seven by R. G. Parrick, a Justice of the Peace of the State and County, for the sum of twenty six dollars, and five cents and one dollar and thirty cents costs.
  2. That said judgment is herewith filed, as a part of this Petition, and is prayed to be taken, as a part thereof, as fully as if herein at large in words, and figures set forth:
  3. That said property having sold for more than sufficient to pay the mortgage debt and costs, Your Petitioners, are advised that they are entitled to have the said surplus applied to the payment of the said judgment, interest and costs:
  4. That they therefore pray that Your Honors may pass an order directing the Auditor in stating an account distributing the proceeds of sale in this case to allow the said judgment of Your Petitioners, after the payment in full of the said mortgage debt interest, and costs, subject nevertheless to the right of any one in interest to object to the ratification of said allowance.
- July 29th 1887. And as in duty bound &c  
Jas. McSherry - Solicitor.

The foregoing Petition of Miller and Snook having been read and considered, It is thereupon this thirtieth day of July Eighteen hundred and eighty seven, adjudged, and ordered that the Auditor in making distribution of the proceeds of sale in this case, after allowing the payment in full of the