

No. 5506 Equity

called "Ascension Day, thence N 58 $\frac{1}{2}$ ° E. 37 $\frac{1}{2}$ ft to 31 $\frac{1}{2}$ ft 11 $\frac{1}{2}$ ft to a stone N. 42° E. 25 ft, to the Beginning containing 115 Acres 1 Acre and 4 Perches of Land

Mr. Shafer - - - Sir -

Herewith you will find a description of the farm, I hope it will be satisfactory. I also send you herewith the old deed you can compare them

Yours with respect,

John Hoogbe -

To the Honorable the Judges of the Circuit Court for Frederick County sitting as a Court of Equity. The Petition of Peter Shafer Sr of Frederick County State of Maryland respectfully shows to your Honorable Court.

1st That on the 18th day of December in the year 1888 he obtained judgment in the Circuit Court for Frederick County against a certain William E. Kefauver for the sum of Five Hundred and fifty one dollars and six cents, with interest from date and costs of suit - Amounting seven dollars and Eighty cents, and with stay of Execution until the first day of March 1889, as will appear by a certified copy of such judgment herewith Exhibited Marked Exhibit P.S. - Which your Petitioner prays may be taken and considered as part of this Petition.

2. That the said judgment mentioned, and set forth in the above paragraph is a lien upon the Real Estate of the said defendant William E. Kefauver.

3 That since the rendition of said judgment the Real Estate of the said William E. Kefauver has been sold under and by virtue of a Power of sale contained in a Mortgage Executed by the said William E. Kefauver and wife, to Peter Shafer, which said Mortgage was assigned by the said Peter Shafer Sr to Peter W. Shafer, and the said sale made by the said assignee has been reported to, and finally ratified by your Honorable Court, as will fully appear by reference to the proceeds in No. 5506 Equity in your Honorable Court.

4th That your Petitioner has been informed that there will be a surplus of the proceeds of sale, after the payment of the costs and expenses of sale and after the payment of the Mortgage debt and interest due thereon as aforesaid. - And your Petitioner further states that he is advised that he has a claim in the Equity of redemption and is entitled to any surplus of the proceeds of sale that remain after the payment of the costs and expenses of sale and the said Mortgage debt and interest, which is a prior lien to the judgment debt of your Petitioner - Wherefore your Petitioner prays your Honors to pass an order, directing the Auditor of your Honorable Court, that after the payment and Satisfaction of the Costs and Expenses of sale and the payment of the Mortgage debt and all interest due thereon that the judgment debt of your Petitioner may be allowed and audited out of the remaining surplus proceeds of sale, and that your Petitioner may have such other and further relief as the nature and Equity of his case may require.

Charles W. Ross,

Atty. for Petitioner.

Petition &
Court's Order