No. 6474. Equity

your Honorable Court, on the 15th day of June 1895. in the suit of Charles M. Anders vs Upton Bell, Lunacy as No 106 Trials May Term 1895. and which said judgment on the 15th day of October, 1895 was entered to the use of your petitioner the Amount of which judgment is the sum of $215.75 with interest from date and costs of suit, all of which will appear by reference to a certified Copy of said judgment filed hereunto as "Exhibit E.A.A." which is prayed to be taken and considered as part of this petition.

4th That no part of the said judgment has been paid but the same still remains due, owing and unpaid.

5th That the said judgment was a second lien on said real estate, and your petitioner, therefore is advised and so charges, that she is entitled to have whatever proceeds of sale remains after the payment of the said Mortgage debt, interest and Costs of proceedings, applied to the payment of her judgment debt, interest and Costs.

Your petitioner, therefore, prays your Honors to pass an order directing the Auditor to audit the balance of the proceeds of sale of the real estate in this Cause, after the payment of the Mortgage debt, interest and Costs, to your petitioner in part payment of the judgment aforesaid.

And as in duty &c.

John L. Newman
Atty for Petitioner

The aforegoing petition having been read and considered, it is thereupon, this 20th day of December, 1895. by the Circuit Court for Frederick County, sitting as a Court of Equity, and by the authority thereof, ordered and adjudged, that the Auditor of this Court, in making up the audit in this Cause distribute the balance of the proceeds of sale, after the payment of the Mortgage debt, interest and Costs, to Mrs. Emma A. Anders the petitioner, in part payment of her judgment debt, subject to any exception that may be filed to said audit.

Jas McSherry

Filed December 20th 1895.

"Exhibit E.A.A"

In the Circuit Court for Frederick County.

No. 106 Trials May Term 1895.

Assumpsit Rule Plea

Charles M. Anders, (use of Mrs Emma A. Anders Pltff, order filed Oct 15th 1895.)
vs
Upton Bell

1895 June 13. Judgment for Plaintiff on the Rule plea & on his motion Court assess his damages at $215.75 and thereupon judgment Extended by Court for Plaintiff two thousand and fifteen dollars and seventy five Cents cum mon with interest from date till paid & Costs of suit.

Plaintiffs Costs $8.05
Defendants do .45

John C. Motter Attorney for Pltff
P.P. for Defendant.

Certificate of Clerk attached with seal.