

Ordered this 26th day of May A..D. 1909, by the Circuit Court for Frederick County, sitting as a Court of Equity that the auditor of this Court in stating the audit in this cause allow the claim of the above named petitioners subject to the further order of the Court.

John C. Motter.

PETITION AND COURT'S ORDER.

To the HoNorable the Judges of said Court--

The petition of Andrew J. Baker and William A. Sentz, partners trading as Baker and Sentz, respectfully shows unto your Honors--

1. That the land and premises described in the mortgage of Charles C. Tebbetts and wife filed as Exhibit No. 2, with the report of sale of Charles A. Norwood, mortgagee, filed in this case on May 12 1909, has been sold for the sum of \$8672.40 as will appear by reference to said report of sale and the exhibits filed therewith.
2. That on February 1 1909 your petitioners obtained a judgment of condemnation, nisi, in an attachment suit in your Honorable Court, in which the said Charles C. Tebbetts was defended against the property attached, as per schedule, toward satisfying plaintiffs the sum of \$62.86 with interest from May 8, 1908, till paid and costs of suit, said judgment being 127 trials, February Term 1909, and the property mentioned in said schedule being the same land and premises described in the mortgage aforesaid; a certified copy of the said judgment being herewith filed marked exhibit B. & S.
3. That your petitioners have an interest in the equity of redemption in the property described in said mortgage by virtue of the said judgment which is a lien thereon.
4. That there will be a surplus of the proceeds of sale after the payment of said mortgage debt and interest and expenses of sale, out of which surplus your petitioners are entitled to have their judgment paid.

Wherefore your petitioners pray your Honors to pass an order directing the auditor of your Honorable Court in stating the audit in this cause to allow the claim of your petitioners out of the proceeds of sale.

And that your petitioners may have all such other and further relief to which they may be entitled they will ever pray &c.

Urner & Urner.

Solicitors.

Ordered this 26th day of June A. D. 1909 by the Circuit Court for Frederick County, sitting as a Court of Equity, that the auditor of this court in stating the audit in the above entitled cause allow to the above named petitioners the amount of their claim, as set forth in said petition, out of the proceeds of the sale reported by Charles A. Norwood, mortgagee, subject to the further order of this Court.

John C. Motter.

Filed June 2 1909.

EXHIBIT B & S.

In the Circuit Court for Frederick County Maryland. February Term 1909.

No. 127 Trials, February Term 1909.

Andrew J. Baker and William A. Sents,  
partners trading as Baker and sentz.

Vs.

Charles C. Tebbetts.

Action of attachment against non resident. Rule Plea.

1908 December 22. Order Prom. note & prot. and open % filed by plffs. filed and short note filed