

and summons for debt. issued to Sheriff, (Retble. 1st. Monday January 1909). Returned non est. 1908 January 22. Writ of attachment issued to Sheriff and copy of short note sent with said writ to Sheriff endorsed thereon, "to be set up at the Court House doors." Returnable 1st Monday January 1909. Returned by Sheriff "attached as per schedule and copy of short note set up at the Court House door 1909-February 1. judgment for Plaintiffs of condemnation nisi against property attached as per schedule towards satisfying Plaintiffs the sum of \$62.86 with interest from May 8 1908, till paid and costs of suit.

Urner & Urner Attys. for Plaintiffs. Plff. cost \$16.56.

True copy of Judgment as taken from the record and proceedings of the Circuit Court in above case.

Test--Samuel T. Haffner,

Clerk of the Circuit Court for Frederick County.

June 1 1909.

Judgment \$62.86. 1 yr. \$6.28, 1 mo. .28 27 days---\$6.56.

Plff cost. atty. \$10

Clerk	5		
Sheff	1.56	\$16.56.	Total \$85.98.

PETITION AND COURT'S ORDER.

To the Honorable the Judges of said Court--

The petition of albert Maynard of Frederick County and State of Maryland, respectfully shows unto Your Honors--

1st. That the land and premises described in the mortgage of Charles C. Tebbetts and Minnie V. Tebbetts his wife, filed as exhibit NO. 2 with the report of sale of Charles A. Norwood, mortgage filed in this case on MAY 12th 1909, has been sold for the sum of \$8672.40 as will appear by reference to said report of sale and exhibits filed therewith.

2nd. That on February 1st 1909 your petitioner obtained a judgment of condemnation "nisi" in an attachment suit in the Circuit Court for Frederick County, in which the said Charles C. Tebbetts was defendant, against the property attached as per schedule toward satisfying Plaintiffs judgment in the sum of \$85.00 with interest from November 1st A. D. 1907 till paid and costs of suit" said judgment being #135 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 and schedule being filed herewith and marked exhibit A. M.

3rd--That your petitioner has 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.

4th. That there will be a surplus of the proceeds on sale after the payment of said mortgage debt and interest and expenses of sale, out of which surplus your petitioner is entitled to have his judgement 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 petitioner out of the surplus proceeds of sale.

And that your petitioner may have all such other and further relief to which they may be entitled and as the nature of the case may require.

And as in duty bound etc., will ever pray etc.

Benj. F. Reich
Albert S. Brown
Solicitors for Petitioner.

Filed June 2 1909.