case was thereupon referred to the Auditor who reported the following audit (here insert it). That the trust fund is wholly insufficient to pay the said mortgages and preferred claims and has been so ascertained and reported to the Court. That claims numbered 11 & 12 allowed in the foregoing audit on claims secured by the last recited mortgages which was executed after the said mortgage of the 26th of November 1850 was executed to the said Jacob Markell and recorded. That thereupon the said Jacob Markell filed to said above recited audit the following exceptions (here insert it) Whereupon the following statement of facts signed by the Solicitors of the respective parties in trust and also by the Trustee was agreed to and filed in the Cause (here insert it). That after argument of the said exceptions, the Court overruled the exceptions and ratified the above recited Audit (here insert the Courts order) That from said order the said Jacob Markell prayed an appeal. That this agreement and the papers hereinbefore recited shall constitute the record in this case free from all exceptions for form. October 12. 1857

Wm I Ross. Solicitor for Isabella Gas Works
Grayson Eichelberger, Trustee of G. I. Fischer
Saml. Tyler. Soltr for Jacob Markell

No. 2589 Equity

Trustees 2d Report

Supplemental Record to Equity Proceedings recorded in Equity Record E. S No 3 folios 473 &c

Jacob Snader vs Peter Engle & Others } To the Hon.ble M. Nelson. Judge of the Circuit Court for Frederick County sitting in Equity.

The second report of Peter Engel Trustee heretofore appointed by the decree in No 2589 Equity respectfully shews to your Honor. That since his last report he has received the sum of four hundred & ninety six dollars and sixty six cents with interest for two years amounting to fifty-nine dollars and sixty cents from Lewis Keefer the purchaser of the real estate heretofore sold by him under the said decree and that the whole purchase money due on said estate from said Keefer is now paid. All of which is respectfully submitted.

Peter Engel. Trustee,

Maryland. Frederick County. Set. On this 2d day of April 1857 before the Subscriber a Justice of the Peace of said State for said County personally appeared Peter Engel the above named Trustee & made affirmation that the matters & things stated in the above report are true to the best of his knowledge & belief

Affirmed before. Thos Picking

Court Order

Jacob Snader vs Peter Engel & Others } No 2589 Equity. In the Circuit Court for Frederick County sitting in Equity. Ordered by the Court this 2d April 1857 that the above report be ratified - that the Auditor is hereby directed to state an account and distribute the funds among the parties entitled.

M. Nelson,