

Report & Petition

David J. Marking
Trustee of F. Schroeder
On
Petition

No 3777 Equity

For the Circuit Court for Frederick County, Sitting as a
Court of Equity

To the Honorable the Judges of the Circuit for Frederick County
Sitting as a Court of Equity

The Report and Petition of David J. Marking of Frederick County, respectfully shows unto your Honors, that on the second day of December 1841, Frederick Schroeder and Sophia Schroeder, his wife conveyed to your Petitioner certain real and personal property situated in Frederick County, in trust for the benefit of the creditors of the said Frederick Schroeder, as appears by a certified Copy of said Deed of Conveyance, filed herewith, marked Exhibit No. 1, which with all other Exhibits herewith filed, your Petitioner prays may be taken as part of this report and Petition as fully as if here inserted in words and figures, — That by said Deed of Trust the property therein mentioned was conveyed to your Petitioner should sell so much of said property as was saleable, at either public or private sale, and collect so much as was outstanding and unsaleable, and apply the proceeds, first to the reimbursement of your Petitioner for all costs and expenses he incurred in the execution of said trust, together with a commission of six per cent, and then in trust to apply the residue of said moneys in payment first, out of the proceeds of the sale of the said real estate in which the said Sophia Schroeder had a potential right of dower, the one eighth of the proceeds of such sales, as a compensation for said Sophia Schroeder signing said deed, then to pay all Mortgages, Judgments, Executions and other liens upon said property, real and personal according to their legal and equitable priority, and then to the payment of all other Creditors of said Frederick Schroeder *pari passu*, and without any preference or priority of payment whatsoever, and the balance, if any, to be paid to said Frederick Schroeder; that by virtue of said power of Sale in said deed, your Petitioner after first giving bond with approved security according to law for the faithful execution of his trust, and after giving at least three weeks public notice of the time, place, manner and terms of sale by Advertisement in the "Frederick Examiner" and the "Citizen" Newspapers published in Frederick County, and by House bills extensively circulated, did pursuant to said Notices, attend at the Ware Rooms of said Schroeder in Frederick City, on the 20th day of March 1842, and there and there offered at public sale to the highest bidder, the House and Lot situated in North Market Street in said City, and described in said deed, and sold the same to Mrs Sophia Schroeder, she being the highest and best bidder therefor, at and for the sum of One thousand dollars. —

Your Petitioner then offered at Public Sale the Lot in the rear of the said City on East Third Street, with an inlet from Chapel Alley described in said deed, and sold the same to Julius Frazer, he being the highest and best bidder therefor, at and for the sum of One hundred and eighty dollars. — That the whole of said Sales of Real Estate amounted to Six Thousand Three Hundred and Eighty Dollars, and your Petitioner sold said Real Estate upon the following terms, one third cash, and the balance in six and twelve months from the day of Sale with interest. —

Your Petitioner would further report that at the same time and place at which he sold said real estate he also sold the balance of the personal property of said Schroeder at public sale, and he sold said personal property upon the following terms, viz. giving a Credit of six months on all sums over twenty dollars the purchaser giving his notes with approved security bearing interest from date, and your Petitioner had previously sold a portion of said personal

Exhibit