

Ratification of Sale Error

David J. Markey } No. 3777 Equity
Trustee of Schroeder } In the Circuit Court for Frederick County
vs
Selection }

May Term 1872

Ordered by the Court this 17th day of May 1872, that the foregoing report of sales, be and the same is hereby ratified and confirmed, notice having been duly given as required by the foregoing order, and no cause being shown to the contrary and the case is hereby referred to the Auditor to state an account and distribute the trust funds reported among the parties entitled thereto under the Deed of Trust after having given the usual notice to creditors to file their claims.

Filed May 17th 1872

John A. Lynne

Agreement

This Agreement made this third day of January, in the year Eighteen hundred and seventy three by Henry S. Markey, Trustee, of the one part and Frederick Schroeder and Sophia Schroeder his wife of the other part, all of Frederick City in the State of Maryland, Witnesses, whereas the said Frederick Schroeder and Sophia Schroeder his wife, by their deed dated the 3rd day of December 1871 and duly recorded in Liber C, M. No. 7 folio 521 &c one of the Land Records of Frederick County, did convey to David J. Markey, all the property real and personal of said Frederick Schroeder in trust, to be by said David J. Markey sold and the proceeds arising from such sale, and the money collected from the book accounts of said Frederick Schroeder, to be by said D. J. Markey held in trust and applied first to the payment of Costs, Commissions, &c. And then in trust to apply the residue in payment, first out of the proceeds of the Sale of the real Estate in which the said Sophia Schroeder has a potential right of dower, the one eighth of such proceeds of sale as a compensation for said Sophia Schroeder signing said deed, then to pay all liens of every kind upon said property, according to their priority; then to the payment of all other creditors of said Frederick Schroeder *pari passim*, and the balance, if any, to be paid to said Frederick Schroeder; And whereas the said David J. Markey, did make sale of said property, real and personal under said deed of Trust, and a large portion of said real estate was purchased by said Sophia Schroeder for the aggregate sum of Six thousand and two hundred dollars; And whereas the Circuit Court for Frederick County sitting as a Court of Equity, did upon the 18th day of December 1872, pass an Order and decree in No. 3777 Equity, whereby said David J. Markey was relieved of his said trust and the said Henry S. Markey was appointed Trustee in his place and stead; and whereas the said David J. Markey in obedience to the said order of said Court has handed over to said Henry S. Markey, substituted Trustee, all notes and books of account, belonging to said Trust Estate among which is a promissory note signed by said Frederick Schroeder and Joseph E. Miller for the sum of Twelve hundred and Eleven and 47/100 dollars; And whereas it has been ascertained that said Trust Estate will be more than sufficient to pay all the debts of said Frederick Schroeder, owing by him on the second day of December A.D. 1871, and whereas the said Sophia Schroeder has paid to said Henry S. Markey, Trustee Three thousand dollars on her purchase of said real estate, which it is believed will be sufficient to enable the said Henry S. Markey Trustee, to pay all the said debts of said Schroeder, with the exception of a Mortgage executed to C. & F. Fox January 4th 1871. Now therefore in consideration of the premises, and in consideration of said Henry S. Markey Trustee, executing to said Sophia Schroeder a deed for the real Estate by her purchased as aforesaid upon her paying