No. 4242 Equity

"Citizen" Office, Frederick, Md., Dec. 30, 1878

Printers Certificate

We hereby certify, That the annexed Order of Publication, No. 4242 Equity, was published in The Citizen, a Newspaper published in Frederick County, State of Maryland for four successive weeks prior to the 28th day of Dec 1878.

Filed Dec 30, 1878. Baughman Prod.

Final Ratification of 3rd Rep. of Sales

In the Circuit Court for Frederick County sitting as a Court of Equity.

Ordered, this Dec 30th, 1878, that the sale within reported be, and the same is hereby ratified, and confirmed, no cause to the contrary thereof having been shown, although notice appears to have been given as directed by the preceding order.

John A. Lynch
Judge of the Cir. Court

Filed Dec 30, 1878

In matter of Real Estate of Mary Ann Fraley, Joshua J. Zimmerman & Daniel J. Shellman, Trustees	No. 4242 Equity In the Circuit Court for Frederick County in Equity.

Petition to Compel Trustees to Report.

To the Honorable the Judges of the Circuit Court for Frederick County, sitting in Equity.

The Petition of Francis M. Fraley, Administrator of Mary Ann Fraley, late of Frederick County, deceased, respectfully shows unto your Honors, That Mary Ann Fraley executed a Deed of Trust to Joshua J. Zimmerman and Daniel J. Shellman on the 6th day of November 1876 of all the Real & personal property which she possessed. that said Zimmerman & Shellman accepted said Trust and entered upon the discharge of the same all of which will fully appear by reference to the papers filed in this Cause. Yr Petitioner further shows that said Mary Ann Fraley departed this life about the last of August 1878, and that letters of Administration were granted to your Petitioner upon her estate; that yr Petitioner is informed and verily believes that the property which said Trustees received under said Deed of Trust is more than sufficient to pay the debts which were justly due and owing by said Mary Ann Fraley, and that considerable sums would have come into the hands of yr Petitioner as Administrator aforesaid.

Yr Petitioner further shows that said Trustees under the Deed of Trust received large quantities of Real estate and a large & valuable personal property from said Mary Ann Fraley, that the whole of the Real estate has been sold and as yr Petitioner alleges & believes been paid for to said Trustees That said Trustees have reported the sales of said real estate but have made no report whatever of what disposition has been made of said personal property, what the same brought if sold, or what disposition has been made of the proceeds of the realty sold or of the personalty if sold.

And your Petitioner further shows that he is advised and believes, and so charges that that it became & was the duty of said Trustees to make report to your Honorable Court upon oath of the whole Amount of the Trust Estate, and what disposition they had made of the same; but said Trustees have utterly & entirely failed to make any such report and have utterly and entirely failed to have any distr made under the orders of yr Honorable Court of any of the Trust funds which came into their hands although as yr Petitioner charges all the funds from the same which have come into their hands have been for a very much longer period than six months in their hands.

Yr Petitioner therefore prays your Honors to pass an order requiring & directing the Clerk of yr Honorable Court to issue a subpoena directed to Joshua J. Zimmerman & Daniel J. Shellman Trustees under the Deed of Trust from Mary Ann Fraley commanding