

A.D.1890, by the Sheriff of Frederick County.

(Filed April 7th, 1890.)

John A. Lynch

Judge of the Cir. Court.



True Copy Test: W. Irving Parsons, Clerk.

Filed April 12th, 1890

COURT ORDERS APPOINTING SPECIAL AUDITOR

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

That J. Roger McSherry be and he is hereby appointed Special Auditor in this case and the report of Joseph Wood, Trustee, and the papers in the case are hereby referred to to him to State an account herein this fourteenth day of December A.D. 1892.

John A. Lynch
John T. Vinsen

Judges of the Circuit Court.

Filed December 14th, 1892.

TRUSTEES REPORT AND AFFIDAVID
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The petition and report of Joseph Wood Trustee respectfully shows unto your Honorable Court that by a decree of your Honorable Court passed in No. 5086 equity your trustee was authorized to borrow the sum of fifteen hundred dollars on a mortgage executed by him on the trust estate to-wit a farm in Frederick County Maryland. That your trustee was authorized by this decree to use said money in certain improvements on said land specified in said decree. That James McSherry was employed as attorney to obtain the decree and when obtained the same, the said James McSherry drew the money paid the expenses of the proceedings, to-wit; the sum of one hundred and twenty five dollars council fees and twenty nine dollars costs to the Clerk and discount to the Franklin Savings Bank of Frederick Maryland the sum of forty six dollars, and hundred to your petitioner the residue of said sum of fifteen hundred dollars, to-wit the sum of thirteen hundred dollars. This sum your trustee has had and held since which time that he did not make the improvements, which he was always ready and willing to make, because he was stopped by the cestui que Trust, who told your petitioners that he intended to sell said farm, and did procure your Honorable Court a decree for such sale as will appear by proceedings in No. _____ Equity of your Honorable Court. That your petitioner paid the Franklin Savings Bank the further sum in interest on said loan of two hundred and twenty seven dollars and seventy five cents, after the first discount paid at time of loan. Your Trustee further paid to Frank L. Stoner Trustee by subsequent appointment, the sum of one hundred dollars on said fund. That your Trustee has always been ready and willing to pay said sum of money to the proper parties and is now ready and willing to pay the same whenever your Honorable Court shall determine what sum your petitioners is legally bound to pay. That until the appointment of Frank L. Stoner Trustee by your Honorable Court, there was no person to whom it could be paid, and since his appointment your petitioner has always been ready and willing to pay said money said Stoner wherever the amount was determined which the said F.L. Stoner Trustee well knows your petitioner further states by an account filed in this Court it will appear that the trust estate is indebted to your trustee for money advanced in cestui que Trust, in the sum of eight hundred and five dollars and four cents above all receipts from the trust estate which with commissions to be allowed by the Court your petitioner says may be allowed your trustee in the final settlement of this account your petitioner prays your Honorable Court to pass an order referring this case to the Auditor of the Court to state an account or accounts so that your Honorable Court may determine what sum if any is due by your petitioner and he is ready and willing to pay the same and abide by and perform such decree as to your Honorable Court shall seem right.

Joseph Wood Trustee.

State of Maryland Frederick County. to-wit;

I hereby certify that on this fourteenth day of december in the year eighteen hundred and ninety two before the subscriber a Justice of the Peace in and for the County and State aforesaid personally appeared Joseph Wood Trustee and made oath on the Holy Evangely of Almighty God that the matters and things stated in the foregoing report are true to the best of his knowledge and belief

Filed December 14th, 1892.

Thomas Turner J.P.