

he shortly after sold the same to, said Petitioner and which said Petitioner almost immediately upon his purchase sold to said Daniel Hartman at an advance of Five Hundred Dollars. Ninth. That said Petitioner having sold and transferred all his interests and rights to said Petitioner has no right to demand possession thereof. Tenth. That under and by Virtue of said purchase by said Daniel Hartman is now claiming and demanding possession of said premises for himself his tenants of Respondents and has actually by trespass & violence used and occupied a portion of the same. Eleventh. That if the said Hartman is entitled to possession by Virtue of a sale as aforesaid of said premises to him by said Petitioner said Petitioner has no right to the same and it should first be determined which of the said two if either is entitled to possession before the Court grants the Petition of said Dougherty. Eleventh. That if as Respondents now allege said Violence and trespass of said Hartman is inspired and abetted by said Dougherty such lawless conduct defeats the right of Petitioner to have his prayer entertained for the Court will not supplement with its process the means and personal efforts of Petitioner to get possession of said premises. Twelfth. That for other good and legal reasons the prayer of Petitioner should be decreed Just.

Geo. Ritchie

Filed March 30, 1878.

Solicitor for Respondents

Aloysius J. Omdorff
Trustee of Salome E. Lewis
and Francis E. Hester husband
On
Petition

No 4301 Equity

In the Circuit Court for Frederick County
In Equity

To the Honorable the Judges of the Circuit Court for Frederick County as a Court of Equity. The Petitioner and Secord Report of Aloysius J. Omdorff trustee in this cause respectively states that after having advertised at public sale the personal property which passed to your trustee under the deed of trust exhibited in this cause both by handbills set up for more than ten days before the day of sale and also by advertisement in "The Catoctin Clarion" a newspaper printed in Frederick County. Your trustee did in pursuance of said advertisements on the twenty fifth day of September A. D. 1877 sell most of said property at public sale the amount thereof being six hundred and seventy four dollars and forty six cents and by Virtue of the power vested in him by said deed of trust he sold the remainder thereof at private sale amounting to two hundred and twenty eight dollars and fourteen cents and your trustee collected on interest on sale note for personal property two dollars and twenty five cents making the aggregate personal estate more than one thousand and four dollars and eighty five cents and your trustee files as part of this Report and itemized account of said sales marked Exhibit D. P. to Trustee's Secord Report. Your trustee further states that said