

No. 2908 Equity

From one named Scott Hersperger, who is twenty one years old and lives in Kentucky, and one named Elroy Hersperger, who twenty one years old and lives in the State of Colorado; Malinda Hersperger, who married James Smith is dead and left surviving her four children as follows - Leonidas Smith, who is twenty one years of age, Mattie Smith who an infant under twenty one years of age, Silphman Smith, who is an infant under twenty one years of age and Stewart Smith, who is an infant under twenty one years of age, and all four reside in the State of Kentucky.

Elizabeth Barrick is dead and left surviving her two children - Charles Barrick who resides in Montgomery County and who is over twenty one years of age and Addie Barrick, who is an infant and resides in Frederick County State of Maryland.

Your petitioners therefore pray your Honorable Court to pass an order relieving your petitioners of further acting as Trustee and appointing Silphman S. Hersperger as Trustee and substituting the children left by each one of the deceased parties, for their respective parents in the distribution of the money that may arise from the sale of the remaining real estate and your petitioners will ever pray &c

J. E. D. Wood
Solicitor for Complainants and for Petitioners

State of Maryland, Frederick County, to wit:

Thereby certify that on this ninth day of December in the year Eighteen hundred and twenty eight before the subscriber a Justice of the Peace in and for the County and State aforesaid, personally appeared Silphman S. Hersperger and made oath on the Holy Evangelist of Almighty God that the matters and things stated in the aforesaid petition are true to the best of his knowledge and belief.

Filed Nov. 9 1878

James J. English J. P.

William S. Hersperger et al
vs
Henry C. Hersperger et al

No. 2908 Equity
In the Circuit Court for Frederick County
sitting as a Court of Equity

Order appptg
Silph T Hersperger
Trustee

The petition of William S. Hersperger supported by affidavit having been read and duly considered. It is thereupon this ninth day of November in the year Eighteen hundred and twenty eight by the Circuit Court for Frederick County sitting as a Court of Equity and by the authority thereof, ordered, adjudged and decreed that William S. Hersperger upon his own application be and he is hereby relieved and removed as Trustee in this Cause, and that Silphman S. Hersperger be and he is hereby appointed Trustee in this Cause for and instead of said William S. Hersperger to complete the Trust to make sale of the real estate in this Cause, which was not sold by said William S. Hersperger and that the course and manner of his proceedings shall be according to the tenor and terms of the original decree in this cause. It is further ordered that the said Silphman S. Hersperger shall give bond to the State of Maryland in the sum of Fourteen thousand dollars for the faithful performance of his duty as Trustee in this Cause.

Petition to
sell at Pri-
vate Sale

Courts Order
to sell at
Private Sale

Report of Sales