

No. 2908 Equity

It is further ordered that the Auditor in stating the accounts in this cause hereafter shall distribute the portion or share of Oliver Hersperger, Malinda Smith and Elizabeth Barnett children of Henry Hersperger who have died since the former decree in this cause, to their respective children as shown by the petition of William S Hersperger filed in this cause this ninth day of November A. D. 1878

John A. Lynch  
Judge of the Cir. Court

Filed Nov 9, 1878

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

No 2908 Equity  
In the Circuit Court for Frederick County  
in Equity

Petition to  
sell at Pri-  
vate Sale

The petition of Silphman S. Hersperger Trustee in this cause respectfully shew unto your Honorable Court that after your petitioner was appointed Trustee he gave bond to the State of Maryland in penalty named in the decree which was duly approved by the Clerk your petitioner advertised the said property in the Valley Register and by hand bills for more than three weeks to be sold, at public sale at Broad run on the 14th day of December A. D. 1878. That your petitioner attended at said time and place and offered the real estate in this cause at public sale.

That your Trustee got no sufficient offer for the same and withdrew the property.

Your petitioner is advised and believes he can sell the said real estate more readily and for a better price at private sale than he can, at public; Your petitioner therefore prays your Honorable Court to pass an order authorizing your petitioner to sell the said property at private sale.

J. E. R. Wood  
Sct for Complainant

Courts Order  
to sell at  
Private Sale

The foregoing petition having been read and considered by the Court. It is thereupon this 16th day of December A. D. 1878, by the Circuit Court for Frederick County sitting as a Court of Equity and by the authority thereof, ordered, adjudged and decreed that Silphman S. Hersperger Trustee in this case be and he is hereby authorized and empowered to sell the real estate in this case at private sale for the best price that can be obtained and report the same to this Court for its further order.

Filed Dec 16, 1878

John A. Lynch  
Judge of the Cir. Court

Report of Solicitor

To the Honorable the Judges of the Circuit Court for Frederick County sitting as a Court of Equity.

The petition and report of Silphman S. Hersperger Trustee in No 2908 Equity, on the Equity docket of this Honorable Court, in which cause it is prayed that this paper is filed, respectfully represents unto your Honor that on the 9th day of November A. D. 1878 he was appointed Trustee in said Equity Cause by an Order of your Honorable Court to make sale of certain real estate in said proceedings, mentioned, that on the 11th day of November A. D. 1878 he executed a Bond with sufficient security for the faithful performance of his duty as said Trustee which bond was on that date, approved of and filed by the Clerk of your Honorable Court.