

Order of Publication

Peter Beard

No 3230 Equity, ~

Edward Beard, John Gimmernan and others

In the Circuit Court for Frederick County in Equity, ~
July Term 1865. ~

The object of this suit is to procure a decree for partition of certain real estate situate and being in Frederick County State of Maryland of which a certain Abraham Beard late of Frederick County died, seized and possessed both in severalty and as tenant in common. The Bill states that a certain Abraham Beard of Frederick County State of Maryland, died on or about the 20th day of June in the year Eighteen Hundred and sixty five, seized and possessed in severalty and as tenant in common of certain valuable real Estate situate and being in the County and State aforesaid, viz^t part of a tract of land called "Castle Henry" containing ten acres of land ~ part of a tract of land called "The Runway" or "Black City" containing twelve acres and twenty two square perches of land, and part of a tract of land called "Lambeth" containing one acre and twenty one perches of land, more or less, seized in severalty, ~ also part or parts of tracts of land situate in the County and State aforesaid called "Deer Spring"; part of the Runway or part of Addition to Hazel Street, part of Limestone Rock, part of the Runway or Mount Pleasant, part of Jones Conclusion, and part or part of any other tract or tracts or known by any other name containing one hundred and twenty acres, three rods and thirty six perches of land, sold and conveyed to said Abraham Beard and Peter Beard as tenants in common, ~ also all that tract or parcel of land called "Meris Farm"; and part of a tract of land called "Fielders"; containing fifty six acres, one rod and fifteen and one quarter perches, sold and conveyed to said Abraham Beard, Peter Beard and Thomas S. Hecker as tenants in common, ~ all of which said lands are fully described in Exhibits No 1, 2, 3, 4, 5 and 6, filed in said cause. ~ The Bill further states that the said Abraham Beard died as aforesaid intestate unmarried and without lawful issue leaving his father and sisters and the children of a deceased brother and sister his heirs at law, viz^t Peter Beard a brother, Edward Beard, Margaret Gimmernan now wife of John Gimmernan, John A Beard, Joseph H. Beard, Peter A. S. Beard and James Guy Elder Beard, children and heirs at law of John Beard, a brother of said intestate, who died before his said brother ~ Sarah Ann Gimmernan, widow of Jefferson Gimmernan a sister of said intestate, Geo. Walter, Susan Poole, widow of Hanson Poole, William H. Hatter, Samuel Hatter, Peter Walter, Sarah Hatter and Mary Scrap, widow of John Scrap, children and heirs at law of Magdalene Hatter wife of William Walter a deceased sister of said intestate ~ Catherine Beard a sister of said intestate and Juliana Beard a sister of said intestate. ~ The Bill states that all the said parties mentioned in said bill of Complaint are of full age and reside in Frederick County, except the said Edward Beard, John A Beard, Peter A. S. Beard and James Guy Elder Beard who are now residents and do not reside in the State of Maryland. ~ The Bill further charges that said lands are susceptible of partition among the parties interested - but that said parties are unable to agree among themselves to a division of said real Estate because of the absence of some of the parties interested and the uncertainty in regard to the facts, whether said parties are living or dead, and if dead whether said parties died leaving descendants living. ~ The Bill then prays the Court to order a Commission to issue to view and value the same and make return to the Court, ~

It is thereupon this fourteenth day of July in the year Eighteen Hundred sixty five ordered that the Complainant by causing a copy of this order to be inserted in some newspaper published at Frederick once in each of four successive weeks prior to the 19th day of August 1865, give notice to the said absent defendants of the object and substance of this bill and warn them to appear in this Court in person or by solicitor on or before the 19th day

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