No. 6400. Equity.

said Zimmerman. the original of said first mentioned deed being filed herewith marked Exhibit J.M.Z. and a certified copy of said deed from John Holtz, being filed herewith marked Exhibit J.M.Z. both of which are prayed to be considered a part hereof as well as the copy of said will Exhibit "M.H."

Second - A mountain lot known as Lot No 12. being part of a tract of land called Rocky Ridge: Containing 27½ acres of land and being the same land acquired by the said John Holtz, deceased, in his life time, by deed from John Zimmerman, Lyna Hauck, et al, Executors of Nicholas Holtz deceased, dated December 1850, and duly recorded in Liber W.T. No 14 Folio 238, one of the land records of Frederick County, the original deed being filed herewith marked Exhibit J.Z. and prayed to be considered a part hereof.

2. That being so seized and possessed the said John Holtz departed this life on April 1. 1895. intestate and leaving surviving him no widow, nor child, nor descendant, nor brother, nor sister, but the following named nephews and nieces, children of his deceased brothers of the whole blood, to whom the lands have descended, as his heirs at law,-

1st Albert B. Holtz, one of your orators, an adult unmarried, and lives in Frederick County

2nd Harriet V. Holtz, one of your orators, an adult, unmarried, and lives in Frederick County,

3rd Ann R. Stull, another of your orators who is the wife of Frederick A. Stull both of whom are adults and reside in Frederick County,

These three heirs being the Children of Jacob Holtz a deceased brother of John Holtz, deceased.

4th Benedict M. M. Holtz, one of the respondents herein, who is married to Phebe A. Holtz, both of whom are adults and reside in Springfield Ohio.

5th Vallietta B. Woodward, another of the respondents, who is married to Charles B. Woodward, both of whom are adults and reside in Wilmington Delaware,

These two heirs, (numbered 4th and 5th) being Children of George Holtz, another deceased brother of said John Holtz deceased,

6th Cordelia Locks, one of your orators, whose husbands name is John Locks both of whom are adults and reside in Washington County, Maryland,

7th Mary Ann Ridenour, another of your orators, whose husbands name is Hiram Ridenour, both of whom are adults and reside in Washington County, Maryland,

8th Ann Rebecca Bates, one of the respondents herein, whose husbands name is John Bates, both of whom are adults and reside in Vincennes Indiana,

9th Samuel Holtz, another of the respondents herein unmarried so far as known, who is supposed to be living in Grand Rapids, Michigan, but who has not been heard from for twelve years.

These four heirs, (numbered 6th, 7th, 8th & 9th) being Children of Michael Holtz, a deceased brother of said John Holtz deceased. There are also living in Washington County Maryland several Children of Israel Holtz a deceased son of said Michael