

No. 7420 Equity.

The Object of this suit is to procure a decree for the sale of the land which Lemuel H. Poole late of Frederick County, Maryland, died seized and possessed and to distribute the proceeds of such sale after payment of the mortgage debt among his heirs at law.

The bill states in substance that a certain Lemuel H. Poole, died intestate on the 10th day of September 1901 seized and possessed of the following real estate in Frederick County, Maryland, to wit: Two lots or parcels of ground situate in the Village of Jumboldt, Frederick County, Maryland, as described in two deeds: - one from Joel H. Riggs and wife dated May 12th 1875 and one from John J. Williams and wife dated June 14th 1884 said deeds being recorded among the Land Records of said Frederick County, respectively in Liber T. G. No. 3 folio 366 and A. F. No. 9 folio 492 certified copies of which deeds are therewith filed as part thereof marked respectively Exhibits "A" and "B."

That the said Lemuel H. Poole left surviving him a brother, James H. Poole whose wife's name is Estelle Poole, and the following nephews and niece children of a deceased brother, John M. Poole, to whom said real estate descended: a niece Minnie Oden, whose husband's name is William H. Oden; a niece, Mattie Smith whose husband's name is George Smith; a Nephew Albinus Poole, whose wife's name is Virginia F. Poole.

That said Brother and his wife, as well as said nephews and nieces with their husbands and wives are all adult, over twenty one years of age, and all reside in said Frederick County, Maryland, except said Albinus Poole and wife who are non-residents of the State of Maryland, and reside in the state of West Virginia.

That on the 25th day of January 1887 said Lemuel H. Poole executed a mortgage upon said lots or parcels of ground to one Charles H. Keller for the sum of \$200. which said mortgage has been assigned to Annie May Keller, now, Annie May Hargoth, wife of Charles B. Hargoth, a certified copy whereof is also filed as an exhibit with said Bill.

That since the filing of said Bill a petition has been filed by the plaintiffs in said cause alleging that in addition to the persons mentioned in said bill as heirs-at-law of said Lemuel H. Poole there are certain other nephews and nieces, children of a deceased brother Washington James Poole who left the state of Maryland, many years ago and went South and died there leaving children whose names and residences are unknown to said petitioners and are non-residents of the State of Maryland they being heirs of the person who if living would be a proper party.

It is thereupon adjudged and ordered that the complainants by causing a copy of this order to be inserted in some newspaper published in said Frederick County, once a week for four successive weeks prior to the 25th day of November give notice to the non resident 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 16th day of December next, to answer the premises and show cause if any they have why a decree ought not to pass as prayed

Douglas H. Hargoth. Clerk.

Filed Oct. 28. 1901.

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