

No. 7541 Equity

Bill of Complaint,

answer the premises and abide by and perform such decrees as may be passed in the premises and that an order of Publication may be found against said non residents,

And as in duty bound &c.

J. Roger McSherry
Attorney for Complainant.

Filed Sept. 6, 1902,

Authority to file Bill,

To J. Roger McSherry,

You are hereby authorized to enter your appearance for me and file a Bill in the Circuit Court for Frederick County in Equity for the sale of certain lands in which I have an interest under the will of George Henke deceased.

Charles K. Smith,
Filed Sept. 6, 1902,

Catharine ^{nee} Hinke
~~Smith~~

Order of Publication

Order of Publication,

Catharine Hinke
George C. Smith et al

No. 7541 Equity
in the Circuit Court for Frederick County
sitting as a Court of Equity.

The Object of this suit is to procure the sale of certain real estate. The Bill states that one George Hinke devised certain property to Catharine Hinke and Sophia Hinke, jointly subject to certain conditions and limitation to wit that after the death of Sophia Hinke that her interest in the said real estate shall pass to the children of Charles Smith after the death of Catharine Hinke her interest in said Real Estate should pass to Frances Staley and Thomas Staley. That said Sophia Hinke died on the 6th day of June A.D. 1902 and that Geo. C. Smith, Harry C. Smith, William C. Smith, Charles F. Smith, Elizabeth A. Smith, adults and Mattie M. Smith an infant are the children of Charles Smith. That Frances Staley is now the wife of William Davis and her name is Francis Davis that Thomas Staley died about the year 1900 intestate without leaving any widow, but leaving the following children as his heirs at law, to wit Essie Staley who married David Harm and who are non residents of the State and reside at McKeesport, Penna, Lottie Staley, an adult, James Staley, John Staley, William Staley and Charles Staley infants non residents of the State and who reside at Martinsburg, W. Va. That the Real Estate is not susceptible of division without loss and injury to all parties especially to the infants. The Bill then prays for a decree for the sale of the Real Estate for general relief and for process.

It is thereupon this 23rd day of September A.D. 1902 ordered by the Circuit Court for Frederick County, sitting as a Court of Equity that the plaintiff, by causing a copy of this order to be inserted in some newspaper published in said County once a week for four successive weeks prior to the 25th day of October A.D. 1902 give notice to the said Absent and non residents defendants of the object and substance of the said Bill warning them and all of them

Exhibit