

No. 7218. Equity.

The object of these proceedings is to procure a decree for the sale of real estate situated in Frederick City Maryland and owned by Edward L. McSherry at the time of his decease. The bill states that Edward L. McSherry died intestate seized of real estate and leaving a widow, Alberta L. McSherry and the following children, Mary Klingbeff, the wife of Sewell Klingbeff; Eliza L. McSherry, Helen McSherry and Margaret McSherry, the three last named being infants under twenty one years of age. That the said real estate is encumbered by two mortgages which were assigned by the Franklin Savings Bank of Frederick to James McSherry, and by sundry subsequent judgments in favor of the defendants, after that the widow and heirs at law of the decedent. That the said widow and heirs at law except Mrs Klingbeff are not now residing within the State of Maryland, and that the said Frederick M. Johnson and Oliver Lund, partners trading as Johnson and Lund and the said National Trust Company, a body corporate of the State of Pennsylvania are now residents of the State of Maryland.

The relief sought is a decree for the sale of the real estate of which Edward L. McSherry died seized and secured so that the said mortgages may be paid together with the interest and that the surplus if any may be applied to the payment of the incumbrances and for general relief.

And the process prayed for is a subpoena against the resident defendants and an order of publication against the non-resident defendants, to wit, the said Alberta L. McSherry, Eliza L. McSherry, Helen McSherry, Margaret McSherry, Frederick M. Johnson and Oliver Lund, trading as Johnson and Lund and the National Trust Company, a body corporate of the State of Pennsylvania, warning them of the object and substance of the bill and warning them to be and appear in the Circuit Court for Frederick County, sitting as a Court of Equity on some certain day to answer the petition and abide by and perform such decree as may be found therein.

It is therefore this 7th day of July A. D. 1900, adjudged and ordered by the Circuit Court for Frederick County sitting as a Court of Equity that the plaintiff cause a copy of this order together with a statement of the object and substance of this Bill of Complaint, to be inserted in some newspaper published in Frederick County once a week for four successive weeks before the 18th day of August next giving notice to the