No. 8851. Equity.

Order of Publication.

Filed Nov. 18/912

The Amended bill in this Cause is filed to procure a decree for the sale of certain real estate in Frederick County, Maryland, of which David Specht, died seized and possessed, and for the distribution of the proceeds of said sale among the parties thereto entitled according to their respective rights.

The Amended bill states in substance.

1. That said David Specht, late of Frederick County, Maryland, deceased, died intestate seized and possessed of certain real estate situated in said Frederick County, leaving surviving him a widow Ann E. Specht and Jacob Specht his brother, the children of Catharine Wagner, a deceased sister, the children of Barbara Grimes, a deceased sister, as his heirs at law to whom said real estate descended, in fee simple, as tenants in common, part of which said real estate was sold and distributed, over the widow thereof assigned, in two tracts containing about 55 acres 3 roods 30 perches, and 20 acres of land, respectively, as appears from the final decree ratifying the Commissioners' return made in Cause No. 4014. Equity, of which decree Exhibit A. filed with said amended bill is a Copy.

2. That the Baltimore & Ohio Railroad Company, by inquisition proceedings condemned 6.08 acres of the larger of said two tracts, of which inquisition and the ratification thereof Exhibit B. filed with said amended bill is a Copy.

3. That said Ann E. Specht died on May 3rd, 1912, and that the aforesaid two tracts of land so assigned as aforesaid, are subject to the interest of the said Baltimore & Ohio Rail Road Company therein, now owned, seized and possessed by the Plaintiff and the defendants in this Cause in fee simple as tenants in common, as heirs at law of said David Specht, deceased, and their heirs, descendants, assignees and grantees, viz: the plaintiff J. Brown Myers who by deeds of which Exhibit C. and Exhibit D. filed with said amended are Copies, acquired the undivided interest of Lewis Specht a son and heir at law of said Jacob Specht who died intestate, and the defendants Jacob Specht Jr., widower, and David L. Specht and Ely Specht, his wife, residing in Howard County, sons and heirs at law of said Jacob Specht, deceased. Joseph