

death of the said Frederick A. Schuff.

The Court further finds that Frederick A. Schuff was the owner at the time of his death of the following described real estate, to-wit:

The North half of the Northeast Quarter (NE 1/4 NE 1/4), the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4), and Lots Two (2), Three (3) and Four (4), all in Section Twenty-five (25), in Township Fourteen (14), North, Range Thirty-three (33), West, in Lincoln County, Nebraska.

That the same was devised in the last will and testament "to the children of my brother, Henry A. Schuff, as tenants in common, share and share alike," upon the condition, however, that if there be any children born to the said Henry A. Schuff after the death of the said Frederick A. Schuff that said or children shall be let in to their proportionate share, and upon the condition that if any child or children shall die after the death of Frederick A. Schuff prior to having reached the age of twenty-one and leaving no issue, that the interest of said child shall pass to the other child or children of the said Henry A. Schuff.

The Court further finds that the only children of the said Henry A. Schuff at the time of the death of the said Frederick A. Schuff, or at any time preceding the same or to the present time, are Henry A. Schuff, Jr. and Theodore Schuff.

It is, therefore, ordered, adjudged and decreed by the Court that said real estate described in the third paragraph of the will be and the same is hereby set off unto the said Henry A. Schuff, Jr. and Theodore Schuff, as tenants in common, subject to the conditions set forth in the third paragraph of said last will and testament.

The Court further finds that the said Frederick A. Schuff was at the time of his death a single man; that he had never been married; that both his parents had preceded him in death, and that his sole and only heirs at law were and are Lester A. Schuff and Henry A. Schuff, his brothers, and that there are no issue of any