

No. 8749, Equity.

and the Defendants, Mary M. Maxwell and Anna May Maxwell, daughters, both infants under the age of Twenty one years.

3. That the said half interest in said real Estate owned by the said Francis A. Maxwell at the time of his death, descended to the said Children upon his death.

4. That on the first day of September in the year Nineteen hundred and two, the Defendants, Charles F. Bear and Edward H. Bear, partners trading under the name, style and firm of J. H. Bear & Sons obtained a judgment of Condemnation in your Honorable Court as a Court of law against the said Francis A. Maxwell's half interest in said real Estate for the sum of one thousand dollars with interest from the first day of August, in said year and costs, the same being No. 138 Middle, September Term, 1902 in said Court, and your orators file herewith as part hereof a duly Certified Copy of said Judgment of Condemnation.

Marked Exhibit D.

5. That all of the parties to this Cause, plaintiffs and defendants as well as the said Anna M. Maxwell, widow of the said Francis A. Maxwell reside in the City of York and State of Pennsylvania.

6. That the said half interest in said real Estate is not susceptible of partition and cannot be divided without loss and injury to the parties entitled to interests therein and that in order to make division of the said interests, it will be necessary that said half interest in said real Estate be sold and the proceeds thereof divided among the parties according to their several interests.

To the end therefore,

(1) That a decree may be passed for the sale of the said half interest in said real Estate.

(2) That the proceeds of said sale may be divided among the parties according to their several interests.

(3) That your orators may have such other and further relief as their Case may require.

May it please your Honors to grant your orators, the order the order of Publication giving Notice to the said Mary M. Maxwell and Anna May Maxwell both infants under the age of twenty one years, and