No. 8851 Equity.

Petition to file amended Bill making new parties Defendants and Order thereon.

Filed Nov-18-1912

To the Honorable the Judges of said Court:—

The petition of J. Bowers Myers, Plaintiff in the above entitled cause shows:—

1. That it is stated in the Bill of Complaint in this Cause filed, that John Zehring who it is rumored is dead, but which fact your Orator is unable to verify, whose residence is unknown, and who acquired the interest of Henry C. Wagner a son of Catharine Wagner, widow aforesaid, who died intestate, as will appear by duly Certified Copies of two deeds filed herewith as part hereof, marked Exhibits E. and F. respectively; Catharine B. Iyor, widow, a non resident, and who resides in the State of Ohio, and who acquired the interest of John Shade and Eliza C. Shade his wife, a daughter of the aforesaid Catharine Wagner, deceased, as will appear by a duly Certified Copy of a deed filed herewith as part hereof marked Exhibit G. J. B. Peffley and Company whose place of business, and address is unknown and who acquired the interest of Jacob Bechtel and Mary A. Bechtel, his wife, a daughter of the aforesaid Catharine Wagner, deceased, as will appear by a duly Certified Copy of a deed herewith filed as part hereof marked Exhibit H. Emma L. Iyor, a non resident, and who resides in the State of Ohio, who acquired the interest of Elizabeth A. Vandyne, widow, and a daughter of the aforesaid Catharine Wagner, deceased, as will appear by a duly Certified Copy of a deed filed herewith as part hereof marked Exhibit I. David C. Wagner whose wife's name is Elizabeth Wagner, Susan Gebhart whose husband's name is Isaac R. Gebhart, Hiram Wagner a non Compos Mentis, who it is rumored is dead, but which fact your Orator is unable to verify, the Children and Heirs At Law of the aforesaid Catharine Wagner, deceased, all of whom are non residents, and are supposed to reside in the State of Ohio, owners of an undivided one fourth, though

But your petitioner from information obtained since the filing of said bill has learned that the said David C. Wagner died intestate on January 12th, 1909 that his wife Elizabeth Wagner had died about the year 1904, leaving surviving him the said David C. Wagner as his sole heir at law, five children, viz: Clara A. Turner whose husband's name is J. H. Turner, Ellen