

was to revert unto the children of the said James B. Elder, late of Frederick County, deceased.

4. That your complainants John D. Elder, Hazel R. Halm, Joseph E. Elder, Mary B. Ott, Anna F. Lepore and Pauline E. Hardman, deceased, are the children of James B. Elder, deceased, and as such under the terms of the Last Will and Testament of the said James B. Elder, late of Frederick County, deceased, are the owners of the said real estate, and as descendants to whom as heirs at law the said tract or parcel of land descended.
5. That Pauline E. Hardman, deceased, at the time of her death left surviving her her husband, Vincent Hardman and the following children, Eleanor E. Downey, who intermarried with James Downey, Sarah Hardman, infant, Margaret Hardman, Infant and Pauline Hardman, infant, the defendants in this cause, all of whom reside in the City of Pittsburg, Sate of Pennsylvania.
6. That your orator John D. Elder intermarried with Genevieve R. Elder, both of whom are adults, of full age, and reside in Emmitsburg, Maryland.
7. That your oratrix, Hazel R. Halm, is a widow, an adult of full age, residing in Emmitsburg, Maryland.
8. That your orator Joseph E. Elder, is unmarried, an adult of full age, resid- in Emmitsburg, Maryland.
9. That your oratrix Mary B. Ott, intermarried with Bernard J. Ott, both of whom are adults of full age, residing in Emmitsburg, Maryland.
10. That your oratrix Anna F. Lepore, intermarried with Alfred Lepore, both of whom are adults of full age, residing in Laurel, Maryland.
11. That the real estate herein mentioned and described is not occupied, nor is it producing any income or revenue.
12. That the said real estate is not susceptible of division or partition among the parties in interest without great loss and injury, and, that it is to the best interest to all of the said parties in interest and to the advantage of each of the said parties that the real estate be sold.

Wherefore it is prayed:

That this Honorable Court appoint some suitable person for the sale of the said real estate herein mentioned and described, and, for the purpose of conveying the interests of the parties to this cause to a purchaser or purchasers of said real estate, upon payment of the purchase price.

2. That the said purchase money may be received and held by such person as Your Honors may designate, subject to the further orders of this Honorable Court, and that the same be distributed, under the direction of this Honorable Court, to the persons and in the manner Your Honors may designate, and in accordance with the rights of the parties.

And for such other and further relief as the nature and equity of their case may require.

May it please Your Honors to grant unto your orators the order of Publication, giving notice to the said Eleanor E. Downey, James Downey, Vincent Hardman, Margaret Hardman, Infant, Sarah Hardman, Infant, and Pauline Hardman, Infant, all of the State of Pennsylvania, non residents of this State of the object and substance of this bill and warning them to appear in this Court, in person or by solicitor on or before a certain day to be named therein, to show cause if any they have, why a decree ought not to be passed as prayed.

As in duty bound, etc.

F. J. Campbell
Solicitor for Complainants.

Filed October 18, 1938.