

No 4501 Equity

Edward C. Cartzendafner }
vs }
Joseph Cartzendafner }

In the Circuit Court for Frederick
County in Equity

To the Honorable the Judges of the Circuit Court

Objections
In
Ratification
of
Sale

for Frederick County as a Court of Equity.

Thurston Poole, respectfully, represents to your Honorable Court that he is a large creditor of the firm composed of Edward C. Cartzendafner and Joseph Cartzendafner and as such shews as cause why the sales reported by the Receivers in this cause should not be ratified

1st That said sales were not fairly made

2nd. That the property was sold at a grossly inadequate price

3d And for errors & defects apparent upon the face of the proceedings

William P. Maulsby Jr

C. V. S. Levy

Solicitors for the Objector

It is agreed that Thurston Poole is a creditor to the firm of J. E. Cartzendafner & Brother, though to what extent is not admitted beyond the amount of fifty one dollars - and that said firm was at the time of filing of Bill in cause was insolvent

Charles W. Ross

Sol for Complainants

C. V. S. Levy

Wm P. Maulsby Jr

Att'y for objector.

Thurston Poole

Filed Augt 30, 1879

Answers
of
Receivers
to
Objections

The answers of Thomas Claxett and Elias Zimmerman Receivers of the firm of J. E. Cartzendafner & Bro to the exceptions of Thurston Poole to the ratification of sale made by said receivers and filed in No 4501 Equity in the Circuit Court for Frederick County sitting as a Court of Equity.

These respondents for answer to said exceptions answer and say

1st That said sales were fairly made

2nd That the price received by said receivers was the best possible price that could possibly be obtained at said sales. That the said Mill Properties reported sold, were offered at public Auction as required by the order of the said Court. That said exceptant was present at said sale and participated therein.

And said respondents, pray your Honors to pass an order, setting down the exceptions filed in said Cause for hearing - at some early day to be fixed in said order, that said order be referred to Wm B. Nelson and John E. R. Wood Esqs Standing Commissioners, to take testimony in said Cause, and that said commission be returned with the testimony taken thereunder to said Court before some certain day to be therein named, prior to the day set for hearing

W. J. Ross

Chas W. Ross } Sol for respondent