

No. 11803 Equity.

The answer of Benj. P. Crompton to the Bill of Complaint of Charles F. Wenner by Lavinia Wenner his mother and next friend, filed in the Circuit Court for Frederick County in Equity against himself and others.

Answer of Benj. P. Crompton.

This Respondent for answer to said Bill of Complaint, answers and says that he has no interest in the subject matter in said Bill contained. He admits however that he has made a verbal agreement with the defendant John L. Jordan Sr. to purchase his interest in said firm, but has paid no money thereon, nor has he entered into any Article of Agreement in writing to that effect, and having no interest in said suit prays hence to be dismissed with his reasonable costs in this behalf most wrongfully sustained.

Filed June 28, 1882

Charles W. Roff  
Sol. for Respondent.

To the Honorable the Judges of the Circuit Court for Frederick County sitting as a Court of Equity.

Petition of Lavinia Wenner, mother and next friend of Charles F. Wenner who is complainant in a suit in Equity, being 11803 Equity, in the Equitable Block of your Honorable Court, shews to your Honors, that your Petitioner filed a Bill of Complaint in this Cause, for the purpose of obtaining a decree for the sale of certain Real Estate situate in Frederick County, State of Maryland, which a certain Charles F. Wenner in his life time was seized and possessed as tenant in Common with a certain John L. Jordan Sr. and John L. Jordan Jr. and which upon his death intestate, his interest therein descended to your Petitioner Charles F. Wenner and his brother Jerry Bruce Wenner, as tenants in Common with the said Jordans - subject to the Survivorship of his mother, now the widow of said Charles F. Wenner, the said Lavinia Wenner.

Petition of L. W. Wenner by his next friend Lavinia Wenner for an Order of sale

Your Petitioner further states, that from the very nature of the suit now pending, a sale of the said property must be made, as the only measure of relief as prayed for in said Bill, that all the parties in interest have been duly summoned and have answered the said Bill of Complaint, admitting the facts, and agreeing to a sale, except your Petitioner Charles F. Wenner & his said Brothers who are infants under the age of twenty one years, and who are in Law incapable of making answer in said proceedings.

That the property for which a decree is prayed for in said proceedings, consists of a Mill, Warehouses & other buildings on Lots of Land situate on the Chesapeake & Ohio Canal, at Berlin in Frederick County, and have for a number of years been used in the prosecution of the Partnership business of the firm of Jordan Wenner & Co., of which said firm your Petitioner, intestate was a member & which said firm has been dissolved by his death that it is highly important to the interests of your Petitioner & the others interested in said property that a sale of the same should be had as soon as possible - And as a sale of said property would be decreed at a final hearing of said Cause. Your Petitioner prays your Honors to pass an order directing a sale of said property, and the appointing of suitable persons Trustees to make said sales and to order that the money arising from such sales be deposited or invested to be disposed of as the Court shall direct by its final Decree, & as in duty he.

Filed June 28, 1882

Wm. P. Maulsby Jr.  
Sol. for Petitioner

Court Order of sale

Consent of Charles F. Wenner and J. L. Jordan to pass up