

No. 5886 Equity

a Mortgage was Executed by Leonard R. Waesche to the Complainant for the sum of five thousand Dollars as expressed in the said Mortgage, but it was not so executed in pursuance of any agreement between them as to said respondent assuming all the property of the firm, or in consequence of any indebtedness being recognized as existing on the part of the respondent to the Complainant, but in compliance with the request and suggestion of the Complainant in order to protect the partnership property, and that in fact no such indebtedness existed, and after the execution of said Mortgage the complainant continued to control, rent, sell and dispose of said partnership property as when in active management thereof.

7 That as the 8th and 9th paragraphs contain mere conclusions of law these respondents are not called on to answer.

8 That they deny the facts and conclusions set forth in the 10th paragraph. Having answered fully and particularly the various allegations of said Bill, your respondents pray to be there discharged with their proper costs, and they pray that said Bill may be dismissed.

And as in ability Leonard R. Waesche & Co

Edward P. Schellenger for respondents.

Filed April 2, 1892.

General Replication

General Replication

James J. Waesche

Leonard R. Waesche et al.

No. 5886 Equity In the Circuit Court for Frederick County in Equity.

John L. Jordan Esq. Clerk of the Circuit Court for Frederick County.

Enter the General replication to the Answer filed in the above cause.

Filed April 16, 1892.

John B. Wotten Sol for Pl.

Defendant to proceed with testimony &c

Petition & Court Order Defendant to proceed with testimony &c

James J. Waesche

Leonard R. Waesche and Mollie Waesche his wife.

No. 5886 Equity In the Circuit Court for Frederick County in Equity.

To the Honorable the Judges of the Circuit Court for Frederick County in Equity.

The petition of James J. Waesche, the plaintiff in the above case respectfully represents that on the 15th day of April 1892 the plaintiff filed his petition in your Honorable Court asking that the papers be referred to the Examiners of your Honorable Court to take such testimony as the parties to said case might produce in behalf of their respective interests and on said date your