No. 6075 - Equity.

Sixth, That the said Jonathan A. Wenner, the purchaser of said lot died many years ago leaving a widow named Mary E. Wenner, who is now a resident of Washington District of Columbia, and the following children surviving:- Mary Ellen Hacock, wife of Frank E. Hacock, Charlotte Shafer Joseph Nathan Wenner, Annie Elizabeth Wenner, Georgia Gay Wenner, Dania Floya Pitts Wenner and Emma Lavinia Wenner, all of whom reside in the City of Washington in the District of Columbia, except Mary Ellen Hacock and Frank E. Hacock, who reside in Woodstock, Howard County Maryland, and all of whom are infants under the age of Twenty one years except Mary Ellen Hacock and Charlotte Shafer Wenner, and to whom the said lands or the equitable interest of the said Jonathan A. Wenner therein, if any, descended as his heirs at law, subject to the dower interest of their said mother.

Seventh, And your Orator further charges that your Orator is advised that by reason of said sale of said lot being made to the said Jonathan A. Wenner as herein stated and ratified to him as such purchaser by the Orphans Court of Frederick County, and by the payment of the purchase money by him, if the said Jonathan A. Wenner did so pay the purchase money, (of which payment your Orator has no knowledge) the title to said lot vested in the said Jonathan A. Wenner and upon his death intestate descended as aforesaid to his heirs at law, and that said executors had not the legal right to convey the said lot to any person other than the said Jonathan A. Wenner without such person being first substituted as such purchaser by the Orphans Court, or in case of default obtaining an order from the Orphans Court for a resale of the same and that it nowhere appears that any proceedings were had in this behalf in said Orphans Court.

Eighth, And your orator further charges that your Orator paid a fair and valuable consideration for said lot and believes that he has obtained a good and sufficient title for the same by the conveyance of the deed aforesaid to him, but he is advised that owing to the defect aforesaid, there is a cloud upon his title and that he is remediless in the premises except by the aid and interposition of your Honorable Court.

Ninth, And your Orator states that he is informed and so charges that William W. Wenner one of said Executors and the widow and some of the children of the said Jonathan A. Wenner as before stated are now residents of the State of Maryland and do not reside therein.

And your orator prays for the following relief:

First, that the defendants hereinafter named may answer the various matters and things herein charged and stated the same as if they were herein again repeated and they were thereunto specially interrogated, and

Second, that the defendants may be personally enjoined and restrained from ever setting up any right, title or claim to said lot of ground mentioned in these proceedings and may by order and decree of your Honorable Court be required to convey a good and legal title to said lot of ground to your orator or in case it shall appear to your Honorable Court that