

wick, Thomas Brothers Company and Farmers Supply Company.

The object of this suit is to procure a decree for the sale of certain real estate located in Brunswick, in Frederick County, Maryland, in which the parties to this suit are interested.

The Bill states that Americus A. Wenner, late of Loudon County, Virginia, deceased, was, at the time of his death seized and possessed of an undivided one-third interest in and to certain real estate located in and near Brunswick, in said Frederick County, Maryland, being all those lots of land which were devised to said Americus A. Wenner, Susan W. Wenner and Virginia R. Wenner, in remainder, after a life estate in William W. Wenner, now deceased, in the last will of Susan A. Wenner, duly filed, probated and recorded in the Office of the Register of Wills for said Frederick County, in Liber C.E.S. No. 1, at folio 176, one of the record books in said office, and a certified copy of said will is filed herewith and marked "Exhibit A".

That being so seized and possessed of said real estate, the said Americus A. Wenner, departed this life, intestate, in the year 1926, and left surviving him, as his only heirs at law, the following children: - H. Hampton Wenner, Mary Lanham, Katherine W. Stevens, Otho C. Wenner and Charles W. Wenner.

That said Susan W. Wenner and Virginia R. Wenner, both late of Loudon County, Virginia, deceased, and while so seized and possessed of an undivided two-thirds interest in said real estate, departed this life on March 18, 1936 and May 10, 1936, respectively, leaving a last joint will and testament, in which they devised all of their interest in said real estate unto William Ashton Wenner, who died, intestate, leaving a widow, Nellie Wenner, and two children, Florence Wenner and Gordon Wenner, as his only heirs at law, H. Hampton Wenner, Charles William Wenner, William Waltman Wenner, George Washington Wenner, Susan Winifred Wenner, and Mary L. Lanham, as appears from a certified copy of said wills filed herewith and marked "Exhibit B".

That said H. Hampton Wenner and Mary L. Lanham were named as executors in said last wills and testaments of said Susan W. Wenner and Virginia R. Wenner, but as yet they have not qualified as such on this County and have taken no steps whatever to settle said estate although requested to do so. That said real estate is owned by the parties to this suit as tenants in common, and that said real estate can not be divided amongst the parties entitled to interests therein without material loss and injury to the parties interested.

That the interest of certain defendants are incumbered by liens in favor of the Peoples National Bank in Brunswick, Thomas Brothers Company and the Farmers Supply Company.

That defendants are all adults and that H. Hampton Wenner Catherine E. Wenner, George W. Wenner and Louise Wenner are residents of Frederick County, Maryland, and that Mary Lanham and Raymond Lanham are residents of Loudon County, Virginia, that Nellie Wenner, Florence Wenner, Gordon B. Wenner are residents of the City of Washington, that Susan Winifred Wenner, William Waltman Wenner, _____ Wenner, Charles W. Wenner, and Mattie Wenner are residents of Cadiz, Ohio, and that Ohio C. Wenner is a resident of Sutus, in the State of Washington, and excepting the four names first mentioned in this paragraph, are non-residents of the State of Maryland.

The Bill then prays for a decree for the sale of said real estate, the appointment of trustees to make such sale and for general relief, as well as for process and an order of publication.

It is thereupon, this 29th day of July, 1941, ordered by the Circuit Court for Frederick County, sitting in Equity, and by the authority thereof, that the complainants, by causing a copy of this order to be inserted in some newspaper published in said Frederick County, once in each of four successive weeks, before the 28th day of August, 1941, give notice to the said