

SIXTH: That after said diligent search of the aforesaid Land Records by your Respondents Solicitors, these Respondents believe and so allege that the following lots and parcels of land are a part of said estates:

I. IN THE SECOND ADDITION AND POTOMAC HEIGHTS:

Lots 9 through 16, inclusive; Lots 30 through 34, inclusive; Lots 53 through 66, inclusive; Lot 75, Lots 78 through 122, inclusive.

II. IN THE FIRST ADDITION AND ROSEMONT:

Lots Nos. 6 and 67; Lots Nos. 105 through 108, inclusive; Lots Nos. 112 through 181, inclusive.

III. All that lot or parcel of land lying along the Petersville Rd. near the town of Brunswick, Maryland and being more particularly described as follows: being all that land lying west of the Petersville Road and North of the SECOND ADDITION and POTOMAC HEIGHTS of which Susan A. Wenner died seized and possessed and which passed under the residuary clause of her will to the said Americus A. Wenner, Susan W. Wenner and Virginia R. Wenner.

SEVENTH: That in answering the Fifth paragraph of the said Bill of Complaint your Respondents respectfully represent unto your Honors that the following is a list of the owners of the property in the estate of the said Americus A. Wenner, Susan W. Wenner and Virginia R. Wenner, deceased, together with the shares to which each of the listed owners is entitled according to the advice received by your Respondent from his solicitors:

- 1. Katherine W. Stevens and Charles Stevens, her husband - 21/315 share. (1)
- 2. Otho Clinton Wenner ----- 21/315 share. (1)
- 3. Nellie Wenner----- 10/315 share. (2)
- 4. Gordon B. Wenner----- 10/315 share. (2)
- 5. Florence Wenner----- 10/315 share. (2)
- 6. William Waltman Wenner and Hazel Wenner, his wife,----- 30/315 share. (3)
- 7. George Washington Wenner and Louise Wenner, his wife,-- 30/315 share. (3)
- 8. Susan Winifred Wenner----- 30/315 share. (3)
- 9. Charles W, Wenner and Mattie Wenner, his wife,----- 51/315 share. (4)
- 10. Mary L. Lanham and Raymond Lanham, her husband----- 51/315 share. (4)
- 11. Henry Hampton Wenner and Catherine E. Wenner, his wife, 51/315 share. (4)

NOTES TO SHARES:

- (1) a 1/5 share in the 1/3 share of Americus A. Wenner.
- (2) a 1/3 share in 1/7th share of William A. Wenner in the 1/3 share of Susan W. Wenner and the 1/3 share of Virginia R. Wenner.
- (3) a 1/7 share in the 1/3 share of Susan W. Wenner and the 1/3 share of Susan W. Wenner and the 1/3 share of Virginia R. Wenner.
- (4) a 1/7 share in the 1/3 share of Susan W. Wenner and the 1/3 share of Americus A. Wenner.

EIGHTH: That in Answering the Sixth Paragraph of the said Bill of Complaint, these Respondents admit that the said real estate is not susceptible of division among the parties entitled thereto without loss and injury, and it would be to the best interest and advantage of all parties concerned that the said property be sold and the proceeds arising therefrom divided among the parties entitled thereto under the direction of your Honorable Court.

And further answering, your Respondents hereby consent that a decree may be passed for the sale of the said real estate, hereby reserving all of their rights and their interests in and to the proceeds of said sale.

Respectfully submitted,

Parsons Newman

Edward D. Storm

Solicitors for Respondents

Filed Sept.3, 1942.

TESTIMONY AND OUR EXHIBIT

Katherine W. Stevens et al.

"

No. 14390 Equity

vs.

"

In the Circuit Court

H. Hampton Wenner et al.

"

for Frederick County,
Maryland.

TO THE HONORABLE JUDGES OF SAID COURT:

Pursuant to the Decree Pro Confesso and the Order of your Honorable Court passed in the