

CAUSE NUMBER 3275

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the fifth day of June in the year nineteen hundred and forty one, the following Order of Docket Suit was brought to be recorded, to wit:

In the Circuit Court for Queen Anne's County, in Equity.

Madison Brown, attorney, plaintiff, )
versus ) Cause No.
Carrie A. Skinner, .....defendant )
Mortgagor, )

To A. S. Gadd jr., Clerk:

Docket suit forwith on your Chancery Docket in accordance with the above titling. File in the papers of the suit a certified copy of the mortgage and all assignments thereof from Carrie A. Skinner to J. Thomas Oxenham, which mortgage bears date July 20, 1935 and is recorded in Liber W. H. C. No. 1-A, a land record in your office on folio 447.

Please approve the bond accompanying this order given by Madison Brown as principal and The American Surety Company of New York as surety to the State of Maryland dated May 24th., 1941, in the penal sum of one thousand dollars and file in the papers of the suit a certified copy of the bond.

This suit is for fore-closure of said mortgage under the power of sale contained in the mortgage.

Enter my appearance as attorney for the plaintiff.

Madison Brown

Madison Brown,

Attorney for above named plaintiff.

Filed June 5th 1941.

CERTIFIED COPY OF MORTGAGE AND ASSIGNMENT.
Filed June 5th 1941.

#17,190

QUEEN ANNE'S COUNTY, TO WIT:

Be it remembered that on the twenty fourth day of July in the year Nineteen Hundred and thirty five, the following Mortgage was brought to be recorded, to wit:

THIS MORTGAGE, Made this 20th day of July in the year Nineteen Hundred thirty five by and between Carrie A. Skinner, Widow Mortgagor of Queen Anne's County, in the State of Maryland, of the first part, and J. Thomas Oxenham, of Talbot County, Maryland, Mortgagee, of the second part, Whereas, the said Carrie A. Skinner, Widow, has borrowed from J. Thomas Oxenham, the full sum of Three Hundred and fifty dollars, to be repaid, with interest semiannually, at six per annum, at the expiration of Two years from the date of these presents, to secure the payment of which sum, with interest, as aforesaid, these presents are executed.

NOW THIS MORTGAGE WITNESSETH, that in consideration of the premises and of the sum of One dollars, the said Mortgagor, Carrie A. Skinner, Widow, her heirs and assigns, does grant and convey unto the said Mortgagee, J. Thomas Oxenham, his heirs and assigns in fee simple, all that lot or parcel of ground situate and lying in or near town of Church Hill, in Second Election District of Queen Anne's County, and bounded on the west by the State Road leading from Centreville to Chestertown on the north of the property of Emma R. Meredith; on the east by the property formerly owned by by Massey, or Mary R, McGrogan, and on the South by the Cemetery Lane, leading from the said State Road to the Church Hill Cemetery Lane, leading from the said State road to the Church Hill Cemetery, and the lot of Teat, having been conveyed to the said Carrie A. Skinner in four Separate Lots and by three separate Deeds, which are more particularly described as follows:

LOT NO. 1. Know as the Cemetery or David Hurlock lot, facing the said State Road, and beginning for the same at the north west corner of lot owned or formerly owned by Emma R. Meredith and running thence with said Meredith lot, in an easterly direction 235 feet, more or less, to the Mary McGrogan property, Thence in a southerly direction with the McGrogan property 81 1/2 feet more or less, to the property of Carrie A. Skinner, Thence in a Westerly direction and with the property of Carrie A. Skinner 227 feet, more or less to the aforesaid State Road, Thence in a northerly direction with the Easterly side of the said State Road to the Emma R. Meredith lot on place of beginning. Being the quantity of land therein what it may. Being same lot or parcel of ground conveyed from David T. Hurlock and C. R. Hurlock, his wife, to Samuel C. Skinner, and Carrie A. Skinner, his wife, as tenants, by the entireties, (the said Samuel C. Skinner having deceased), by deed dated March 19, 1924, and duly recorded in Liber B. H. T. No.1, folio 434, one of the land records for Queen Anne's County, as by reference thereto will more fully appear, Lot No. 2, All that lot or parcel of ground improved by a dwelling and out buildings, facing the said State Road and immediately South of Lot No.1, and described as follows: Beginning for the same at the north west corner of Lot No.1, at the State road, and running thence in an easterly direction with the Southerly line of lot No.1, 227 feet, more or less to the Massey or McGrogan lot, thence in an southerly direction with the McGrogan lot to the lot hereinafter described as Lot No.3, Thence with the northerly line of Lot No.3, in a Westerly direction to the said State Road, Thence in a Northerly direction with the Eastern side of the said State

Road, to Lot No.1, or place of beginning, and Known as the Katie Riggin lot.

Be the quantity of land therein, what it may.

Being the same property conveyed by Katie Riggin to James E. Johnson, by Deed dated June 24, 1921, and recorded in Liber J. F. R. No 7, folio 157, one of the land record books for Queen Anne's County, Lot No. 3, Beginning for the same at the northwest corner of Lot No. 2, at the said State Road, and running thence in a easterly direction with the southerly line of Lot No.2, to the Massey or McGrogan lot, Thence in a southerly direction with the McGrogan lot to the hereinafter described as Lot No.4, Thence with the northerly line of Lot No.4, and the Test Lot, in a Westerly direction to the said State Road, Thence in a northerly direction with the easterly side of the said State Road, to Lot No,2, or place of beginning, Known as the Wood land P. Finley or James E. Johnson lot, Containing the quantity of land therein what it may. Being the same land conveyed unto the said James E. Johnson by the man of James E. Thompson by Woodland P. Finley, and Katherine Q. Finnely his wife by deed dated August 4, 1922, and recorded in Liber J. F. R. No. 9, folio 307. The said J. E. Thompson, by deed dated June 24, 1921, and recorded in Liber J. F. R. No. 7, folio 157 one of the land record books for Queen Anne's County. Lot no 3, Beginning for the same at the north west corner of Lot No. 2 at the said State Road and running thence in a easterly direction with the southerly line of Lot No. 2, to the Massey or McGrogan Lot. Thence in a Southerly direction with the McGrogan lot to the lot hereinafter described as Lot No. 4, Thence with the northerly line of lot No. 4 and the Test lot in a Westerly direction to the said State Road. Thence in a northerly direction with the easterly side of the said State Road to Lot No. 2 or place of beginning Know as the Woodland P. Finley or James E. Johnson Lot. Containing the quantity of land therein what it may.

BEING the same land conveyed unto the said James E. Johnson by the name of James E. Thompson by Woodland P. Finley and Katherine Q. Finnely, his wife, by deed dated August 4th 1922, and recorded in J. F. R. No. 9, folio 307, The said J. E. Thompson named as Grantee in the Deed last referred to being the same person making this Deed by the name of James E. Thompson, The last two lots No. 2, and 3, being the same properties described in a deed from James E. Johnson and Sue Johnson, his wife, to Samuel C. Skinner, and Carrie A. Skinner, his wife, as tenants by the entireties, dated March 26, 1924, and duly of record in Liber B. H. T. No.1, folio 435, one of the Land Record books for Queen Anne's County, as by reference thereto will more fully appear. Lot No. 4 All that lot directly south, of Lot No.4 and facing on the north side of the Lot called Creamery Lane and branch from the Cantreville- Church Hill State Road, at the office of E. S. Valliant & Sons, and running to the Church Cemetery, Bounding on the West by the property of said Test, On the north by Lot No. 3 aforesaid, On the east by the Mary Magrogan lot, and on the south by the said Creamery Lane, and more particularly described as follows: Beginning for the same at a point on the north side of said Creamery Lane, at the south east corner of the Test Lot and running thence North 33 degrees east 4.6 rods to Lot No. 3, Thence South 58½ degrees last lot No. 3, 7.2 rods to the land of Samuel McGrogan, Thence with the said McGrogan land South 42 degrees 30 minutes west 4½ rods to the said Creamery Land. Thence North 56 degrees 45 minutes west 6.55 rods to the place of beginning.

Containing 31.28 sq. rods of land, more or less according to the survey of S. Chester Coursey, December 9, 1921, and Known as The Valliant or Stable Lot. Being the same property conveyed to the said Carrie A. Skinner by Edwin Stephens Valliant and Geneveine Hall Valliant, his wife, by Deed dated March 2, 1928 and duly recorded in Liber B. H. T. No. 7m folio 513, as by reference thereto will more fully and at large appear. To Have and to hold the aforesaid parcel of ground and premises unto and to the proper use and benefit of the said mortgagee, J. Thomas Oxenham, his heirs, and assigns, forever, in fee simple.

Provided that if the said Mortgagor, Carrie A. Skinner her heirs, personal representatives or assigns, shall well and truly pay on cause to be paid the aforesaid sum of Three Hundred fifty (\$350.00) Dollars and all interest thereon accrued, when and as the same may be due and payable and shall perform all the covenants herein on their part to be performed, then this mortgage shall be void. And it is agreed that, until default be made in the premises the Mortgagor, Carrie A. Skinner, her heirs and assigns, shall possess the aforesaid property property upon paying in the meantime, all taxes and assessments, public dues and charges of every kind levied or assessed, or to be levied or assessed on said hereby mortgaged property, which taxes assessments, public dues, charges, mortgage debt and interest the said mortgagor for herself, her heirs, personal representatives and assigns, does hereby covenant to pay when legally demandable.

But if default be made in payment of said money or the interest thereon to accrue, or in any part of either of them, at the time limited for the payment of the same, or in any agreement, covenant or condition of this mortgage, then the entire mortgage, then the entire mortgage debt shall be deemed due and demandable, and it shall be lawful for the said Mortgagee, J. Thomas Oxenham, his personal representatives or assigns, or J. Fletcher Clark, their Attorney or Agent, at a ytime after such default to sell the mortgaged property hereby mortgaged or such much thereof as may be necessary, to satisfy and pay said debt, interest and all costs incurred in making such sale, and to grant and convey the said property to the purchaser or purchasers thereof his, her or their heirs or assigns, and which sale shall be made in the manner following, Viz: upon giving twenty days notice of the time, place, manner, and terms of sale in some newspaper printed in Talbot County, and such other notice as by the said Mortgagee, his personal representatives or assigns, may be deemed expedient, and in the event of a sale of said property under the powers her granted, the proceeds arising from such sale, to apply: First, to the payment of all expenses incident to such sale, including a fee of Twenty five dollars and a commission to the party making sale of said property equal to the commission allowed trustees for making sale of property by virtue of a Decree of a Court having equity jurisdiction in the State of Maryland, secondly to the payment of all claims of the said mortgagee, his personal representatives and assigns under this Mortgage, whether the same shall be paid to the said Mortgagor, her personal representatives or assigns,

or to whoever may be entitled to the same. And the said Mortgagor for herself, her heirs, personal representatives and assigns, do hereby covenant and agree that immediately upon the first insertion of advertisement or notice of sale as aforesaid under the powers hereby granted, there shall be and become due by them to the party inserting said advertisement or notice all expenses incident to said advertisement or notice, all Court costs and all expenses incident to the foreclosure proceedings under this mortgage and a commission on the total amount of the mortgage indebtedness, principal and interest, equal to one half the percentage allowed as commission's to trustees making sale under orders or decrees of the Circuit Court for Talbot County, in Equity, which said expenses costs and commissions the said Mortgagor for herself, her heirs, personal representatives and assigns, does hereby covenant to pay, and the said Mortgagee, his personal representatives and assigns, or J. Fletcher Clark their said Attorney, shall not be required to receive the principal and interest only, of said Mortgaged debt in satisfaction thereof, unless the same be accompanied by a tender of the said expenses costs and commission, but said sale may be proceeded with unless, prior to the day appointed therefor, legal tender be made of said principal, costs, expenses and commission. And the said Mortgagor Carrie A. Skinner for herself, her personal representatives and assigns, does further covenant to insure, and pending the existence of this Mortgage to keep insured in some good Company satisfaction to the said Mortgage, his personal representatives and assigns, the improvements on the hereby mortgaged land to the amount of at least Eleven Hundred (\$1100.00) and to cause the policy to be affected thereon, to be so framed or endorsed, as in case of fire, to insure to the benefit of the said Mortgagee, his personal representatives and assigns to the extent of their lien or claim hereunder and to deliver said policy or policies to the said Mortgagee, his personal representatives and assigns.

Witness the hand and seal of the said Mortgagor.

Teste Alice H. James

Carrie A. Skinner (SEAL)  
Widow

STATE OF MARYLAND, TALBOT COUNTY, TO WIT:

I hereby certify that on this 23rd day of July in the year nineteen hundred and thirty five before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Carrie A. Skinner, widow the Mortgagor named in the foregoing Mortgage, and she acknowledged the foregoing Mortgage to be her act. At the same time also appeared J. Fletcher Clark, agent of the Mortgagee, and made oath in due form of law that the consideration set forth in said mortgage is true and bona fide as therein set forth. And that he is the duly authorized to make this affidavit.

Notary Public  
Seal.

Alice H. James Notary Public

Queen Anne's County, to wit: Be it remembered that on the tenth day of September, in the year Nineteen Hundred and thirty eight the following assignment was filed for record, to wit:

For value received, I hereby assign the within mortgage to Wallace E. Clark and Martha T. Clark, his wife without recourse to the amount due thereon being \$350.00 with interest from July 24, 1938.

Witness my hand and seal this 25th day of August 1938.

Witness: Helen J. Oblrick

J. Thomas Oxenham (SEAL)

Queen Anne's County, to wit: Be it remembered that on the Twenty fourth day of May, in the year Nineteen Hundred and forty one, the following Assignment was brought to be recorded, to wit:

For Value received, the within Mortgage is assigned to Madison Brown, Attorney, for foreclosure.

Witness my hands and seals this 15th day of May 1941.

Witness:

WALLACE E. CLARK (SEAL)  
Wallace E. Clark

MARTHA J. CLARK (SEAL)  
Mattha J. Clark

State of Maryland, Queen Anne's County, to wit:

I hereby Certify that the foregoing is truly taken and copied from Liber W. H. C. NO. 1. folio 447 &c. A Land Record Book for Queen Anne's County,

Seals  
Place

In Testimony Whereof, I Hereunto subscribe my name and affix the seal of the Circuit Court for Queen Anne's County this 5th day of June, A. D., 1941.

A. Sydney Gadd Jr.  
Clerk.

.....  
CERTIFIED COPY OF BOND  
FILED JUNE 5th 1941.

QUEEN ANNE'S CONNTY, TO WIT: Be it remembered that on the fifth day of June, in the year Nineteen Hundred and forty one, the following Bond was filed for record, to wit:

State of Maryland, Queen Anne's County, to wit:

Know all men by these Presents, that we, Madison Brown, of Queen Anne's County, in the State of Maryland, and the American Surety Company of New York, a Corporation created by and existing under the Laws of the State of New York with due authority in law to become the sole surety on the bonds of trustees are held and firmly bound unto the State of Maryland in the full sum of one thousand dollars, lawful money of the United States of America to be paid to the said State of Maryland or unto its certain Attorney to which payment well and truly to be made and done, we bind ourselves and every of us our and every of our heirs, executors, administrators successors, and assigns, jointly and severally firmly by these presents, SEaled with our Seals, and dated this Nineteenth day of May in the year Nineteen hundred and forty one, Whereas, by a mortgage bearing date the twentieth day of June 1935 and duly recorded among the land record Books of Queen Anne's County, in Liber W. H. C. No. 1A on folio 447 made to secure the payment of the sum of three hundred and fifty dollars named therein with certain interest thereon one Carrie A. Skinner conveyed certain property in said mortgage described unto J. Thomas Oxenham. Whereas said mortgage certain a power of sale of said property to be exercised by the same mortgagee, or by his assignee in case the said Carrie A. Skinner should commit default in the terms, and conditions of said Mortgage, Whereas said Carrie A. Skinner has committed default in the terms, covenants and conditions of said Mortgage by reason of the nonpayment of said debt, and certain interest at the time named in said mortgage for the payment of the sum as wellas by reason of other default in the terms of the said mortgage.

Whereas said mortgage, which remains unpaid has been duly assigned unto the said Madison Brown as Attorney for foreclosure of the same and he is about to sell the mortgaged property as such assigned under the said power of sale because of the default mentioned for the collection of the mortgage.

Now The Condition of the above obligation is such, that if the above bound Madison Brown shall well and faithfully abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of such mortgaged property or the proceeds thereof, then the above obligation is to be void. otherwise it is to remain in full force and virtue in law.

Signed, sealed and delivered in the presence of Delha Dancy Rolph

Corporate Seals Place.

Madison Brown. (SEAL)  
Madison Brown.

American Surety Company of New York  
By Madison Brown  
Madison Brown

On the back of the foregoing Bond was thus endorsed, to wit:

Security approved and Bond filed June 5th 1941.

A. Sydney Gadd Jr.  
Clerk.

State of Maryland, Queen Anne's County, to wit:

I hereby Certify that the foregoing is truly taken and copied from Liber W. H. C. No one, folio 178 & 179, A Bond Record Book for Queen Anne's County,

In Testimony Whereof, I haereunto subscribed my name and affix the seal of the Circuit Court for Queen Anne's County this 5th day of June 1941.

A. Sydney Gadd Jr. Clerk.

.....  
REPORT OF SALE  
Filed July 8th 1941.

In the Circuit Court for Queen Anne's County, in equity.

Madison Brown, attorney, plaintiff,  
versus  
Carrie A. Skinner, Mortgagor, defendant

Chancery Docket  
Cause No. 3275

To the Honorable, the Judges of said Court:-

The Report of Madison Brown, the plaintiff of this Cause and the party making the sale hereinafter mentioned, hereinafter calling himself Vendor" unto your Honors respectfully setforth:-

1. That one Carrie A. Skinner on or about January 4, 1932 by a mortgage bearing that date made to secure unto J. Thomas Oxenham the payment of Three Hundred and Fifty Dollars with certain interest thereon payable semi annually conveyed certain land in said Mortgage described unto said J. Thomas Oxenham who by written assignment on the original mortgage bearing date July 24, 1938 assigned said mortgage unto Wallace E. Clark and Martha T. Clark, his wife the assignment stating that the amount due thereon at the date of the assignment was Three Hundred and Fifth Dollars with interest from July 24, 1938 and this mortgage was duly filed for record among the land record books of this county.

Wallace E. Clark and Martha T. Clark, the assignees above named by assignment dated May 15, 1941, made on the principal mortgage assigned said mortgage unto said Madison Brown as attorney for collection.

All of which will appear by reference to a certified copy of said mortgage heretofore filed in this cause.

2. That at the time of the assignment of the mortgage unto your Vendor as above set forth the unpaid indebtedness due under said mortgage was the sum of Three Hundred and Fifty Dollars with interest from January 3, 1940 and default had occurred in the covenants of said mortgage by reason of the non-payment of said indebtedness.

3. That as will appear by reference to the copy of the mortgage mentioned the mortgage contains a power of sale of the mortgaged property to be exercised by any assignee of said mortgage after default in the terms thereof.

4. That prior to the day of sale hereinafter mentioned Your Vendor gave more than twenty days previous notice of the time, place, manner and terms of sale by advertisement in the Queen Anne's Record-Observers, a newspaper published weekly in Queen Anne's County and by advertisement in the Easton Journal, a newspaper published weekly in Talbot County.

The advertisement in the Easton Journal was made in accordance with the terms of the mortgage and the advertisement in the Queen Anne's County paper was made because the mortgaged property is situated in this County.

A certified copy of the advertisement in the Queen Anne's County paper is filed with this Report as part of the same.

A certified copy of the advertisement in the Easton Journal, Talbot County paper is filed with this Report as part of the same.

5. That prior to the day of said sale your Vendor filed with the Clerk of this court a Bond to the State of Maryland executed by himself and the American Surety Company of New York, a corporation with due authority to become the sole surety on bonds of trustees, in the penal sum of One Thousand Dollars containing the condition required by law relative to the sale of the mortgaged property under the power of sale contained in said mortgage. This bond was approved by said clerk who has made and filed in this cause a copy thereof.

6. That prior to the day of sale mentioned Your Vendor made an examination of the deeds mentioned in the mortgage and also went upon the property to make physical examination of the same and he concluded that a survey of the mortgaged property would be necessary for a proper offering of the property and he procured J. B. Metcalfe, a surveyor of land, to survey the whole property and to divide the same into three lots of land. This Surveyor carried out the instructions of the Vendor and made the survey desired and he furnished your Vendor with a certificate and plat of the mortgaged property. This plat and certificate shows a division by metes and bounds, courses and distances of the property by three several or separate lots of land and also shows the metes and bounds, courses and distances of the mortgaged property as a whole.

7. That pursuant to the said notices of sale this Vendor did attend in front of the Church Hill Bank in the town of Church Hill in Queen Anne's County on July 5th., 1941, at the hour of 3 o'clock P. M. and there proceeded to make sale of the mortgaged property in the manner now set forth. The Vendor read the notice of sale as advertised in the Queen Anne's County paper and he offered the property first by parcels or by three several lots described in the advertisement with the understanding that he would later offer the property as a whole sell the property in the way he could secure the most money. Then the Vendor proceeded to offer the several lots, one by one, and he received bids therefor aggregating \$900.00. Then your Vendor offered the mortgage property as a whole and then and there in execution of the power of sale contained in the mortgage and thereby conferred upon him sold the mortgaged property as a whole unto Lydia A. Holden, she being then and there the highest bidder therefor at and for the sum of \$1,005.00.

8. That the property was sold under the following terms of sale in addition to the advertised terms of sale, to wit:

(1) That the Vendor would pay out of the proceeds of sale all taxes on the mortgaged property now in arrears but that the purchaser would be required to pay all taxes levied upon the mortgaged property for the year 1941.

(2) That all title papers and required revenue stamps therefor would be at the cost of the purchaser;

(3) That that part of the mortgaged property now in the possession and occupancy of Mrs. Hyland (lot No. 2 of the advertisement) would be sold subject to the right of Mrs. Hyland to possess the same as tenant until the expiration of sixty days from the day of sale with the rights of the purchaser to collect from Mrs. Hyland the rent for that time but that the rest of the mortgage property could be entered into by the purchaser on compliance with the terms of sale.

9. That Mrs. Lydia A. Holden, the purchase, on the day of the sale paid unto Your Vendor the amount of the purchase money due by her, to wit: \$1,005.00

10. That the property so sold unto Lydia A. Holden is all that lot of land called or known as "Carrie A. Skinner Property" situated in upper Church

Hill in Queen Anne's County, State of Maryland bounded on the west by the State Road, on the north by a lot of land occupied by Ran Meredith's Garage, on the east by the land known as "The Magrogan Land" owned by Leon Massey and on the south by Cemetery Lane and the property called the "Teat Property" and is contained in the following metes and bounds, courses and distances according to the survey made by J. B. Metcalfe, to wit:

BEGINNING for the same at a point upon which a stake has been set in the line of the land and at the southeast corner of said Teat Property and fifteen feet from the center of the road called "Cemetery Lane" and running thence by and with said Teat Property two courses:

Filed July 8th 1941.

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Cont'

North 35 degrees 19 minutes east ... 85.8 feet and North 54 degrees 33 minutes west ... 813 feet to a point on the easterly line of the State Road and a corner for the Teat Property; thence with the State Road.....  
North 36 degrees 57 minutes east ... 233.2 feet to a point a corner for the lot known as "The Meredith Lot";  
Thence with line of the Meredith Land  
South 61 degrees 03 minutes east ... 230.5 feet to a point on the line of the Magrogan Land thence with the Magrogan Land South 43 degrees 00 minutes west .. 344.1 feet to a point on north side of Cemetery Lane thence with Cemetery Land.  
North 58 degrees 45 minutes west .. 108 feet to the place of beginning containing 1.435 acres of land, more or less.

Which is respectfully submitted.

Madison Brown  
Attorney and Vendor.

State of Maryland, Queen Anne's County, to wit:

I hereby certify that on this 8th day of July, 1941, before me, the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County aforesaid, personally appeared Madison Brown, attorney and Vendor above mentioned and he made oath in due form of law that the matters and things set forth in the foregoing Report of Sale are true as therein set forth to the best of his knowledge and belief, and that the sale therein reported was fairly made.

A. Sydney Gadd Jr. Clerk,

Filed July 8th 1941.

MORTGAGE SALE  
OF  
HOUSE & LOT

IN UPPER CHURCH HILL, QUEEN ANNE'S COUNTY, STATE OF  
MARYLAND.

Default having occurred in the mortgage given by Carrie A. Skinner to J. Thomas Oxenham dated July 20, 1935, and recorded in Liber W. H. C. NO. 1 A, on folio 447 Land Record of said county, the undersigned as assignee of said mortgage in execution of power conferred upon him by said mortgage will sell at public sale to the highest bidder in front of the bank in the Town of Church Hill in Queen Anne's County, Maryland, at the hour of 3:00 o'clock P. M., on SATURDAY, JULY 5, 1941.

ALL that real estate called or known as "Carrie A. Skinner Property" situate in Upper Church Hill in Queen Anne's County, Maryland, bounded on the west by the State Road, on the north by the lot occupied by Ran Meredith's Garage, on the east by the land known as "The Magrogan Land" owned by Leon Massey and on the south by both Cemetery Land and the Teat Property: being the same land described in said mortgage and containing 1.435 acres of land, more or less.

By recent survey the land has been divided into 3 separate lots and the same will be offered by separate lots and then as a whole and will be sold in the way the more money will be realized.

LOT NO. 2 has frontage on State Road of 73 feet 6 inches and on Magrogan land of 71 feet 7 inches and contains a 2 story frame dwelling house, garage and poultry house.

LOT NO. 1 lies between Lot No 2 and the Ran Meredith lot, has a frontage on State Road of 67 feet 8 inches and on Magrogan land of 95 feet.

LOT NO. 3 is all the mortgaged land lying on the south of Lot No. 2 has frontage on State Road of 91 feet 8 inches, on Cemetery Lane of 108 feet and on Magrogan land of 177 feet 6 inches.

Plan and survey can be seen at office of undersigned

TERMS OF SALE-- One half of the purchase in cash at time and place of sale and balance on ratification of the sale by the court with interest from day of sale or all cash at time and place of sale at option of purchaser. Further particulars made known on day of sale.

MADISON BROWN Assingee,  
Centreville, Maryland.

J. E. Anthony, Auctioneer.

QUEEN ANNE'S RECORD -OBSERVER

Centreville, Maryland. July 5, 1941,

The Queen Anne's Record and Observer Publishing Co. hereby certifies that the annexed advertisement of mortgage sale of the real estate of Carrie A. Skinner by Madison Brown, as assignee of mortgage from Carrie A. Skinner to J. Thomas Oxenham and assigned unto the said Madison Brown a true copy of which is hereto annexed, was inserted in the Queen Anne's Record- Observer, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week for four successive weeks the first publication thereof having been made in said newspaper on the 12th day of June 1941, being more than 20 days before the 5th day of July 1941

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO.  
By Evelyn Butler

.....  
MORTGAGE SALE ADVERTISED IN EASTON JOURNAL  
Filed

MORTGAGE SALE  
OF  
HOUSE AND LOT

In Upper Church Hill, Queen Anne's County, State of Maryland.

Default having occurred in the mortgage given by Carrie A. Skinner to J. Thomas Oxenham, dated July 20th, 1935, and recorded in Liber W. H. C. No. LA on folio 447, land record book of said county, the undersigned as assignee of said mortgage in execution of the power conferred upon him by said mortgage, will sell at public sale to the highest bidder in front of the Bank in the town of Church Hill in Queen Anne's County, Maryland at the hour of 3 o'clock, on SAT., JULY 5, 1941.

All the real estate, called or known as "The Carrie A. Skinner Property" situate in Upper Church Hill in Queen Anne's County, Maryland, bounded on the west by the State Road and adjoining the property of Ran Meredith the Magrogan Land of Leon Massey and bounded on the south by both Cemetery Lane and The Teat Property, being the same land described in said mortgage and containing 1.435 acres of land, more or less.

IMPROVEMENTS

Improvements consist of a frame dwelling house, garage and poultry house, The land will be offered in parcels and then as a whole. For particulars apply to the undersigned.

TERMS OF SALE:

One-half of purchase money in cash at time and place of sale and balance on ratification of sale by Court with interest from day of sale or all cash at time and place of sale at option of the purchaser.

MADISON BROWN.  
Assignee of Mortgage  
Centreville, Maryland,

J. E. Anthony, Auctioneer

OFFICE OF  
THE EASTON JOURNAL

Easton, Md. July 7, 1941.

This is to certify that the annexed SALE in the case of Carrie A. Skinner vs. J. Thomas Oxenham. Was published in the Easton Journal, one of the newspapers printed and published in Talbot County, once in each of 4 successive weeks before the 5 day of July A. D., 1941.

THE EASTON JOURNAL PUBLISHING COMPANY, INC.  
Publishers of The Easton Journal

J. A. Cook

.....  
ORDER OF NISI ON SALE  
Filed July 8th 1941.

N I S I

Madison Brown, Attorney  
Plaintiff.

Vs.

Carrie A. Skinner, Mortgagor  
Defendant.

IN THE CIRCUIT COURT FOR  
QUEEN ANNE'S COUNTY  
IN EQUITY  
Chancery No. 3275

ORDERED, This 8th day of July A. D., 1941, that the sale of the real estate made and reported in this cause by Madison Brown, attorney, Plaintiff, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the

12th day of September next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 12th day of August next.

The Report states the amount of sales to be \$1005.00

A. Sydney Gadd Jr. Clerk.

Filed July 8th 1941.

STATEMENT OF MORTGAGE DEBT.  
Filed Aug. 20th 1941.

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY, IN EQUITY.

Madison Brown, attorney for foreclosure, )  
plaintiff, ) CHANCERY DOCKET ,  
 )  
versus ) NO. 3275.  
 )  
Carrie A. Skinner, defendant. )

STATEMENT OF MORTGAGE DEBT.

Following is a Statement of Mortgage debt due by and under mortgage given by Carrie A. Skinner as mortgagor unto J. Thomas Oxenham and by him assigned Wallace E. Clark and Martha E. Clark, his wife and by them assigned on May 15th., 1941, unto Madison Brown, attorney at law for purpose of collection and foreclosure.....  
Amount of the debt mentioned in said mortgage.....\$350.00  
Interest is due thereon from January 3rd., 1940 to the 5th day of July, 1941...  
31.50

July 5th, 1941:: total debt due .....\$381.50

Martha T. Clark

Wallace E. Clark

State of Maryland, Talbot County, to wit:

I hereby certify that on this 16th day of Aug, 1941, before, me, the subscriber, a Notary Public of the State of Maryland in and for the Talbot County aforesaid personally appeared Martha T. Clark and Wallace E. Clark and made oath in due form of law that the foregoing is a true and correct statement of the indebtedness due as of July 5, 1941, under the mortgage from Carrie A. Skinner therein described to the best of the knowledge and belief of the said affiant.

IN WITNESS WHEREOF I hereunto subscribe my name and affix my seal Notarial day and year first above written.

Notary Public Seal.

Harry H. Purday  
Notary Public

AFFIDAVIT AS TO MILITARY SERVICE.  
Filed Aug. 23rd. 1941.

In the Circuit Court for Queen Anne's County, in Equity.

Madison Brown, Assignee of Mortgage, Plaintiff, )  
 ) CAUSE NUMBER  
versus ) 3273.  
 )  
Carrie A. Skinner, Mortgagor, Defendant, )

I hereby certify that on this 23rd day of August, 1941, before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared above named Madison Brown who having been first duly sworn by me did depose and say:

My name is Madison Brown and I am the Plaintiff in the above cause.

I have made diligent inquiry and effort to ascertain the facts which I will herein state.

I find that Carrie A. Skinner, the Defendant, and Mortgagor was a woman and that she died on May 25, 1940, intestate.

That she left one child as her heir at law to wit: a man by the name of Harold Skinner.

That this man, Harold Skinner resides in the State of Pennsylvania and is from 46 to 48 years of age.

That the said Harold Skinner is not in the Military Service of the United States,.

That the said Harold Skinner was not in the Military Service On June 14, 1941, the day of the sale mentioned in said proceedings of said Cause nor has he been engaged in said service from the date mentioned to the day of the date of this affidavit.

That the said Harold Skinner was not in the Military Service of the United States on



May 20, 1941, the date the above mentioned proceeding was commenced in this Court and that he has not been in said Military Service from May 20, 1941, to the day of the date of this affidavit.

That to the best of my knowledge and belief the facts I have stated are true.

Madison Brown  
MADISON BROWN.

Subscribed and sworn to before the under-signed:

IN TESTIMONY WHEREOF, I, A. S. Gadd jr., Clerk, do hereunto affix my name and seal of my office on this 23rd day of August, 1941,

A. SYDNEY GADD JR.,  
A. Sydney Gadd jr, Clerk, of the  
Circuit Court for Queen Anne's County,

Filed Aug. 23rd. 1941.

.....  
CERTIFICATE OF ADVERTISEMENT OF  
ORDER NISI:  
Filed Sept. 13th 1941.

MADISON BROWN, Attorney )  
Plaintiff, )  
Vs. )  
Carrie A. SKINNER )  
MORTGAGOR )  
IN THE CIRCUIT COURT FOR  
QUEEN ANNE'S COUNTY, IN  
EQUITY.  
CHANCERY NO. 3275.

ORDERED, This 8th day of July A. D., 1941, that the sale of the real estate made and reported in this cause by Madison Brown, Attorney, Plaintiff, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 12th day of September next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 12th day of August next.

The Report states the amount of sales to be \$1005.00

A. SYDNEY GADD JR. Clerk.

True Copy  
Test:

A. SYDNEY GADD JR. CLERK.

Filed July 8th 1941.

QUEEN ANNE'S RECORD- OBSERVER  
Centreville, Md. September 13, 1941.

THE QUEEN ANNE'S RECORD and PUBLISHING CO. hereby certifies that the Nisi in the case of Madison Brown, Attorney, Plaintiff vs. Carrie A. Skinner, Mortgagor, a true copy of which is hereto annexed was inserted in the Queen Anne's Record-Observer, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week for four successive weeks the first publication thereof having been made in said newspaper on the 10th day of July, 1941, before the 12th day of August 1941.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO.

By Evelyn S. Butler

.....  
ORDER OF COURT  
FILED Sept. 20th 1941.

In the Circuit Court for Queen Anne's County, in Equity.

Madison Brown, attorney, assignee )  
versus )  
Carrie A. Skinner, mortgagor. )  
CHANCERY DOCKET, CAUSE  
NO. 2575

ORDERED, on this twentieth day of September in the year nineteen hundred and forty one by the Circuit Court for Queen Anne's County and by the authority of said Court that the sale of the mortgage real estate of Carrie A. Skinner, the party making the mortgage mentioned in this cause, made by Madison Brown, attorney, assignee of said mortgage, as set forth and described in the within and foregoing report of sales, be and the same is hereby finally ratified and confirmed, no cause to the contrary thereof having been shown although it appears that notice has been given in accordance with the order nisi heretofore passed in this cause in relation to said sale. And it is further ordered by this Court that as said Madison Brown is the auditor of this Court that the papers and proceedings of this cause be and same are hereby referred unto WM. McK. Gibson as special auditor with instructions to him to state and return to this Court an account between the proceeds of the sale of this cause as said set forth in said report of sales and the said Madison, attorney, assignee and vendor making the sale mentioned in said report.

Filed Sept. 20th 1941.

Thomas J. Keating

Sept. 13th 1941, I hereby Certify that no exceptions have been filed to the ratification of the sale.

A. Sydney Gadd Jr. Clerk.

REPORT AND ACCOUNT OF SPECIAL AUDITOR  
Filed October 3rd. 1941.

IN the Circuit Court for Queen Anne's County, in Equity.

Madison Brown, attorney,

versus

Carrie A. Skinner, Mortgagor.

}  
}  
}  
}  
}

CHANCERY DOCKET,  
CAUSE NUMBER 3275.

To the Honorable, the Judges of said Court:-

The Report of William McKenney Gibson, the Special Auditor appointed by this Court to state the within account unto Your Honors respectfully sets forth:-

That before stating this account he took before the Clerk of this Court the usual Auditor's oath of office.

That in the within account he has charged Madison Brown, the party making the sale of this cause, with the gross amount of the sale made by him and has then allowed thereout as follows:-

Unto said Vendor his compensation for making the sale per terms of the mortgage, the Court costs of this cause, the costs of survey of the mortgaged land, the costs of advertising notices of the sale in two newspaper, per terms of mortgage, the cost of his bond, the cost of advertising the several orders nisi of the cause, taxes due on the mortgaged property at the time of the sale, the charges of the auctioneer and the fee of this auditor.

Unto Wallace E. Clark and Martha T. Clark, his wife, those assignees of the mortgage who assigned the mortgage to said vendor for collection the full amount of their mortgage claim as of the day of the sale.

The amount of the gross sale remaining after these allowances is not distributed but is left in the hands of the vendor to remain subject to the future order of this Court.

Which is respectfully submitted,

October 2, 1941.

William MC. Kenney Gibson  
SPECIAL AUDITOR

CAUSE NUMBER 3275.

The proceeds of the sale of the mortgaged real estate of Carrie A. Skinner, the party making the mortgage which is the subject of this cause in account with Madison Brown, the party making the sale described in this cause under said mortgage and as the assignee thereof.

-----  
1941

CR.

July 5 By amount of the gross sale of said mortgaged real estate per the report of sale of said vendor filed in this cause, to wit: sum of .....\$1,005.00

-----  
DR.

" " To Madison Brown, the party making said sale for his compensation for so doing as follows:

- (1) his commissions per terms of said mortgage, to wit: .....\$67.80
- (2) his fee per terms of said mortgage, the sum of .....\$25.00
- Total amount .....\$92.80      \$92.80

To do., for the Court costs of this cause as set out in the clerk's bill of costs, Costs of A. S. Gadd jr./Clerk, .....\$24.50  
Appearance fee of Madison Brown, .....\$10.00  
Total of .....\$34.50      \$34.50

To do., for amount paid J. B. Metcalf for making survey of land sold as mentioned in report of sale and also plat, per his receipted account for same, exhibited to the auditor, the sum of ..... \$15.00

To do., for costs of advertising notices of sale in Queen Anne's County Newspaper, per account for same exhibited, sum of ..... \$38.25

To do., for costs of advertising notices of sale in Talbot County paper per account for same exhibited to auditor, sum of ..... \$15.00

To do., for costs of his bond with surety corproate thereon filed herein per account for same exhibited to the auditor, sum of . . . . . \$10.00

To do., for costs of advertising Order nisi on sale of cause,.....\$5.00 Order nisi on this audit,.....\$3.50 Total of ..... \$8.50 \$8.50

To do., for amount of State & County, taxes on aldn sold due by mortgagor at time of sale for 1940, interest and costs, per tax statements of County Treasurer exhibited to Auditor, the sum of,..... \$14.80

Amount carried forward,.....\$228.85 \$1,005.00

CAUSE NUMBER 3275 DR. CR.

Amount brought forward.....\$228.85 \$1,005.00

DR.

To Madison Brown, party making sale for the charges of J. E. Anthony for crying the sale, per account for same exhibited to the auditor, the sum of ..... \$15.00

To William McKenney Gibson , Special Auditor, for stating this account, the sum of .....\$9.00

To Wallace E. Clark and Martha T. Clark, his wife, the parties who assigned said mortgage unto said Madison Brown for foreclosure for the amount of the mortgage debt, principal and interest due them as owners of the mortgage as of July 5, 1941, the day of the mortgage sale, per their mortgage debt dtatement filed in this cause, to wit: sum of ..... \$381.50 \$634.35

To this balance, the net mortgage sale, the same to remain in the hands of the vendor subject to the future order of the court , to wit: the sum of..... \$370.65 \$ 1,005.00 \$ 1,005.00

October 2nd., 1941.

William McKenney Gibson

SPECIAL AUDITOR

..... NISI RATIFICATION OF AUDIT Filed October 3rd. 1941.

NISI RATIFICATION OF AUDIT

Madison Brown, Attorney Vs. Carrie A. Skinner IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY IN EQUITY CASE NO. 3275. Chy/

ORDERED, This 3rd day of October in the year nineteen hundred and forty one that the Report and Account filed in these proceedings by William McKenney Gibson, Special, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 1st day of November, 1941, provided a copy of this order be published once a week in each of two suseessive weeks before the 25th day of October, 1941, in some newspaper printed and published in Queen Anne's County.

A. Sydney Gadd Jr. Cler.

Filed October 3rd. 1941. .... NISI RATIFIEATION OF AUDIT Filed Oct. 27th 1941.

NISI RATIFICATION OF AUDIT

Madison Brown, Attorney vs. Carrie A. Skinner In the Circuit Court for Queen Anne's County, In Equity, Case No. 3275, Chy.

ORDERED, This 3rd day of October in the year nineteen hundred and forty one, that the Report and Account filed in these proceedings by William McKenney Gibson, Special, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 1st day of November, 1941;

provided a copy of this order be published once a week in each of two successive weeks before the 25th day of October, 1941, in some newspaper printed and published in Queen Anne's County,

A. SYDNEY GADD JR. CLERK.

True Copy  
Test:

A. SYDNEY GADD JR. Clerk.

Filed October 3rd 1941.

QUEEN ANNE'S RECORD- OBSERVER

Centreville, Md. October 25. 1941.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO, hereby certifies that the Nisi Ratification of Audit in the case of Madison Brown, Attorney vs Carrie A. Skinner a true copy of which is hereto annexed, was inserted in the QUEEN ANNE'S RECORD- OBSERVER a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week for two successive weeks the first publication thereof having been made in said newspaper on the 9th day of October, 1941, being more than two weeks before the 25th day of October 1941.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO.  
By Evelyn S. Butler

Filed Oct. 27th 1941

ORDER OF COURT  
Filed Nov. 4, 1941

Cause No 2375

In the Circuit Court for Queen Anne's County in Equity

Madison Brown, Assignee versus Carrie A. Skinner

ORDERED, on this third day of November, 1941 by the Circuit Court for Queen Anne's County, in Equity and by the authority of said Court that the within and afore-report and account William McKenney Jacobs, as special auditor, be and the same is hereby finally ratified and confirmed, no cause to the contrary, thereof having been shown although it appears that notice has been given in accordance with the order nisi heretofore passed in this cause in relation to said report and account and that Madison Brown, assignee, party making the sale of this cause is hereby authorized and directed to distribute the proceeds of the cause in accordance with the said report save and except the net mortgage sale which he hereby directed to hold subject to the future of this Court.

Thos. J. Keating

Filed Nov. 4, 1941/

CAUSE NUMBER 3267

Queen Anne's County to wit: Be it remembered that on the twentieth sixth day of February the following Bill of Complaint was brought to be recorded to wit:

G. WALTER SMITH	∅	IN THE CIRCUIT COURT
VS.	∅	FOR QUEEN ANNE'S
PAULINE BAKER TARRING	∅	COUNTY
MALCOLM Y. TARRING,	(∅	IN EQUITY.
her husband	∅	
ANN CHARLES SMITH;	∅	
infant.	∅	

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your orator complaining says:

1.

The your orator, G. Walter Smith, and the defendants, Pauline Baker Tarring and Ann Charles Smith are seized in fee simple, as tenants in common, of all that certain tract or parcel of land situate in the Fifth Election District of Queen Anne's County, at Wye Station, on the Maryland, Delaware and Virginia Railroad, containing eleven (11) acres of land, more or less, and being the same and all the lands as described in a deed from Laura E. Charles, Administratrix, etc. to Mabel C. Smith, dated October 30, 1934, and recorded among the Land Records of Queen Anne's County in Liber B. H. T. No. 18, folio 395; a certified copy of said Deed being filed herewith as a part hereof, marked Complainant's Exhibit No.1.

2.

That being so seized of said lands, the said Mabel C. Smith, late of Harford County, State of Maryland died intestate, leaving as her heirs-at-law, her husband, the said G. Walter Smith; her daughter, the said Pauline Baker Tarring and her daughter, Ann Charles Smith; the said Pauline Baker Tarring having inter-married with Malcolm Y. Tarring.

3.

That the said Ann Charles Smith is an infant under the age of twenty-one years.

4.

That your orators, the said G. Walter Smith owns and undivided one third interest in said lands, and that the said defendant, Pauline Baker Tarring, owns a one-third interest thereon, and the said defendant, Ann Charles Smith owns the remaining one-third interest therein.

5.

That the said real estate is not susceptible of partition without material loss and injury to the owners thereof, as herein stated, and that in order to make division of said interests it will be necessary that the said real estate be sold.

6.

That all other of the parties hereto are adults over the age of twenty-one years.

7.

That all of said parties hereto are residents of Aberdeen, Harford County, State of Maryland.

TO THE END THEREFORE:

(a) That a decree may be passed for the sale of the said real estate.

(b) That the proceeds of said sale may be distributed among your orators and other owners aforesaid, according to their respective rights and interest.

(c) That your orator may have such other and further relief as his case may require.

MAY IT PLEASE YOUR HONORS TO grant unto your orator the State's writ of subpoena, to be directed unto the said Pauline Baker Tarring and Malcolm Y. Tarring, her husband, and the said Ann Charles Smith, infant, defendants, commanding them to be and appear in this Court, either in person or by solicitor, on some certain day to be named therein, to show cause, if any they have, why a decree ought not to be passed as prayed.

And as in duty bound, etc.

J. Wilbur Cronin  
Solicitor for Petitioner

Filed Feb. 26th 1941.

COMPLAINANTS EXHIBITS NO. 1.

Filed March 26th 1941.

QUEEN ANNE'S COUNTY TO WIT: Be it remembered that on the First Day of November, in the year nineteen hundred and thirty four, the following Deed was brought to be recorded, to wit:-

One-Ten Dollars and One\*Five  
Dollar Int. Rev. Stamps.  
Endorsed M. C. S. 10/30/34

THIS DEED, Made this 30th day of October in the year one thousand  
ninethundred and thirty-four by Laura E. Charles, Administratrix of Robert G. Charles,  
deceased, of Talbot County, State of Maryland, and Laura E. Charles, individually.

WITNESSETH that in consideration of Fifteen Thousand Dollars the  
said Laura E. Charles, Administratrix, and Laura E. Charles individually does grant and  
convey unto Mabel C. Smith, of Harfor County, Maryland, her heirs and assigns, in fee  
simple,

all and singular that piēce or parcel of ground situate, lying  
and being in at Wye Station, in the Fifth Election District of Queen Anne's County,  
Maryland, and bounded on the one side by the public road leading from Centreville-  
Easton road to Starr, by way of Wye Station, on another side by the Maryland, Delaware  
and Virginia Railway property, which divides the lot hereby conveyed from other prop-  
erty of said John E. George, and bounded on the remaining side by the stream which  
flows between the lot hereby conveyed and the Eliason property of John Skinner,  
containing about eleven acres of land; being a part of the land devised to John E.  
George by Mathias George, being the tract of land which was conveyed unto P. Tevis  
Baker and Frank E. Baker and Charles W. Baker, co-partners trading as C. W. Baker &  
Sons, as partnership property by John E. George and wife, by deed dated the third day  
of June in the year nineteen hundred and fifteen and recorded in Liber W. F.W. NO. 7,  
folios 447 & c, a Land Record Books of Queen Anne's County, to which said deed and the  
references therein contained, reference is hereby made for a more full and perfect  
description of the property hereby conveyed.

Being also the same land and premises which was conveyed by the  
said P. Tevis Baker et al to the said Robert G. Charles, by deed dated the 28th day of  
October, A. D., 1924, and recorded in Liber B. H. T., No. 2, folio 439, one of the Land  
Record Books for Queen Anne's County.

TOGETHER with the buildings and improvements thereon erected,  
made or being, and all and every, the rights, alleys, ways, waters, privileges, appur-  
tenances and advantages, to the same belonging, or in any wise appertaining.

TO HAVE AND TO HOLD the aforesaid lands and premises; above described  
and mentioned, and hereby intended to be conveyed; together with the rights, privileges,  
appurtenances and advantages thereto belonging or appertaining unto and to the proper  
use and benefit of the said Mabel C. Smith, her heirs and assigns in fee simple.

AND the said Laura E. Charles, Administratrix, and Laura E. Charles  
individually hereby covenant that they will warrant specially the property hereby  
granted and conveyed, and that they will execute such further assurances of said  
title as may be requisite.

WITNESS the hands and seals of said grantors.

LAURA E. CHARLES (SEAL)  
Administratrix of Robert G. Charles,  
Dec'd

LAURA E. CHARLES (SEAL)

TEST:

EDNA V. KILLEN

STATE OF MARYLAND TALBOT COUNTY to wit:

I HEREBY CERTIFY, that on this 30th day of October in the year  
one thousand nine hundred and thirty-four before me, the subscriber, a Notary Public  
of the State of Maryland, in and for Talbot County aforesaid, personally appeared Laura  
E. Charles, Administratrix of Robert G. Charles, Administratrix of Robert G. Charles,  
deceased, and Laura E. Charles, individually and acknowledged the foregoing Deed to  
be her act individually as Administratrix aforesaid.

Witness my hand and Notarial Seal.

Notary Public  
Seal.

EDNA V. KILLEN  
Notary Public

State of Maryland,

Queen Anne's County, to wit:

I hereby certify that the foregoing is truly taken and  
copied from Liber B. H. T. No. 18, folios 395, etc., a Land Record Book for  
Queen Anne's County.

Corp;  
SEal  
Place.

In Testimony Whereof I have hereunto subscribed my name and  
affixed the Seal of the Circuit Court for Queen Anne's County  
this 26th day of March, in the year nineteen hundred and  
forty one.

A. Sydney Gadd Jr.

Clerk.

.....  
SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
Filed Feb. 28th 1941.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND,

TO.

PAULINE BAKER TARRING

OF HARFORD COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court, for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the first Monday of March next, to answer the complaint of G. Walter Smith agasinst you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins Chief Judge of our said Court, the first Monday of February 1941  
Issued the 26th day of February 1941.

J. W. Cronin

Solicitor for Complainants

A. Sydney Gadd Jr. Clerk.

TO THE DEFENDANT: You are required to filed your answer or other defanse in the office of the Clerk of this Court within fifteen days of the first Monday of March next, being the Return Day.

A. Sydney Gadd Jr. Clerk.

.....  
SUBPOENA FOR RESPONDENT TO APPEAR  
AND ANSWER  
Filed Feb. 28th 1941

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO

MALCOLM BAKER TARRING

OF HARFORD COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court, for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the first Monday of March next, to answer the complaint of G. Walter Smith against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephan R. Collins Chief Judge of our said Court, the first Monday of February 1941.  
Issued the 26th day of February 1941.

J. W. Cronin

Solicitor for Complainant

A. Sydney Gadd Jr. Clerk.

TO THE DEFENDANT: you are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of March next, being the Return Day.

A. Sydney Gadd Jr. Clerk.

And on the back of the foregoing is thus endorsed, to wit:  
Feb. 27. 1941. Summoned & copy of Subpoena And  
Bill of Complaînt left W. E. Bennington, Sherriff of Harford Co.

.....  
SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
Filed Feb. 28, 1941.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND.

TO

ANN CHARLES SMITH, INFANT

OF HARFORD COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That a l excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the first Monday of March next, to answer the complaint of G. Walter Smith against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins Chief Judge of our said Court, the first Monday of February 1941

Issued the 26th day of February 1941.

A. Sydney Gadd Jr. Clerk.

J. W. Cronin

Solicitor for Complainants

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of March next, being the Return Day.

A. Sydney Gadd Jr. Clerk

And on the back of the foregoing is thus endorsed to wit:

Feb. 27, 1941 Summonee Ann Charles Smith, infant by service on her in the presence of G. Walter Smith, her father and natural guardian and copy of Subpoena & Bill of Complaint left with the said G. Walter Smith for her.

W. E. Bennington  
Sheriff of Harford Co.

ORDER FOR APPEARANCE.  
Filed March.13, 1941.

G. WALTER SMITH                    |       IN THE CIRCUIT COURT FOR  
                                      |       QUEEN ANNE'S COUNTY  
                                      |       IN EQUITY.  
VS.                                    |  
PAULINE B. TARRING                 |  
MALCOLM Y. TARRING, her husband, |  
ANN CHARLES SMITH                 |

MR. CLERK:                         Kindly enter my appearance for Malcolm Y. Tarring, one of the above named Defendants.

G. Howlett Cobourn  
Attorney for Defendant named.

Bel Air, Md.  
Filed March 13th 1941.

ANSWER OF PAULINE B. TARRING  
Filed April 10th 1941

G. WALTER SMITH                    |       IN THE CIRCUIT COURT FOR  
                                      |       QUEEN ANNE'S COUNTY  
                                      |       IN EQUITY.  
VS.                                    |  
PAULINE BAKER TARRING             |  
MALCOLM Y. TARRING                 |  
ANN CHARLES SMITH                 |

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The answer of Pauline Baker Tarring, one of the defendants to the Bill of Complaint in the above entitled cause, respectfully shows:

1.

Your respondent admits all the allegations as contained in said Bill of Complaint, and assents to a decree of this Honorable Court for the sale of the lands described herein, and the division of the proceeds thereof among the parties entitled thereto.

AND AS IN DUTY BOUND, etc.

Wm. R. Horney  
Soliditor

Pauline Baker Tarring  
Respondent

Filed April 10th, 1941.

PETITION, AFFIDAVIT AND  
ORDER OF COURT:  
Filed April . 16th 1941.

G. WALTER SMITH                    |       IN THE CIRCUIT COURT  
                                      |       FOR QUEEN ANNE'S COUNTY  
                                      |       INEQUITY.  
VS.                                    |  
PAULINE B. TARRING                 |  
MALCOLM Y. TARRING                 |  
ANN CHARLES SMITH                 |

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of G? Walter Smith, the plaintiff in the above entitled Casue, respectfully shows:



1.

That the said Ann Charles Smith, his daughter, one of the defendants in said cause, has been duly returned summoned, but being an infant, she cannot answer and defend this suit for herself.

Your petitioner therefore prays Your Honors to appoint a guardian ad litem to appear and answer for the said infant.

AND AS IN DUTY BOUND, etc.

J. Wilbur Cronin  
Solicitor for Petitioner

STATE OF MARYLAND, COUNTY OF HARFORD, Sct.

I HEREBY CERTIFY, that on this 7th day of April, in the year 1941, before me, the subscriber, a Notary Public of the State of Maryland, in and for Harford County, duly commissioned and qualified, personally appeared G. WALTER SMITH and made oath in due form of law that the matters and facts in the foregoing petition are true and correct to the best of his knowledge and belief.

AS WITNESS my hand and Notarial seal.

Marian R. Greenland  
Notary Public

Notary Public  
Seal.

Filed Apr. 10th 1941.  
ORDER OF COURT:

UPON the foregoing petition and affidavit, IT IS ORDERED this 23rd day of April, 1941, by the Circuit Court for Queen Anne's County, that WILLIAM R. HORNEY, be and he is hereby appointed guardian ad litem of the said Ann Charles Smith.

Filed April 23, 1941.

Thos. J. Keating

.....  
ANSWER OF MALCOLM YL TARRING  
Filed Apr. 16th 1941.

G. WALTER SMITH	(*)	IN THE CIRCUIT COURT FOR
	( )	
VS	( )	QUEEN ANNE'S COUNTY
	( )	
PAULINE BAKER TARRING	( )	IN EQUITY
MALCOLM Y. TARRING	( )	
ANN CHARLES SMITH	( )	

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The answer of Malcolm Y. Tarring, one of the defendants to the Bill of Complaint, in the above entitled cause, respectfully shows:

1.

Your respondent admits all the allegations as contained in said Bill of Complaint, and assents to a decree of this Honorable Court for the sale of the lands described herein.

AND AS IN DUTY BOUND, etc.

G. Howlett Cobourn  
Solicitor for Respondent

Filed April 16th 1941.

.....  
THE ORDER OF COURT WAS FILED BEFORE THE ANSWER OF MALCOLM Y. TARRING

.....  
ANSWER OF GUARDIAN OD LITEM  
Filed April 24th 1941.

G. WALTER SMITH	Ø	IN THE CIRCUIT COURT
	Ø	
VS.	Ø	FOR QUEEN ANNE'S COUNTY
	Ø	
PAULINE B. TARRING , et al	Ø	IN EQUITY

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The answer of Ann Charles Smith, infant, by William R. Horney, guardian ad litem, duly appointed by order of this Court, to the Bill of Complaint, in the above entitled cause, respectfully shows:

1.

That the defendant being an infant, can neither admit nor deny the matters and things as alleged in said Bill, and submits her rights therein to the protection

of this Court.

AND AS IN DUTY BOUND, etc.

WM. R. HORNEY  
Wm. R. Horney  
Guardian Ad Litem

Filed Apr. 24, 1941.

ORDER TO TAKE TESTIMONY  
Filed April 26, 1941.

G. WALTER SMITH                      )  
                                      )  
                                      )  
                                      )  
VS.                                    )  
                                      )  
PAULINE B. TARRING,                )  
                                      )  
      et al.                            )  
                                      )  
                                      )

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of G. Walter Smith, plaintiff in the above entitled cause, respectfully shows.

That all of the defendants in said cause have appeared and answered the Bill of Complaint filed herein, and your petitioner desires to take testimony to substantiate the allegations as contained in said Bill before one of the standing Examiners of this Court.

Your petitioner therefore prays for an Order of Court giving him leave to take testimony in said cause.

AND AS IN DUTY BOUND, etc.

J. Wilbur Cronin  
Solicitor for Complainant  
Filed April 26, 1941.

ORDER OF COURT:  
Filed April 26th 1941

ORDERED, this 26th day of April, 1941, by the Circuit Court for Queen Anne's County in Equity, that leave be and is hereby granted unto the petitioner, that testimony be taken in the above entitled cause before one of the standing Examiners of this Court.

Thos. J. Keating

Filed April 26th 1941.

TESTIMONY  
Filed May 10th 1941

G. WALTER SMITH                    )  
                                      )  
                                      )  
                                      )  
VS.                                    )  
                                      )  
                                      )  
PAULINE B. TARRING                )  
MALCOLM Y. TARRING                )  
ANN CHARLES SMITH                 )  
                                      )  
                                      )  
                                      )

TO THE HONORABLE, THE JUDGES OF SAID COURT.

L. Wilmer Cronin, Esquire, solicitor for the Complainant, having notified your Examiner that her desired to take testimony at your Examiner's office in Centreville, Maryland, on Wednesday, May 7, 1941, and This Honorable Court granted leave unto your petitioner to take testimony in said case, your Examiner did attend, at his office in Centreville, Maryland, at 12 O'clock noon, on Wednesday, May 7, 1941, there being present G. Walter Smith, the complainant; his solicitor, the said J. Wilmer Cronin, and W. R. Horney, Esquire, guardian ad litem for the infant defendant, and proceeded to take the following testimony, to wit:

DR. WILLIAM H. FISHER, the first witness, of lawful age, having been duly sworn, deposes and says:

By Mr. Cronin:

- 1. Q.- You are a practicing physician and live at Centreville?  
A.- Yes.
- 2.-Q.- Do you know the parties to this suit, G. Walter Smith, complainant, and Pauline B. Tarring and Malcolm Y. Tarring, her husband, and Ann Charles Smith?  
A.- Yes.
- 3. Q.- Did you know Mabel C. Smith during her lifetime?  
A.- Yes.
- 4. Q.- Is she living?

- A.- No, she is dead.
5. Q.- Do you know whether she died leaving a Will, or not?
- A.- I don't know that.
6. Q.- Was Mr. G. Walter Smith, the complainant, her husband?
- A.- He was.
7. Q.- And Pauline Baker Tarring, her daughter?
- A.- Yes.
8. Q.- And Malcolm Y. Tarring is the husband of Pauline B. Tarring?
- A.- Yes.
9. Q.- Ann Charles Smith is the daughter of Mrs. Smith also?
- A.- Yes.
10. Q.- They are the only two children Mrs. Smith had, to your knowledge, who are living?
- A.- Yes.
11. Q.- Are any of these three defendants infants?
- A.- Ann Charles Smith is only about thirteen years of age.
12. Q.- Are you familiar with the property that Mrs. Smith owned at the time of her death?
- A.- She owned a farm and canning factory at Wye Mills.
13. Q.- You were one of the appraisers in the Orphans' Court here, for her property, were you not?
- A.- Yes, I was.
14. Q.- What is the acreage of the farm?
- A.- In the neighborhood of 452 acres.
15. Q.- What do you consider the value of the farm?
- A.- We appraised it at \$15,000.
16. Q.- Do you know whether or not Mrs. Smith owned the entire farm or two-thirds of it?
- A.- She owned two-thirds of it.
17. Q.- In your appraisal listed in the Orphans' Court, you stated she had a two thirds interest in it?
- A.- That is right.
18. Q.- Did Mrs. Smith own the canning factory entirely?
- A.- Yes.
19. Q.- What was the value of the canning house property?
- A.- \$3500.00.
20. Q.- Since Mrs. Smith's death, the two-thirds interest in the farm is owned by G. Walter Smith and her two children, Pauline B. Tarring and Ann Charles Smith?
- A.- I would think so.
21. Q.- And the canning factory is owned the same way, in its entirety?
- A.- Yes, that is correct.
22. Q.- Do you consider that the farm and canning house properties could be divided among the owners without material loss or injury?
- A.- No.
23. Q.- The only method of making division among the three owners would be by selling the real estate and dividing the proceeds?
- A.- Yes, that would be the fairest way.
24. Q.- What did you value the canning house property at?
- A.- We appraised it at \$3500. and I think at present prices, that is all it is worth.

Do you know, or can you state, any other matter or thing which may be of benefit or advantage to the parties to this cause, or either of them, or that may be material to the subject of this your examination, or the matters in question

between the parties? If yea, state the same fully and at large in your answer.

Answer: No.

W. Henry Fisher

JOHN E. KINNAMON, the second witness, of lawful age, having been duly sworn, deposes and says:

- 1Q.- You live in Queen Anne's County?  
A.- At this time I do.
- 2Q.- How long have you lived here?  
A.- I moved over in Queen Anne's County on Oct. 16, 1939.
- 3Q.- Prior to that time, where did you live?  
A.- Within three doors of Mr. and Mrs. R. G. Charles, in Talbot County,
- 4Q.- Mr. and Mrs. Charles were the parents of Mabel C. Smith?  
A.- Yes.
- 5Q.- You knew Mrs. Mabel C. Smith during her lifetime?  
A.- Yes.
- 6Q.- Do you know the parties to this suit, G. Walter Smith, complainant, and Pauline B. Tarring, Malcolm Y. Tarring and Ann Charles Smith, the defendants?  
A.- Yes Sir.
- 7Q.- Mr. G. Walter Smith was the husband of Mabel C. Smith?  
A.- Yes.
- 8Q.- And Pauline B. Tarring and Ann Charles Smith are her two children?  
A.- Yes.
- 9Q.- Did she have any other children living, to your knowledge?  
A.- No.
- 10Q.- Pauline B. Tarring is an adult, and Ann Charles Smith, is and infant, under the age of twenty-one years?  
A.- That is correct.
- 11Q.- You are familiar with the property of Mrs. Smith in Queen Anne's County, of which she died seized?  
A.- Yes sir:
- 12Q.- Of what does it consist in Queen Anne's County?  
A.- A farm and canning house property.
- 13Q.- What is the acreage of the farm?  
A.- I believe it is 452 acres.
- 14Q.- Do you know whether or not Mrs. Smith owned it entirely at the time of her death?  
A.- Only a portion of it, I believe.
- 15Q.- What portion?  
A.- A two-third interest.
- 16Q.- At what did you value the farm in its entirety?  
A.- \$15,000.
- 17Q.- You were also one of the appraisers in the Orphans' Court?  
A.- Yes, sir.
- 18Q.- What did you value the canning house property?  
A.- \$3500.00
- 19Q.- What is the acreage of that property?  
A.- I am not quite sure, but approximately ten acres.
- 20Q.- That ten acres is improved by a frame canning house?  
A.- Yes.
- 21Q.- And the farm is improved by what buildings?  
A.- A house and stable, sheds and granary.
- 22Q.- The canning house property was owned entirely by Mrs. Mabel C. Smith at the time of her death, was it not?  
A.- Yes.
- 23Q.- That would now be owned by Mr. Smith, her husband, and her two children?  
A.- Yes.
- 24Q.- Is this property susceptible of division among the owners without material loss or injury?  
A.- I do not see how it could be divided to any advantage whatever. The only thing I can see, would be a sale, and divided the proceeds.
- 25Q.- Why do you say that the property could not be divided without material loss or injury?  
A.- There is only one canning house building, and it could not be divided.

Do you know, or can you state, any other matter or things which may be of benefit or advantage to the parties to this cause, or either of them, or that may be material to the subject of this your examination, or the matters in question between the parties? If yea, state the same fully and at large in your answer.

Answer; No.

JOHN KINNAMON

G. WALTER SMITH, the third witness, of lawful age, being duly sworn, deposes and says:

- 1Q.- You live in Aberdeen?  
A.- Yes.
- 2Q.- You were the husband of the late Mabel C. Smith?  
A.- Yes.
- 3Q.- When did she die?  
A.- July 13, 1940.
- 4Q.- How many children did Mrs. Smith have living at the time of her death?  
A.- Her daughter, Pauline B. Tarring, by Hollis R. Baker; and a daughter by myself, Ann Charles Smith.
- 5Q.- Did she die testate or intestate?  
A.- Intestate.
- 6Q.- Who qualified as administrators of her estate?  
A.- Pauline B. Tarring and myself.

- 7Q.- Did she own any real estate in Queen Anne's County at the time of her death?  
 A.- She owned a two thirds interest in a farm, which she ~~xxx~~ inherited from her father, the late R. G. Charles, the remaining one-third interest was owned by her mother, Laura E. Charles, and a canning house property.
- 8Q.- What is the acreage of the farm?  
 A.- The farm is about 457 acres.
- 9Q.- What is the value of it?  
 A.- Around \$15,000 or \$16,000.
- 10Q.- What is acreage of canning house property?  
 A.- Ten or eleven acres.
- 11Q.- What do you consider the value of that?  
 A.- About \$3,000 or \$4,000.
- 12Q.- You have heard Mr. Kinnamon's description of the buildings on these two properties, is that correct?  
 A.- Yes, it is.
- 13Q.- Following the death of Mrs. Smith, you and her two daughters own together a one-third interest each in the canning house property, and Mrs. Smith's two thirds interest in the farm, do you not?  
 A.- That is right;
- 14Q.- Your daughter, Ann Charles Smith is an infant?  
 A.- Yes, she was thirteen years old the 2nd day of May, 1941.
- 15Q.- Have you qualified as guardian in the Orphans' Court of Harford County for Ann Charles Smith?  
 A.- Yes, I have.
- 16Q.- Is the real estate, farm and canning house properties, located in Queen Anne's County, susceptible of division among the owner without material loss or injury?  
 A.- No.
- 17Q.- Why do you say that?  
 A.- There is only one set of buildings on each property, and and if they were divided, there would be no buildings on some of it.
- 18Q.- Is that true of the canning house property?  
 A.- Yes.
- 19Q.- Are either of these properties mortgaged?  
 A.- No
- 20Q.- Malcolm Y. Tarring, the remaining adult defendant, is the husband of Pauline B. Tarring?  
 A.- Yes.
- 21Q.- And all of the defendant and yourself, reside at Aberdeen, Maryland?  
 A.- Yes.

Do you know, or can you state, any other matters or thing which may be of benefit or advantage to the parties to this cause, or either of them, or that may be material to the subject of this your examination, or the matters in question between the parties? If yea, state the same fully and at large in your answer.  
 Answer: No G. Walter Smith/

Mr Cronin then handed the Examiner a certified copy of a deed from Laura E. Charles, Administratrix, and individually, to Mabel C. Smith, which was filed with the original papers, as Exhibit No. 1, and marked as Examiner's Exhibit No. 1,

There being no other witnesses to be examined or further testimony to be taken, and neither party desisting further time for the production of evidence, your Examiner makes his return and certifies that he was engaged as such Examiner in taking this testimony two days and examined three witnesses, making the costs chargeable in said cause:

H. B. W. MITCHELL, Examiner	.....\$8.00
MARIAN R. GREENLAND, Stenographer,	..... 4.50
DR. WILLIAM H. FISHER, witness,	..... .75
JOHN E. KINNAMON , Witness,	..... .75
G. WALTER SMITH, Witness, (complainant).....	.75
	<u>\$14.75</u>
	H. B. W. Mitchell Examiner.

EXAMINERS EXHIBIT NO. 1.  
 Filed May 7th 1941

.....  
 QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the First day of November, in the year nineteen hundred and thirty four, the following Deed was brought to be recorded, to wit:-

One-Ten Dollars and One Five Dollars Int, Rev. Stamps  
 Endorsed M. C. S. 10/30/34

THIS DEED , Made this 30th day of October in the year one thousand nine hundred and thirty-four by Daura E. Charles, Administratrix of Robert G. Charles, deceased, of Talbot County, State of Maryland, and Laura E. Charles, individually.

@WITNESSETH that in consideration of Fifteen Thousand Dollars the said Laura E. Charles, Administratrix, and Laura E. Chalres individually does grant and convey unto Mabel C. Smith, of Harford County, Maryland, her heirs and assigns in fee simple,

all and singular that piece or parcel of ground situate, lying and being in at Wye Station, in the Fifth Election District of Queen Anne's County, Maryland, and bounded on the one side by the public road leading from Centreville, road, Delaware and Virginia Railway property, which divides the lot hereby conveyed from other property of said John E. George, and bounded on the remaining side by the stream which flows between the lot hereby conveyed and the Eliason property of John Skinner, containing about eleven acres of land; being a part of the land devised to John E. George by Matthias George, being the tract of land which was conveyed unto P. Tevis Baker and Frank E. Baker and Charles W. Baker, co-partners trading as C. W. Baker & Sons, as partnership property by John E. George and wife, by deed dated the third day of June in the year nineteen hundred and fifteen and recorded in Liber W. F. W., No. 7, folios 447 &c, a Land Record Books for Queen Anne's County, to which said deed and the reference therein contained, reference is hereby made for a more full and perfect description of the property hereby conveyed.

BEING also the same land and premises which was conveyed by the said P. Tevis Baker, et al to the said Robert G. Charles, by deed dated the 28th day of October, A. D., 1924, and recorded in Liber B. H. T., No. 2, folio 439, one of the land Record Books for Queen Anne's County.

TOGETHER with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or in any wise appertaining.

TO HAVE AND TO HOLD the aforesaid lands and premises; above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Mabel C. Smith, her heirs and assigns in fee simple.

AND the said Laura E. Charles, Administratrix, and Laura E. Charles individually hereby covenant that they will warrant specially the property hereby granted and conveyed, and that they will execute such further assurances of said title as may be requisite.

WITNESS THE hands and seals of said grantors.

LAURA E. CHARLES (SEAL)  
Administratrix of Robert G. Charles,  
dec'd

LAURA E. CHARLES, (SEAL)

TEST:

EDNA V. KILLEN

STATE OF MARYLAND TALBOT COUNTY to wit:

I HEREBY CERTIFY, that on this 30th day of October in the year one thousand nine hundred and thirty-four before me, the subscriber a Notary Public of the State of Maryland, in and for Talbot County aforesaid, personally appeared Laura E. Charles, Administratrix of Robert G. Charles, Administratrix of Robert G. Charles, deceased, and Laura E. Charles, individually and acknowledged the foregoing Deed to be her act individually and as Administratrix aforesaid.

Witness my hand and Notarial Seal :

EDNA V. KILLEN  
Notary Public

Notary Public  
Seal.

State of Maryland,

Queen Anne's County, to wit;

I hereby certify that the foregoing is truly taken and copied from Liber B. H.T. No. 18, folios 395, etc., a Land Record Book for Queen Anne's County.

In Testimony Whereof I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County this 26th day of March, in the year nineteen hundred and forty one.

Corp.  
Seal.  
Place.

A. Sydney Gadd Jr. Clerk.

.....  
SUBMISSION AND DECREE  
Filed June 4th 1941.

DECREE

SECOND JUDICIAL CIRCUIT OF MARYLAND

G. WALTER SMITH

VS.

PAULINE B. TARRING , etc.

IN THE CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY

IN EQUITY

THIS CAUSE being ready for hearing, and being submitted for final Decree, the Bill of Compliant, Exhibits, Answers, Testimony and all other proceedings having been read and duly considered- IT IS THEREUPON, this 4th day of May in the year of our Lord one thousand nine hundred and Forty One by the Circuit Court for Queen Anne's

in Equity.

ADJUDGED, Ordered and Decreed, The the real estate described in the above entitled proceedings be sold .

And that J. Wilmer Cronin of Harford County, Maryland be and he is hereby appointed Trustee to make sale thereof; And that the courses and manner of his proceeding shall be as follows: he shall, before he proceeds to make such sale, first file with the Clerk of the Circuit Court for Queen Anne's County, a bond to the State of Maryland, executed by him and a surety or sureties in the penalty of four Thousand Dollars, corporate surety and indoulbe that amount if personal sureties conditioned for the faithful performance of the trust reposed in him by this decree or which may be reposed in him by any future order of decree passed in the premises, which said Bond shall be approved by one of the Judges of the said Judicial Circuit, or by the Clerk of the Circuit Court for Queen Anne's County. The said Trustee shall then proceed to make said sale, having given at least three weeks previous notice by advertisement inserted in some newspaper or papers printed and published in Queen Annel's county, and in such other manner as he shall think proper, of the time, place, manner and terms of sale, which terms shall be as follows: One third of the purchase money to be paid in cash on the day of sale, or on th ratification thereof, in the disretion of said trustee; one-third thereof in six months and the residue in twelve months from the day of sale, or all cash on day of sale, or on the ratification thereof at the option of the purchaser; the credit payments to bear interest from the day of sale, and to be secured by the notes or bonds of the purchaser, with surety to be approved by the said trustee .That as soon as convenient after such sale and after a public offering, the said real estate may be sold at private sale the said trustee shall return to this Court a full and particular account of his proceedings in the premises, with an affidavit thereto annexed of the rruth thereof, and of the fairness of such sale. And on the final ratification thereof, and the full payment of the whole purchaser money ( and not before) the said trustee is hereby aughorized, by a good and sufficient dee, acknowledged and recorded according to law, to convey to the purchaser, his her, or their heirs, the property andestate, to him, her or them sold free, clear, anddscharged from all claim of the parties to this cause.

And the said trustee shall bring into Court the money arising from the sale of the said lands and premises, to be distributed under the direction of this Court, after deducting the costs of suit andsuch commissions to the said trustee as the Court shall think proper to allow, in consideration of th skill,attention; and fidelity wherewith he shall appear to have discharged his trust.

Thomas J. Keating

.....  
CERTIFIED COPY OF BOND  
Filed June 14th 1941.

Queen Anne's County, to wit: Be it remembered that on the fourteenth day of June, in the year Nineteen Hundred and forty one , the following Bond was filed for record, to wit:

Known all menby these presents : That we, J. Wilbur Cronin of Harford County, State of Maryland, and the New Amsterdam Casualty Company, a body corporate of the State of Maryland, are held and firmly bound unto the State of Maryland, in the full and just sum of Four Thousand Dollars, current money of the United States, to be paid to the saidState of Maryland, or its certain attorney, to which payment well and truly to be made and sone, we bind ourselves and each of us, our and each of our heirs, executors, and administrators jointly and severally, firmly by these presents, Sealed with our seals and dated this 9th day of June in the year of our Lord 1941. Whereas, by a Decree of the Honorable Thomas J. Keating, of the Circuit Court for Queen Anne's County, in Equity, bearing date the 4th day of June, in the year 1941, and passes in a cause pending in the Circuit Court for Queen Anne's County, on the Chancery side thereof in which G. Walter Smith is complainant, and Pauline B. Tarring, Malcolm Y. Tarring her husband and Ann Charles Smith are defendants, the said J. Wilmer Cronin was appointed Trustee , and aughorized and empowered to make sale of the lands and premises in the proceedings in the said cause mentioned. Now the condition of the above obligation is such that if the said J. Wilmer Cronin shall well and faithfull perform the trust reposed in him by the said Decree, or which shall or may be reposed in him by any future order or decree in the premises and shall in all things well andtruly execute the duties of such Trustee, then the above and foregoing obligation to be null and void otherwise to be and remain in full force and virtue in law.

Test: Mariann R. Greenland  
Marian R. Greenland  
  
As to Surety (Corporate)  
Esther L. Knouss (Seal.)  
Esther Z. Knouss

J. Wilmer Cronin (SEAL)  
J. Wilmer Cronin  
  
New Amsterdam Casualty Co,  
By E. C. Due Vice President (SEAL)  
E. C. Due

Attest: M. R. Gosweiler (SEAL)  
  
Asst. Secretary  
  
M. R. Gosweiler

On the back of the foregoing Bond was thus endorsed, to wit:

Security approved and Bond filed June 14th 1941.

A. Sydney Gadd Jr.  
Clerk.

State of Maryland, Queen Anne's County, to wit:

I hereby certify, that the foregoing is truly taken and copied from Liber W. H. C. No. 1, folio 180, A Bond Record Book for Queen Anne's County.

In Testimony Whereof, I Hereunto subscribe my namd and affixed the seal of the Circuit Court for Queen Anne's County, this 14th day of June A. D. 1941.

Corp Seal Place.

A. Sydney Gadd Jr. Clerk.

TRUSTEE'S REPORT OF SALE AND ORDER NISI Filed Dec. 14th, 1941.

WALTER G. SMITH Complainant

vs.

PAULINE B. TARRING, etal. Defendants

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY IN EQUITY. CAUSE, #3267

TO THE HONORABLE , THE JUDGES OF SAID COURT:

THE REPORT OF J. WILMER CRONIN Trustee under a decree in said cause to sell the real estate therein mentioned, shows:

That having duly filed his approval bond and given notice of the time, place, manner and terms of sale by advertisemant in Record-Observor, Centreville and Easton Star Democrat Easton, two newspapers published in Queen Anne's County and Talbot County for more than three successive weeks before the day of sale, he did, pursuant to said notice, attend at Wye Station in Queen Anne's County, on Saturday the 28th day of June 1941, at 3:00o'clock, P. M., and then and there proceeded to sell said real estate as follows: as follows, to wit: All that certain tract or parcel of land containing eleven acres, more or less, dituate at Wye Station, in the Fifth Election District of Queen Anne's County, adjoining Wye Station on the Maryland, Delaware and Virginia Railroad, and public road leading from the Centreville-Easton Road to Starr, by way of Wye Station, being the same and all the lands as described in a deed from Laura E. Charles, Administratrix, etc., to Mabel C. Smith, dated October 30, 1934; but not receiving an adequare bid therefor, withdrew the same from Public sale, and that thereafter, on the 26th day of December, your Trustee sold said property at private sale to Pauline B. Tarring, for the s um of Three Thousand dollars (\$3,000), she being the highest bidder therefor.

THAT the aforsaid sale was bona fide and fairly made, and for the best prices obtainable, and the said Pauline B. Tarring purchaser has promised to comply with the terms of sale prescribed by said advertisements.

Respectfully submitted,

J. Wilmer Cronin Trustee.

STATE OF MARYLAND,

HARFORD COUNTY, Sct.

I HEREBY CERTIFY, That on this 26th day of December, 1941, before the subscriber, a Notary Public of the State of Maryland, in and for Harford County, personal appeared J. Wilmer Cronin, the above named Trustee and made oath in the due form lf law, that the matters and facts stated in the foregoing report are true to the best of his knowledge and belief.

AS WITNESS MY Hand and Notarial Seal.

Notary Public Seal.

Marian R. Greenland Notary Public Filed Dec. 31st. 1941.

G. WALTER SMITH Complainant

VS.

PAULINE B. TARRING, etal. Defemdants

IN THE CIR CUIT COURT FOR QUEEN ANNE'S COUNTY, IN EQUITY.

ORDERED, this \_\_\_ day of \_\_\_ 1941; that the sales made and reported in the above entitled cause by J. Wilmer Cronin Trustee be finally confirmed, unless, cause to the contrary thereof be shown on or before the day of February 1942; provided a copy of this order be inserted in some newspaper published in Harford County, aforesaid, once in each of three (3) successive weeks before the \_\_\_ day of February 1942.

The report states the amount of sales to be \$3,000.



.....  
NISI SALE  
Filed Dec. 31st 1941.

N I S I

G. WALTER SMITH  
COMPLAINANT

VS,

PAULINE BAKER TARRING , et al  
Defendant

IN THE CIRCUIT COURT FOR  
QUEEN ANNE'S COUNTY  
IN EQUITY.  
CHANCERY NO. 3267

ORDERED, This 31st day of December A. D., 1941, that the sale of real estate made and reported in this cause by J. Wilmer Cronin, Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 10th day of March next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 7th day of February next.

The Report states the amount of sales to be \$3,000.00

A. Sydney Gadd Jr. Clerk.

Filed December 31st 1941.

.....  
COPY OF ADVERTISEMENT OF ORDER  
NISI ON SALE.  
Filed Feb. 26, 1942.

N I S I

G. WALTER SMITH, Complainant

vs.

Pauline Baker Tarring, et al.  
Defendants

IN The Circuit Court for  
Queen Anne's County, in Equity.  
Chancery No3267

ORDERED, This 31st day of December A. D. 1941, that the sale of real estate made and reported in this cause by J. Wilmer Cronin, Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 10th day of March next; provided a copy of this order be inserted in some newspaper printed and published in QUEEN ANNE'S County, Maryland, once in each of four successive weeks before the 7th day of February next.

The Report states the amount of sales to be \$3,000.00.

A. SIDNEY GADD JR. Clerk.

True Copy  
Test:

A. Sidney Gadd Jr. Clerk.

Filed December 31st 1941.

QUEEN ANNE'S RECORD- OBSERVER

Centreville, Md. February 25, 1942

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO. hereby certifies that the Nisi in the case of G. Walter Smith Complainant vs. Pauline Baker Tarring, et al. a true copy of which is hereto annexed, was inserted in the QUEEN ANNE'S RECORD - OBSERVER, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week for four successive weeks the first publication thereof having been made in said newspaper on the 8th day of January 1942, being more than four weeks before the 7th day of February 1942.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO.  
By: Helen C. Booker

Filed Feb. 26, 1942

.....  
TRUSTEES SALE OF VALUABLE CANNING  
HOUSE PROPERTY  
Filed April 2nd, 1942.

J. Wilmer Cronin, Solicitor  
Aberdeen, Maryland,

TRUSTEES SALE OF VALUABLE  
CANNING HOUSE PROPERTY  
AT WYE STATION, QUEEN ANNE'S COUNTY.

By virtue of the power and authority contained in a decree in the case of Smith vs. Tarring in the Circuit Court for Queen Anne's County in Equity, the undersigned Trustee named therein, will offer at public auction on the premises near Wye Station, on the M. D. & V Railroad on SATURDAY, JUNE 28, 1941, at 3:30 P.M. the following described real estate:

All that certain tract or parcel of land containing eleven acres, more or less, situate at Wye Station, in the Fifth Election District of Queen Anne's County, adjoining Wye Station on the Maryland, Delaware and Virginia Railroad, and public road leading from the Centreville-Easton road to Starr, by way of Wye Station, being the same and all the lands as described in a deed from Laura E.

Charles, Administratrix, etc., to Mabel C. Smith, dated October 30, 1934.

The property is improved by a frame canning house in an excellent state of repair and ready for operation, three shanties for employees, office building and scales.

(Note: Approximately eleven acres of an additional lot adjoining the above property will be offered at auction on the same day, and at the same time as described in an advertisement of other property).

TERMS OF SALE

The terms of sale as provided in said decree are, one third in cash on day of sale, or on the ratification thereof, one-third in six months, and the balance thereof in twelve months or all cash at the option of the purchaser, credit payments to bear interest at the rate of 6%, and to be secured to the satisfaction of the undersigned.

J. WILMER CRONIN

J. ELMER ANTHONY, Auctioneer, Trustee

QUEEN ANNE'S RECORD - OBSERVER  
Centreville, Md.....April.2,.1942.....

THE QUEEN ANNE'S RECORD and PUBLISHING CO, hereby certifies that the Sale of the Canning House Property at Wye Station, Queen Anne's Co. Maryland advertised by J. Wilmer Cronin, Trustee, in the case of Smith vs Tarring in the Circuit Court for Queen Anne's Co. in Equity. a true copy of which is hereto annexed, was inserted in the QUEEN ANNE'S RECORD- OBSERVER, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week for four successive weeks the first publication thereof having been made in said newspaper on the 5th day of June 1941. being more than three successive weeks before the 28th day of June 1941.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO.

By, Cleo C. Green

.....  
ORDER OF COURT  
Filed April 6th 1942.

G. WALTER SMITH  
Complainant

vs

PAULINE B. TARRING, et al  
Defendants

IN THE CIRCUIT COURT FOR  
QUEEN ANNE'S COUNTY  
IN EQUITY.

ORDERED, This 4th day of April 1942, that the sales made and reported by J. Wilmer Cronin, Trustee, in the above case, be and they are hereby finally confirmed, no cause to the contrary thereof having been shown, although due notice appears to have been given, as required by the preceding Order Nisi.

Stephen R. Collins

Filed April 6th 1942.

.....  
REPORT AND ACCOUNT OF THE AUDITOR  
Filed June 1st. 1942.

In the Circuit Court for Queen Anne's County in Equity,.

G. Walter Smith, plaintiff,

vs.

Pauline Baker Tarring,  
Ann Charles Smith, defendant,

CHANCERY DOCKET  
CAUSE NUMBER 3267

To the Honorable, the Judges of said Court:

The Report of Madison Brown, your auditor, unto Your Honors respectfully sets forth:

That he has stated the within account between J. Wilmer Cronin the trustee appointed by the decree passed in this cause to sell the real estate mentioned in the decree, with the gross amount of the sale of said real estate as made by said trustee per his report filed herein and then by allowing said trustee thereout the following items, to wit:

- (1) His commissions on the gross sale per rule of this Court,
- (2) the Court costs of this cause, (3) cost of advertising notices of the sale in newspaper published in Talbot County,
- (4) cost of advertising notices of sale in newspaper published in Queen Anne's County, (5) cost of advertising order nisi to be passed as to this account, (6) cost of the bond filed by said trustee in this cause, the last five allowances being in accordance with the vouchers thereof exhibited to the auditor and returned by him with this account,

(7) the fee of the auditor.

The balance of the charge made as aforesaid against the trustee remaining after these allowances is the amount of the net sale and the amount for distribution among the Co-owners of the land sold named in the Bill of Complaint and is distributed by the auditor by the annexed account unto these Co-owners in accordance with their respective rights of the owners-ship of the land,

Which is respectfully submitted.

Madison Brown,  
AUDITOR

May 26, 1942.

PAGE ONE OF REPORT.

CAUSE NUMBER 3267

The proceeds of the sale of the real estate of G. Walter Smith, Pauline Baker Tarring and Ann Charles Smith, sold under the decree passed in this Cause in account with J. Wilmer Cronin, the trustee appointed by said Decree to sell sell real estate.

1941		CR.	
Dec.	By amount of the gross sale made this date of said real		
26.	estate per the Report of said trustee filed in these		
	proceedings, to wit, the sum of .....		\$3,000.00

1941		DR.		
Dec.	To J. Wilmer Cronin, trustee and vendor for			
26.	his commissions for making said sale per			
	rule of Court, the sum of .....		\$165.00	
	To do., for the Court costs of these proceedings per			
	bill of costs made by the Clerk of the Court,			
	to wit:.....			
	Cost of A. S. Gadd, Clerk,.....	\$41.70		
	Appearance fee of			
	Plaintiff's attorney,.....	10.00		
	Defendant's attorney,.....	10.00		
	Fee of Guardian ad Litem.....	4.00		
	Fee of Sheriff,.....	2.25		
	Fee of Examiner .....	8.00		
	Fee of Examiner .....	4.50		
	Fee of his Witnesses.....	2.25		
	Total of Court Costs,.....	\$82.70	\$ 82.70	
	To do., for the costs of advertising notices			
	of sale in Easton Star Democrat, (Talbot)			
	newspaper published, per account for same			
	exhibited, the sum of .....		\$ 33.75	
	To do., for the cost of advertising notices of			
	sale in newspaper, published at Centreville,			
	Maryland, per account for same			
	exhibited, the sum of .....		49.50	
	To do., for cost of advertising the Order Nisi			
	on Report of Sale in same Centreville News-			
	paper, per account for same exhibited, the			
	sum of .....		5.00	
	To do., for the cost of his bond as trustee			
	with corporate surety thereon filed in this			
	cause, per account for same rendered by said			
	surety exhibited, the sum of .....		16.00	
	To do., for cost of advertising the order nisi			
	to be passed on this audit, the sum of .....		3.50	
	Amount carried forward to next page.		\$ 355.45	\$3,000.00

CAUSE NUMBER 3267

Amounts brought forward from preceding page.....	DR	CR
	\$355.45	\$3,000.00

To Madison Brown, auditor, for stating this account, the sum of .....

To this balance, being the net amount of the sale carried below for distribution .....

\$3,000.00      \$3,000.00

CR.

By balance mentioned above brought down, to wit: .....\$2,631.05

DISTRIBUTION AMONG CO\* OWNERS:

DR.

To G. Walter Smith  
one-third of said balance, to wit: sum of.....\$877.01

To Pauline Baker Tarring  
one-third of said balance, to wit: sum of .....\$877.02

To Ann Charles Smith, infant  
one third of said balance, to wit: sum of .....\$877.02

\$2,631. 05      \$2,631.05

May 26, 1942.

Madison Brown  
AUDITOR

Filed June 1st 1942.

.....  
NISI RATIFICATION OF AUDIT  
Filed June 1st. 1942.

NISI RATIFICATION OF AUDIT

G. Walter Smith, plaintiff

vs.

Pauline Baker Tarring  
Ann Charles Smith, defendants

Ø IN THE CIRCUIT COURT FOR  
Ø  
Ø QUEEN ANNE'S COUNTY  
Ø  
Ø IN EQUITY.  
Ø  
Ø CAUSE NO. 3267

ORDERED, this first day of June in the year nineteen hundred and forty two that the Report and Account filed in these proceedings by Madison Brown, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 26th day of June, 1942, provided a copy of this order be published once in each of two successive weeks before the 19th day of June, 1940, in some newspaper printed and published in Queen Anne's County.

A. Sydney Gadd Jr. Clerk.

Filed June 1st 1942.

.....  
CERTIFICATE OF NO OBJECTIONS TO RATIFICATION OF  
AUDIT AND AS TO PAYMENT OF COSTS  
Filed July 8th 1942.

CLERKS CERTIFICATE

G. Walter Smith

vs.

Pauline Baker Tarring et al.

Ø IN THE Circuit Court for  
Ø  
Ø Queen Anne's County  
Ø  
Ø in Equity  
Ø Chy, No. 3267

I hereby certify that no objections to the ratification of the audit have been filed in the above entitled proceedings, and that all taxed costs as stated in the Auditor's Account filed in this cause on the 1st day of June, 1942, have been paid in accordance with the requirements of Section 26 of Articles 17 of the Code of Public General Laws.

In testimony whereof, I have hereunto set my hand and the seal of the Circuit Court for Queen Anne's County affixed this 8th day of July 1942.

Corp.  
Seals  
Place.

A. Sydney Gadd Jr. Clerk.  
Filed July 8th 1942.

.....  
NISI RATIFICATION OF AUDIT  
Filed July 8th 1942,

NISI RATIFICATION OF AUDIT

G. Walter Smith, plaintiff

vs

Pauline Baker Tarring  
Ann Charles Smith  
Defendants

Ø In the Circuit Court for  
Ø  
Ø Queen Anne's County  
Ø  
Ø in Equity  
Ø Cause No. 3267

ORDERED, This first day of June in the year nineteen hundred



CAUSE NO. 3191.

QUEEN ANNEUS COUNTY TO WIT: Be it remembered that the fourteenth day of December, in the year nineteen hundred and thirty eight the following Bill of Complaint was brought to be recorded to wit:

CHARLES RHODES and NANNIE L. RHODES,  
his wife, GEORGE W. RHODES and HELEN RHODES  
his wife, EDNA R. CONNOLLY and BERNARD F.  
CONNOLLY, here husband, M. GERTRUDE RHODES,  
KATHRYN R. HARRISON and SPENCER T. HARRISON,  
her husband, VIRGINIA R. TRAGESER and  
CHARLES A. TRAGESER, her husband, SMAUEL T.  
RHODES, JR., and ANNA P. RHODES, his wife,  
Eleanora E. Appleford and BERNARD APPLEFORD, her husband  
MILTON RHODES, TILGHMAN RHODES and ELIZABETH RHODES,  
his wife, LILLIAN DICKERSON, STELLA RHODES  
AVIS RHODES, BLANCHE R. BRADELY and  
GORMAN BRADLEY, her husband, HARRY B. RHODES  
and HELEN RHODES, his wife, and ARTHUR J. RHODES  
and ROUMAIN RHODES, his wife,  
Plaintiffs

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY

IN EQUITY .

versus

EDWARD W. RHODES, and BESSIE RHODES,  
his wife, MARY A. RHODES, EDWARD W.  
RHODES, and NORMAN L. RHODES, Executors of the  
WILL of Martha M. Durney, deceased, HELEN  
R. GOLDSBOROUGH, her husband, CHARLES R. GOLDSBOROUGH,  
WALTER P. CARRION, MICHAEL HYLAND, HOWARD  
F. RHODES, and NORMAN L. RHODES,  
Defendants.

TO THE HONORABLE, the Judges of said Court:

YOUR ORATORS, complaining, say:

1. THAT John A. Rhodes, late of Queen Anne's County, Maryland, deceased, departed this life on or about the eighth day of December, in the year nineteen hundred and thirty seven, leaving a last Will and Testament which was duly admitted to probate by the Orphans' Court of Queen Anne's County, aforesaid, and is of record in Liber N. S. D. No. 1, folio 36, etc., a Will Record Book for Queen Anne's County; a certified copy thereof being filed herewith as a part hereof, marked "Plaintiffs' Exhibit No. 1"

2. THAT the personal estate of said John A. Rhodes, deceased, has been fully administered by the Administratrices cumtestaments annexo, who have filed in said estate their Final Administration Account and Distribution Account, a certified copy thereof being filed herewith as a part hereof, marked "Plaintiffs' Exhibit No. 2," which said Distribution Account shows that said personal estate was insufficient to pay the four pecuniary legacies therein bequeathed in full; and the four pecuniary legatees mentioned in said Will, to wit: The Defendants, William Nigrin, Walter P. Carrion, Michael Hyland, called in said Will, Michael Holland, and Howard Rhodes, have, therefore, claims against the real estate of said deceased for the unpaid portions of their respective pecuniary legacies.

3. THAT Josiah Rhodes (called in said Will, Joseph Rhodes), brother of the Testator, predeceased the Testator leaving the following children: a daughter Nora Appleford, one of the Plaintiffs and who is married to the Plaintiff, Bernard Appleford; a son, Milton Rhodes, single, one of the Plaintiffs; a son, Tilghman Rhodes, one of the Plaintiffs and who is married to the Plaintiff, Elizabeth Rhodes, a daughter, Lillian Dickerson widow, one of the Plaintiffs; a daughter, Stella Rhodes, one of the Plaintiffs and who is married to the Defendant, Norman Rhodes; a daughter, Avis Rhodes, single, (otherwise known as Sister Mary Reta) one of the Plaintiffs; a daughter, Blanche R. Bradley, one of the Plaintiffs and who is married to the Plaintiff, Gorman Bradley, a son, Harry Rhodes, one of the Plaintiffs and who is married to the Plaintiff, Helen Rhodes; and a son, Arthur Rhodes, one of the Plaintiffs and who is married to the Plaintiff, Roumain Rhodes; and no children of any deceased child.

4. THAT the said Henry Rhodes, deceased brother of the Testator, left, as his only children surviving him, the following: a son, George W. Rhodes, one of the Plaintiffs and who is married to the Plaintiff, Helen Rhodes, and a Daughter, Edna R. Connolly, one of the Plaintiffs and who is married to the Plaintiff, Bernard F. Connolly; and no children of any deceased child.

5. THAT the said Samuel T. Rhodes, Senior, deceased brother of the Testator, left, as his only children surviving him, the following: a daughter, M. Gertrude Rhodes, single, one of the Plaintiffs; a daughter, Helen Goldsborough, one of the Defendants, and who is married to the Defendant, Charles R. Goldsborough; a daughter, Kathryn R. Harrison, one of the Plaintiffs and who is married to the Plaintiff, Spencer T. Harrison; a daughter, Virginia R. Trageser, one of the Plaintiffs and who is married to the Plaintiff, Charles A. Trageser; and a son, Samuel Thomas Rhodes, Junior, one of the Plaintiffs and who is married to the Plaintiff, Anna P. Rhodes; and no children of any deceased child.

6. THAT Martha M. Durney has died since the death of the Testator, to wit: during the month of August, 1938, leaving a Last Will and Testament which has been duly admitted to probate by the Orphans' Court of Talbot County, Maryland, and which is of record in Liber J. D. S. # 24, folio 483, etc., a Will Record Book for Talbot County, a certified copy thereof being filed herewith, as a part hereof, marked "Plaintiffs' Exhibit No. 3", and the Defendants, Edward W.

Rhodes and Norman L. Rhodes, the Executors named, therein, have duly qualified as such as will appear by reference to the certificate of the Register of Wills of Talbot County filed herewith as a part hereof, marked "Plaintiffs' Exhibit No. 4".

7. THAT the said John A. Rhodes, so dying as aforesaid, was, at the time of his death, seized and possessed of the following real estate (in addition to the ground rent issuing from the lot at No. 908 East Egger Street, Baltimore City, which he specifically devised in his will to the Mother of Sorrows Church), some of which is located in Queen Anne's County, Maryland, and some of which is located in Baltimore City, Maryland;

PARCEL # 1- A house and lot of land at Love Point, Queen Anne's County, Maryland, consisting of Lots Nos. 16, 17, 18, and 19 in Block #4, and parts of Lots Nos. 1, 2, 3, 4, 8, 9, 10, 13, 14, 15, and 16 in Block #18; being all the land conveyed to said John A. Rhodes, by two Deeds, one from The Love Point Land and Improvement Company of Caroline County, dated the 26th day of August, 1911, and recorded in W. F. W. #1, folio 19, etc., and the other from J. Wm Keith, County Treasurer, dated May 26, 1936, and recorded in Liber W. H. C. #3-A, folio 36, etc., both Land Record Books for Queen Anne's County, said Deeds being filed herewith as a part hereof, marked "Plaintiffs' Exhibits Nos. 5 and 6, respectively".

PARCEL # 2- A bungalow and lot of land at Love Point, Queen Anne's County, Maryland, consisting lots Nos. 2 and 3 in Block #14, and a small strip of land adjoining Lot No. 3, said land having been conveyed unto said John A. Rhodes by three Deeds, one from Isaac Grollman and wife, dated May 29, 1913, and recorded in Liber W. F. W. #3, folio 405, etc., one from The Love Point Land and Improvement Company of Caroline County, dated May 31, 1913, and recorded in Liber W. F. W. #3, folio 404, etc., and one from M. Luther Thomas and wife, dated January, 1913, and recorded in Liber B. H. T. #12, folio 331, etc., all Land Record Books for Queen Anne's County, a certified copy of the Grollman Deed and the original Deeds from The Love Point Land and Improvement Company and from M. Luther Thomas being filed herewith as a part hereof, marked "Plaintiffs' Exhibits Nos. 7, 8, and 9, respectively".

PARCEL #3- A certain ground rent of \$90.00 annum, issuing from, payable out of, and incident to the premises at 3012 Christopher Avenue, Baltimore City, Maryland, Title to which vested in said John A. Rhodes by virtue of a Deed from The Title Holding Company, dated November 21, 1928, recorded in Liber SCL #4948, folio 206, etc., one of the Land Records of Baltimore City; said Deed being filed herewith as a part hereof, marked "Plaintiffs' Exhibit No. 10".

PARCEL # 4- A certain ground rent of \$37.15 per annum, issuing from, payable out of, and incident to the premises at 734 N. Patterson Park Avenue, Baltimore City, Maryland, Title to which vested in said John A. Rhodes by virtue of a Deed from Genevieve B. Eckenrode and husband, dated February 8, 1927, recorded in Liber S. C. L. #4693, folio 564, etc., one of the Land Records of Baltimore City, said Deed being filed herewith as a part hereof, marked "Plaintiffs' Exhibit No. 11".

PARCEL # 5- A certain ground rent of \$38.50 per annum, issuing from, payable out of, and incident to the premises at 812 N. Patterson Park Avenue, Baltimore City, Maryland, Title to which vested in said John A. Rhodes by virtue of the same Deed as Parcel No. 4.

PARCEL #6- A certain ground rent of \$90.00 per annum, issuing from, payable out of, and incident to the premises at 4109 Norfolk Avenue, Baltimore City, Maryland, Title to which vested in said John A. Rhodes by virtue of a Deed from Archibald Sykes and wife, dated January 10, 1922, recorded in Liber S C K #3817, folio 418, etc., one of the Land Records of Baltimore City, said Deed being filed herewith as a part hereof, marked "Plaintiffs' Exhibit #12".

PARCEL #7- a certain ground rent of \$78.00 per annum, issuing from, payable out of, and incident to the premises at 126 Schaeffer Avenue, Baltimore City, Maryland, Title to which vested in said John A. Rhodes by virtue of a Deed from Eureka Construction Company, Inc., dated January 27, 1927, recorded in Liber SCL #4692, folio 244, etc., one of the Land Records of Baltimore City, said Deed being filed herewith as a part hereof, marked "Plaintiffs' Exhibit No. 13".

PARCEL #8- A certain ground rent of \$84.00 per annum, issuing from, payable out of, and incident to the premises at 4118 Norfolk Avenue, Baltimore City, Maryland, Title to which vested in said John A. Rhodes, by virtue of a Deed from Morris Caplan, dated October 13, 1922, recorded in Liber SCL #3920, folio 39, etc., one of the Land Records of Baltimore City, said Deed being filed herewith as a part hereof, marked "Plaintiffs' Exhibit #14".

PARCEL #9- A certain ground rent of \$54.00 per annum, issuing from, payable out of, and incident to the premises at 906 East Egger Street, Baltimore City, Maryland, Title to which vested in said John A. Rhodes by virtue of a Deed from Clarence A. Singer, dated February 1, 1921, recorded in Liber SCL #3697, folio 122, etc., one of the Land Records of Baltimore City, said Deed being filed herewith as a part hereof, marked "Plaintiffs' Exhibit #15".

PARCEL # 10 - A certain ground rent of \$90.00 per annum, issuing from, payable out of, and incident to the premises at 1914 Braddish Avenue, Baltimore City, Maryland, Title to which vested in said John A. Rhodes by virtue of a Deed from The Monumental Realty Company, dated November 3, 1932, recorded in Liber S C L #5332, folio 224, etc., one of the Land Records of Baltimore City, said Deed being filed herewith as a part hereof, marked "Plaintiffs' Exhibit #16".

PARCEL # 11- A certain ground rent of \$90.00 per annum, issuing from, payable out of, and incident to the premises at 1413 Union Avenue, Baltimore City, Maryland, Title to which vested in said John A. Rhodes by virtue of a Deed from The Title Holding Company, dated November 13, 1931, recorded in Liber S C L #5265, folio 351, etc., one of the Land Records of Baltimore City, said Deed being filed herewith as a part hereof, marked "Plaintiffs' Exhibit #17".

PARCEL # 12 - A certain ground rent of \$90.00 per annum, issuing from, payable out of, and incident to the premises at 5508 Wesley Avenue, lately known as 5208 Wesley Avenue, Baltimore City, Maryland, Title to which vested in said John A. Rhodes by virtue of a Deed from John A. Rhodes and M. Loretta Clark, Administrators dated November 3, 1934, recorded in Liber S C L #5490, folio 285, etc., one of the Land Records of Baltimore City, said Deed being filed herewith as a part hereof, marked "Plaintiffs' Exhibit #18".

PARCEL #13 - A certain ground rent of \$90.00 per annum, issuing from, payable out of, and incident to the premises at 4608 Pall Mall Avenue, lately known as 1608 Pall Mall Avenue, Baltimore City, Maryland, Title to which vested in said John A. Rhodes by virtue of a Deed from William R. Blume and wife, dated October 13, 1922, recorded in Liber S C L #3920, folio 393, etc., one of the Land Records of Baltimore City, said Deed being filed herewith as a part hereof, marked

"Plaintiffs' Exhibit #19".

PARCEL # 14- A certain ground rent of \$66.00 per annum, issuing from, payable out of, and incident to the premises at 2363 Annapolis Road, Westport, lately known as 363 Maryland Avenue, Westport, Baltimore City, Maryland, Title to which vested in said John A. Rhodes by virtue of a Deed from Francis R. Summers, substituted Trustee, dated September 30, 1921, recorded in Liber A C L #3784, folio 214, etc., one of the Land Records of Baltimore City, said Deed being filed herewith as a part hereof, marked "Plaintiffs' Exhibit #20".

PARCEL #15 - A certain ground rent of \$96.00 per annum, issuing from, payable out of, and incident to the premises at 2939 Frederick Road, Baltimore City, Maryland, title to which vested in said John A. Rhodes by virtue of a Deed from Carrol B. Hazazer and wife, dated September, 7, 1927, recorded in Liber S C L #4786, folio 111, etc., one of the Land Records of Baltimore City, said Deed being filed herewith as a part hereof, marked "Plaintiffs' Exhibit #21".

PARCEL #16 - A certain ground rent of \$90.00 per annum, issuing from, payable out of, and incident to the premises at 5312 St. George Avenue, Baltimore City, Maryland, Title to which vested in said John A. Rhodes, by virtue of a Deed from The N.C. Sibley Company, dated November 13, 1925, recorded in Liber S C L #4487, folio 336, etc., one of the Land Records of Baltimore City, said Deed being filed herewith as a part hereof, marked "Plaintiffs' Exhibit #22".

8. THAT, owing to the number of parties owning said real estate and the various interests therein, your Plaintiffs allege that said real estate cannot be divided without loss or injury to the parties interested therein.

9. THAT all of the parties are adults and all persons mentioned in this Bill of Complaint as having any interest in the property mentioned in these proceedings are parties to this suit, either Plaintiffs or Defendants.

10. THAT the Respondents, Edward W. Rhodes, Bessie Rhodes, Mary A. Rhodes, and Edward W. Rhodes, and Norman Rhodes, Executors of the Will of Martha M. Durney, all reside in Talbot County, Maryland; the Respondents Helen R. Goldsborough, Charles R. Goldsborough, William J. Nigrin, Walter P. Carrion and Michael Hyland, and Howard F. Rhodes, all reside in Baltimore City, Maryland.

TO THE END, therefore:

1. THAT the aforesaid real estate may be sold and the money arising from said sale may be divided among the parties according to their respective rights therein:

2. THAT a Trustee, or Trustees, may be appointed to make said sale at either public or private sale:

3. THAT said real estate may be sold free and clear of the claims of the unsatisfied legatees of John A. Rhodes who are parties to this proceedings, and that the rights of said unsatisfied legatees may be protected in the distribution of the proceeds of sale of said real estate:

4. THAT YOUR Orators may have such other and further relief as their case may require;

MAY it please your Honors to grant unto your Orators the Writ of Subpoena against the Respondents: Edward W. Rhodes, Bessie Rhodes, Mary A. Rhodes, and Edward W. Rhodes and Norman Rhodes, Executors of the Will of Martha M. Durney, deceased, and Norman L. Rhodes, directed to the Sheriff of Talbot County, and against the Respondent Helen R. Goldsborough, Charles R. Goldsborough, William J. Nigrin, Walter P. Carrion, Michael Hyland and Howard F. Rhodes, directed to the Sheriff of Baltimore City, commanding them to be and appear on some certain day to be named therein to answer the premises and abide by and perform such Decree as may be passed therein.

as  
And/in duty bound, etc.

Thos. J. Keating Jr.  
SOLICITOR FOR PLAINTIFFS

Filed December 14th 1938.

PLAINTIFFS EXHIBIT NO. 1.  
Filed Dec. 14th 1938.

IN THE NAME OF GOD, AMEN:

I, John A. Rhodes, of Queen Anne's County, State of Maryland, being of sound and disposing mind, memory and understanding, realizing the certainty of death and the uncertainty of the time thereof, do make, publish and declare this as and for my last Will and Testament, hereby revoking all other wills heretofore made by me.

ITEM 1. After the payment of all my just debts, funeral expenses and doctor's bills, I give and bequeath unto the Mother of Sorrows Church, the Roman Catholic Church at Centreville, Maryland, the ground rent of fifty four dollars per year on the property described as Number 908 Number Eager Street, East, in Baltimore, Maryland, to be paid to the Priest who may be in charge of said Mother of Sorrows Church at the respective times when the payments of said ground rent is due and payable, with rights to the said Church to invest and reinvest the amount invested in or realized from the said ground rent, should the same ever be redeemed or paid off, the income from said ground rent or the money derived therefrom, should the said ground rent ever be redeemed or paid off, to be paid to and used by the Priest in charge of said Mother of Sorrows Church for saying Masses for the repose of my soul, for all times.

ITEM 2. I give and bequeath unto Walter P. Carrion, Michael Holland and William Nigrin, all of Baltimore City, One Thousand Dollars each, aggregating Three Thousand Dollars, to be paid to them, their personal representatives and assigns.

ITEM 3. I give and bequeath unto Howard Rhodes, son of Dennis Francis Rhodes



the sum of Five Hundred Dollars.

I give, devise and bequeath all the reat and residue and remainder of my estate real, personal and mixed, and wheresoever situated, to and unto my brothers and sisters, Charles Rhodes, Edward Rhodes, Joseph Rhodes, Mary Ann Rhodes and Martha Magdelene Durney, and to the children and grandchildren of the following brother who are deceased, Henry Rhodes and Samuel Rhodes, it being my intention that in every case the children of any deceased brother or sister, whether now deceased or deceased at the time of my death, shall take their parents' share in equal parts, per stirpes and not per capita, but it is my will that Howard Rhodes, the son of Dennis Francis Rhodes, shall not participate in this the residuary clause of my will, but shall take and have hereunder only the Five Hundred Dollars specifically bequeathed to him.

I hereby constitute and appoint Charles Rhodes and Edward W. Rhodes to be the Executors of this, my last Will and Testament.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my seal this 24 day of July, A. D. Nineteen Hundred and Thirty Four.

John A. Rhodes (SEAL)

Signed, sealed, published and declared by the within named Testator as and for his last Will and Testament, in our presence, who at his request, in his presence and the presence of each other have hereunto subscribed our names as witnesses.

Edna V. Killen

G. Elbert Marshall

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

On the 14th day of December, A. D. 1937, came Charles Rhodes, Custodian of the within and foregoing instrument of Writing, purporting to be the last will and testament of John A. Rhodes, late of Queen Anne's County, deceased, and made oath in due form of law that the foregoing is the true and whole Will of said deceased, that has come to his hand and possession and that he does not know nor has he heard of any other and that he received the same from M. Loretta Clark, who took the will from the papers of said John A. Rhodes on or about 11th day of December, A. D. 1937.

Sworn before

Norman B. Dudley  
Register of Wills of Queen Anne's County  
Md.

State of Maryland, Queen Anne's County, to wit;

I, Marie Shortall, Deputy Register of Wills of Queen Anne's County State of Maryland, do hereby certify as follows:

That pursuant to the Order of the Orphans' Court of Queen Anne's County passed on the 14th day of December, 1937 authorizing me to take the depositions of the witnesses to the last will and testament of John A. Rhodes, deceased, I proceeded to Talbot County and there the witnesses, Edna V. Dobson, (formerly Edna V. Killen) and G. Elbert Marshall made oath in due form of law that they did see the Testator, John A. Rhodes, sign and seal said Will; that they heard him publish, pronounce and declare the same to be his last Will and Testament, and at the time of their so doing he was to the best of their apprehensions of sound and disposing mind, memory and understanding; and that they together with each other subscribed their names as witnesses to said Will at his request in his presence and in the presence of each other;

And I further certify that before taking the original will of the said John A. Rhodes, deceased, from the office of the Register of Wills I first made out a certified copy of the said will and filed the same among the records of the Register of Wills Office in accordance with the law.

Marie Shortall  
Deputy Register of Wills for Queen Anne's  
County.

STATE OF MARYLAND,

IN THE ORPHANS' COURT

FOR QUEEN ANNE'S COUNTY:

The foregoing Instrument of Writing, purporting to be the last Will and Testament of John A. Rhodes, late of Queen Anne's County, deceased, having been exhibited for probate, and no objection thereto having been made, although notice according to law, appears to have been given to the next relations of said deceased, the Court, after having examined the said Instrument of Writing and also the evidence adduced as to its validity, ORDERS AND DECREES, this 21st day of December, A. D., 1937, that the same be admitted in this Court as the true and genuine last Will and Testament of the said John A. Rhodes, deceased.

Henry H. Evans

J. W. Stack

Palmer C. Pippin

Judges of the Orphans Court for Queen Anne's County.

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

I, Norman S. Dudley, Register of Wills for Queen Anne's County, State of Maryland, do hereby certify that the foregoing is a true and whole copy of the Last Will and Testament together with the Probate thereon of John A. Rhodes, late of Queen Anne's County, deceased, as same was passed by the Orphans' Court on the 21st day of December, 1937; the original will being filed among the Records of the Orphans' Court and recorded in Liber N. S. D. #1, folio 38, a Will Record Book for Queen Anne's County.

Corporate Seal  
Place.

In Testimony Whereof I hereunto set my hand and affix the seal of the Orphans' Court this 9th day of December, 1938.

Norman S. Dudley  
Register of Wills for Queen Anne's County.

And on the Back of the foregoing is thus endorsed: to wit:  
Examiner Exhibit No. A, Filed March 23, 1939, Filed in the Clerk's office March 31st 1939.

PLAINTIFFS' EXHIBIT NO. 2.  
Filed Dec. 14th 1939.

IN THE MATTER OF THE ESTATE		IN THE ORPHANS' COURT
OF		OF
JOHN A. RHODES, deceased.		QUEEN ANNE'S COUNTY.

FIRST AND FINAL ADMINISTRATION ACCOUNT AND DISTRIBUTION ACCOUNT.

Your Accountants charge themselves with:

An amount of the inventory of personal property including Stevensville Bank Stock	\$821.70	
And with an amount of cash in Bank and on person and refund, as per inventory	2,083.19	
And with gain on sales of personal property other than bank stock	<u>199.76</u>	\$3,104.65
Less loss on sale of Bank stock appraised @ \$90.00 and sold for \$50.00		<u>40.00</u>
		\$3,064.65
And with an account of cash in denton National Bank	\$ 7.84	
And with an amount of refund from Farm Bureau Insurance Company	4.73	
And with some coal in bin sold	1.00	
And with ground rents received up to Decedent's death as follows: Rent of Bungalow	2.67	
Rent from Baltimore Ground Rents	<u>371.31</u>	
And with interest on Savings deposit in Stevensville Bank	<u>38.18</u>	<u>\$3,490.38</u>

And your Accountants crave allowance for the following costs and expenses of Administration and claims paid, to wit:

- 1- For an amount paid James A? Spencer for claim filed for funeral bill, per receipt \$375.00
2. And for an amount paid American Bonding Company for Adminsitration bond, per receipt 25.00
3. And for commissions retained by your Accountants @ 10% on the sum of \$3,490.38 .....\$349.04  
Less State tax on commissions @ 1% 34.90 314.14
4. And for an amount of State tax on Commissions as per receipt of Register of Wills 34.90
5. And for an amount paid Sudler Cockey and John M. Norman, appraisers of personal and real estate @\$8.00 each, per receipt, 16.00
6. And for an amount paid Norman S. Dudley Register of Wills for his costs including this Account 61.15
7. And for an amount paid Henry T. Deaver, Clerk at sale, per receipt 10.00
8. And for an amount paid J. W. Kieth, Treasurer of Queen Anne's County- tax on automobile, per receipt 4.45

9. And for an amount paid Queen Anne's Record-Observer publishing Notice to Creditors per receipt	5.00	
10 And for an amount paid Queen Anne's Record - Observer publishing Notice to Creditor per receipt.	13.75	
11. And for an amount paid Holton Rhodes for cleaning up personal property for sale, per receipt	<u>\$3.00</u>	
CARRY FORWARD	<u>\$858.75</u>	
TOTAL CHARGEABLE TO ACCOUNTANTS, carried forward		\$3,490.38
CARRIED FORWARD	\$858.75	
12. And for an amount paid Dr. H. F. McPherson, per receipt	2.00	
13. And for an amount paid C&P. Telephone Company, per receipt	1.95	
14, And for an amount paid McCord Laundry, per receipt	1.95	
15. And for an amount paid J. R. Jarrell Compnay, per receipt	12.50	
16. And for an amount paid G. M. Latshaw, per receipt	1.50	
17. And for an amount paid Israel Markes per receipt	2.91	
18. And for an amount paid M. L. Clark, for out-of -pocket money paid for estate, per receipt	5.30	
19. And for an amount paid Maryland Light and Power Compnay, for claim filed , per receipt	2.96	
20. And for an amount paid Maurice E. Newnam, for claim filed, per receipt	8.00	
21. And for an amount paid J. Elmer Anthony Auctioneer, crying sale personal property, per receipt	25.00	
22. And for an amount paid M. L. Clark, for claim, filed, per receipt	10.00	
23. And for an amount paid Father Regan, for use of church	15.00	
24. And for an amount paid Father Disher for funeral Mass for deceased	10.00	
TOTAL ALLOWANCES DUE	<u>951.46</u>	<u>951.46</u>
RECAPTULATION		<u>2,538.92</u>

The afore balnce is distributed in accordance with the Will of Decedent, as follows:

Amount for distribution \$2,538.92

The pecuniary legacies, amounting to and there being less that <u>that</u> sum for distribution, the said balance is distribution as follows:	3,500.00
1- To Walter P. Carrien, 10/35 of \$2,538.92	\$ 725.41
Less colateral inheritance tax @7½%	<u>54.41</u>
	\$671.00
2- To William Nigran, 10/35 of \$2,538.92	725.41
Less collateral inheritance tax @ 7½%	<u>54.41</u>
	671.00
3- To Michael Holland, 10/35 of \$2,538.92	725.40
Less collateral inheritance tax @7½%	<u>54.41</u>
	670.99
4- To howard Rhodes, 5/35 of \$2,538.92	362.70
Less collateral inheritance tax @7½%	<u>27.20</u>
	335.50

And the four above amounts of cblateral inheritance tax aggregating \$190.43 is paid to the Register of Wills for the use of the State of Maryland, and his receipt therefore herewith exhibited.

Respectfully submitted,

M. Loretto Clark

M. Edith Rhodes  
ADMINISTRATRICES C. T. A.

STATE OF MARYLAND

QUEEN ANNE'S COUNTY, SCT:

This 5th day of July, A. D. 1938.  
Then came M. Loette Clark and M. Edith Rhodes, Administratrices C. T. A. of John A. Rhodes, late of Queen Anne's County, State of Maryland, deceased, and made oath in due form of law that the foregoing and within account of Administration is just and true as stated, and that they have bona fide paid or secured to be paid the several sums for which they therein claim an allowance.

Certified per.

Norman S. Dudley  
Register of Wills for Queen Anne's  
County.

IN THE ORPHANS' COURT FOR QUEEN ANNE'S COUNTY, MARYLAND.

5th day of July, A. D. 1938

The foregoing account of Administration was duly examined and passed by the Court and hereby ordered to be recorded.

Henry H. Evans  
J. W. Stack  
Palmer C. Pippin  
Judges of the Orphans' Court for Queen  
Anne's County

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

I, Norman S. Dudley, Register of Wills for Queen Anne's County, Maryland, do hereby certify that the foregoing is a true and whole copy of the administration Account and Distribution Account of M. Loretto Clark and M. Edith Rhodes, Administratrices c. t. a. of John A Rhodes, deceased, as filed and passed by the Orphans' Court on the 5th day of July, 1938, the original Administration Account being filed among the Records of the said Court.

Corporate seals  
place.

In Testimony Whereof I have hereunto set my hand and affixed theseal of the Orphans' Court this 9th day of December, 1938.

Norman S. Dudley  
Register of Wills

And on the back of the foregoing is thus endorsed to wit:  
Examiners Exhibits U. Filed March 13, 1939.  
Filed in Clerk office Filed Dec. 14th 1938,

PLAINTIFFS EXHIBIT NO. 3.  
Filed Dec. 14th 1938.

1, Martha M. Durney, of Talbot County, Maryland, and formerly residing in Caroline County, Maryland, do make and publish this my last Will and Testament in manner and form following, that is to say

1. I direct that all my just debts and funeral expenses to paid from my estate, including any cost of inscription for my tombstone be paid from my estate.
2. I give to my Executors, hereinafter named, to be paid over by them to the Catholic Church at St. Josephs, Corðova, Maryland, for masses for the repose of my soul, the sum of One Hundred Dollars.
3. I give to my Executors, hereinafter named, to be paid over by them to the St. Benedict's Cathlic Church at Ridgely, Maryland, for masses for the repose of my soul, the sum of One Hundred Dollars.
4. I give and bequeath to my brother, Edward W. Rhodes, the sum of five Hundred Dollars.
5. I give and bequeath to Elizabeth M. Rhodes, the sum of Five Hundred Dollars.
6. I give and bequeath to Norman Rhodes the sum of Three Hundred Dollars.
7. I give and bequeath to Ethel Rhodes Gannon the sum of Three Hundred Dollars.
8. I give and bequeath to Charlie Rhodes the sum of Three Hundred Dollars.
9. I give and bequeath to Mildred E. Rhodes Mitchell the sum of Three Hundred Dollars.
10. I give and bequeath to E. Holton Rhodes the sum of Three Hundred Dollars.
11. I give and bequeath to C. Temple Rhodes the sum of Three Hundred Dollars.
12. I give and bequeath to Kathleen E. Rhodes Koeneman the sum of Three Hundred Dollars.
13. I give and bequeath to Leon A. Rhodes the sum of Three Hundred Dollars.
14. I give and bequeath to Elizabeth M. Rhodes, absolutely, all the furniture and household equipment belonging to me which may be in my house at Ridgely, Maryland, at the time of my death.
15. I direct that the house and lot on Main Street, Ridgely, Maryland, which I own, be sold by my Executors as soon after my death as may be expedient, either at public or private sale, and that said Executors convey same to the purchaser, the net proceeds of such sale to become a part of the residue of my estate.
16. I direct that all collateral inheritance or other taxes properly chargeable against any bequest or legacy in this my Will be paid by my Executors from my estate.
17. All the rest and residue of my estate, both real and personal and where-soever situate, I direct shall be converted into cash by my Executors with full power to sell and convey any and all rest estate and to pay over said net proceeds to the following six children of my brother, Edward W. Rhodes, absolutely: Norman L. Rhodes, Ethel M. Rhodes Gannon, Mildred E. Rhodes Mitchell, E. Holton Rhodes, C. Temple Rhodes, and Kathleen E. Rhodes Koeneman.
18. I hereby nominate and appoint my brother, Edward W. Rhodes, and my nephew, Norman L. Rhodes, Executors of this my Will, hereby revoking any and all other Wills and codicils to wills by me heretofore made.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my seal this 3rd day of May, A. D., 1938.

Martha M. Durney (SEAL)

Signed, sealed, published and declared by the above named testatrix, as and for her last Will and Testament in the presence of us, who, at her request, in her presence, and the presence of each other, have hereunto subscribed our names as witnesses.

Elizabeth W. Lister Easton, Maryland

G. Elbert Marshall Easton, Maryland

TALBOT COUNTY, Sct: ) Then came Edward W. Rhodes and Norman L.  
30th day of August, A. D. 1938. ) Rhodes.

Executors named in the foregoing Will, and made oath in the presence of almighty God, that they do not know of any Will or Codicil to a Will of the said Martha M. Durney, late of the County, aforesaid, deceased, other than the foregoing instrument of writing, and that said Will was found in the lock box of the deceased in Easton National Bank and that Testatrix departed this life on 23rd day of August, A. D. 1938.

Sworn before J. Dawson Stafford  
Register of Wills for Talbot County

TALBOT COUNTY, Sct. ) THEN Came G. Elbert Marshall and Elizabeth  
30th day of August A. D. 1938. ) W. Lister.

The subscribing witnesses to the foregoing last Will and Testament of Martha M. Durney, late of the County, aforesaid, deceased, and they made oath in the presence of Almighty God that they did see the testatrix therein named, sign and seal the said Will; that they heard her publish, pronounce and declare the same to be her last Will and Testament, and that at the time of her so doing she was to the best of their apprehension of sound and disposing mind, memory and understanding, and that they together subscribing witnesses, respectively subscribed their names as witnesses to said Will, in the presence and at the request of said testatrix and in the presence of each other.

Sworn before J. Dawson Stafford  
Register of Wills for Talbot County,

IN THE MATTER OF PROBATING THE LAST WILL AND TESTAMENT OF

Martha M. Durney, Deceased.

IN THE ORPHANS' COURT FOR TALBOT COUNTY, MARYLAND,

August Term A. D. 1938.

The Court, after having carefully examined the above last Will and Testament of Martha M. Durney, late of the County, aforesaid, as exhibited in this Court by Edward W. Rhodes and Norman L. Rhodes, the Executors therein named, and also the evidence adduced as to its validity, orders and decrees this 30th day of August, A. D. 1938, that the same be admitted in this Court as the true and genuine last Will and Testament of Martha M. Durney deceased, and the Register of Wills is hereby ordered to record the same.

Philip H. Hope

Richard B. Willson

T. M. Jenkins

Test: J. Dawson Stafford  
Register of Wills

Judges of the Orphans' Court

THE STATE OF MARYLAND, TALBOT COUNTY, TO WIT:

I, J. Dawson Stafford, Register of Wills of Talbot County, aforesaid, and by law keeper of seal, records and original papers of the Orphans' Court of Talbot County, do hereby certify that the within and foregoing is a true and perfect copy of the original last Will and Testament of Martha M. Durney, deceased, and of the proof and probate thereof as the same remains on file and of record in Liber J. D. S. Number 24 Folio 483, being on the Will Record Books for this office.

In Testimony Whereof, I have hereunto subscribed, my name and affixed the seal of said Court and Office this 2nd day of December, A. D. 1938.

J. Dawson Stafford  
Register of Wills

And on the back of the foregoing is thus endorsed to wit:  
Examiners Exhibit T. Filed March 23rd 1939 and filed in this office March 31st 1939.

PLAINTIFFS EXHIBIT NO. 4,  
Filed Dec. 14th 1938.

Certificate of Letters

STATE OF MARYLAND,

TALBOT COUNTY, SCT.

The Subscriber, the Register of Wills for Talbot County, doth hereby certify that it appears by the Records in this office that letters Testamentary of all the goods, chattels, credits, and personal estate of Martha M. Durney, deceased,

were on the 30th day of August, in the year of our Lord Nineteen Hundred and thirty-eight granted and committed unto Edward W. Rhodes and Norman L. Rhodes.

In Testimony Whereof, I hereunto subscribe my name and affix the seal of my office this 2nd day of December, in the year of our Lord Nineteen Hundred and thirty eight.

Corporate Seals  
palce.

J. Dawson Stafford  
Register of Wills for Talbot  
County.

PLAINTIFFS EXHIBIT NO. 5.  
Filed March 31st 1939.

THIS DEED, made this \_\_\_\_\_ day of August, in the year nineteen hundred and eleven, by the Love Point Land and Improvement Company of Caroline County, a body corporate, of the State of Maryland, and Thomas C. Horsey, of Sussex County, in the State of Delaware, witnesseth:

That in consideration of the amount of One Thousand Dollars, the receipt thereof being hereby acknowledged, the said body corporate, Love Point Land and Improvement Company of Caroline County, and the said Thomas C. Horsey, do hereby grant and convey unto John Andrew Rhodes, his heirs and assigns, in fee simple, the following real estate, that is to say:

ALL those lots, or parcels of land, situate on Kent Island, in the Fourth Election District of Queen Anne's County, Maryland, a part of what was formerly known as the "John Deeny Farm," at Love Point, and more particularly described as follows, that is to say:

Parcel No. 1- Consisting of two lots No.- 17 and No.- 16, of Block 14, as shown on Plot recorded in Liber S. S. No.- 7, folio 590 and 591, a Land Record Book for Queen Anne's County, Maryland, beginning for said lots 17 and 16 at a stone situate on what is laid out for and called River View Avenue, and at the southeast corner of Lot No.- 17, at a stone marked "J. A. R. No. -1-1911", and running from thence south eighty nine degrees forty five minutes west, one hundred and thirty feet to a stone marked "J. A. R. ", said stone being on what is laid out for and dedicated as an alley; thence with said alley north fifteen minutes west, eighty feet to a stone marked "J. A. R." at the corner of Lots No- 16 and 15 of said Block 14 thence north eighty nine degrees forty five minutes east, one hundred and thirty feet to a stone on River View Avenue, Marked "J. A. R. "; and thence with said Avenue south fifteen minutes east, eighty feet, to the place of Beginning, containing ten thousand and four hundred square feet of land,

Parcel No. 2- Consisting of part of the beach land, in front of Parcel #1, between River View Avenue and Chester River, composed of parts of lots Nos. 1,2,3,4,8,9,10,14,15, and 16 of Block No.-18 as shown on the aforesaid plot recorded in the aforesaid Land Record Book and more particularly described as follows:

Beginning at a stone marked "J. A. R. No.-1, said stone being north eighty nine degrees forty five minutes east, from the Beginning stone of Parcel No.-1, and situate on the east side of River View Avenue, and runs from thence north eighty nine degrees forty five minutes east, two hundred and seventy three feet to a stone located along the west side of a twenty foot right of way; thence with said right of way north eleven degrees thirty minutes west, eighty one feet to a stone, said stone being in line with the northern boundry of Lot No.- 16 and being on the west side of said twenty foot right of way; thence south eighty nine degrees forty five minutes west, two hundred and fifty feet to a stone on the east side of River View Avenue; and thence south fifteen minutes east, eighty feet along said east side of River View Avenue to the place of Beginning, containing twenty one thousand two hundred and forty square feet, and in addition thereto, all the land to lowwater mark and the accretions thereto on the east side of the said twenty foot right of way between the first and third lines extended of said Parcel No.-2.

Together with the right to use, in common with others, all avenues, streets and alleys and rights of way laid out and shown on Plot of Lots, recorded in Liber S. S. No.7, folios 590 &c., a Land Record Book for Queen Anne's County, aforesaid, and all other rights, roads, ways, waters, and privileges thereto belonging or in anywise appertaining.

To have and to hold the above granted property unto the said John Andrew Rhodes, his heirs and assigns, free, clear and discharge of the lien and operation of the mortgage from the body corporate, Love Point Land and Improvement Company of Caroline County to said Thomas C. Horsey, dated the twenty second day of March, in the year nineteen hundred and ten, and recorded in Liber S. S. No. 2, folio 502, &c., a Land Record Book for Queen Anne's County, aforesaid, for which purpose the said Thomas C. Horsey joins in the execution of this Deed; reserving unto himself, his heirs, personal representatives and assigns, his liens and rights under the aforesaid mortgage, except as to the land hereby conveyed and such other lands or lots as he may have released from the operation of said mortgage.

And the said Love Point Land and Improvement Company of Caroline County covenants with the said John Andrew Rhodes to warrant generally the property hereby conveyed; that it is seized of the land hereby conveyed; that it has done no act to incumber said property, except the mortgage above referred to; and that it will execute such further assurances of said land as maybe requisite.

And this deed further witnesseth, that the said Love Point Land and Improvement Company of Caroline County does hereby constitute and appoint Robert McPherson of Queen Anne's County, State of Maryland, to be its Attorney for it and in its name, and as and for its corporate act and deed, to acknowledge this deed before any person having authority by the Laws of the State of Maryland to take such acknow-

ledgement, to the intent that the same may be duly recorded,

In testimony whereof the said body corporate, Love Point Land and Improvement Company of Caroline County, has caused its name to be hereto signed by its President and its corporate seal to be hereunto affixed, and the said Thomas C. Horsey has hereunto subscribed his name and affixed his seal the day and year first above written.

Attest:  
Test: THOMAS C. HORSEY secretary.  
as to Thomas C. Horsey

Love Point Land and Improvement  
Company of Caroline County,

By William G. Stafford(President)

C. N. Clapham  
State of Maryland,

Corp  
Seal.

Robert McPherson

Thomas C. Horsey (SEAL)  
Sly as to release of mortgage

Queen Anne's County, to wit: I hereby certify that on this 26th day of August, in the year nineteen hundred and eleven, before the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, duly commissioned and qualified, personally appeared Robert McPherson, the attorney named in the foregoing Deed, and by virtue and in pursuance of the authority thereupon conferred upon him, acknowledged the said Deed to be the act of the said Love Point Land and Improvement Company of Caroline County.

Witness my hand and Notarial Seal the day and year last above written.

Notary Public Seal.

G. O. Callaway (Seal)  
Notary Public

State of Caroline,

Sussex County, to wit:

I hereby certify that on this 26th day of August, in the year nineteen hundred and eleven, before the subscriber, a Notary Public of the state of Delaware, in and for Sussex County, duly commissioned and qualified, personally appeared Thomas C. Horsey, and acknowledged the foregoing Deed to be his act,

Witness my hand and Notarial Seal the day and year last above written.

C. W. Clapham  
Notary Public Notary Public  
Seal.

And on the back of the foregoing is thus endorsed, to wit:  
Examiners Exhibits B. Filed March 23, 1939 and filed  
in Clerk office March 31st 1939.

PLAINTIFFS EXHIBITS NO, 6.  
Filed Dec. 14th 1938

This Deed, made this 26th day of May, in the year nineteen hundred and thirty-six, by J. William Keith, of Queen Anne's County;-State of Maryland, present County Treasurer of Queen Anne's County:-

Whereas, at the public tax sales made on the 21st day of May, 1935, by Anna Q. Skinner, County Treasurer for Queen Anne's County; under and by virtue of the power and authority as vested and set forth in the provisions of the laws of the State of Maryland, Acts of the General Assembly of Maryland, of 1935, Chapter 293, the real estate hereinafter described and conveyed was sold unto John A. Rhodes, the said John A. Rhodes being there and then the highest bidder therefor,

And whereas, the said sale having been duly reported to and finally ratified and confirmed by the Circuit Court for Queen Anne's County, by its Order of November 29th 1935, all of which will appear by reference to the proceedings of Tax Sales entitled "In the Matter of Tax Sales in Queen Anne's County, Maryland, for the year 1934", recorded among the Tax Sales Records in the office of the Clerk of the Court for Queen Anne's County, and the purchaser money having been duly paid as is hereby acknowledged, the said J. William Keith, present County Treasurer for Queen Anne's County, and successor to Anna Q. Skinner, former County Treasurer, is duly authorized under the Code of Public Local Laws, Article 18, entitled "Queen Anne's County", sub-title "County Treasurer", section 197 to 218, inclusive, to execute a good and valid deed to the Purchaser.

Now, therefor, in consideration of the premises and of the sum of One Dollar; and in execution of the power and authority vested in him, the said J. William Keith, present County, Treasurer for Queen Anne's County, does hereby grant and convey unto the said John A. Rhodes, his heirs, and assigns, the following described real estate, to wit:-

All the right, title, interest and estate of Clara A. Boulden (otherwise known as Clara A. Boland), or of those claiming by, from or under her, in and to ALL that lot or parcel of land lying and being in the Fourth Election District of Queen Anne's County, Maryland, located at Love Point, known as Lots No. 18 and 19 in Block No. 14, consisting of building lots, and more specifically described as follows:

Adjoining the lands of John A. Rhodes on the north side, the public road on the south side, an alley on the west side, and fronting on Riverview Avenue on the east side, Lot No. 18 being 72 feet frontage on Riverview Avenue, and Lot No. 19 being 60 feet frontage on Riverview Avenue, and being the same two lots described and conveyed in the deed to Clara A. Boland from Wm. H. Busey and wife, said deed being dated September 30th, 1915, and recorded in Liber W. F. W. #7, folio 573, etc., and said lots being located and laid down on the Plat of Survey recorded in Liber S. S. #7, folio 590, to which said deed and Plat reference is hereby made.

Together with the rights, roads, ways waters, privileges, appurtenances and advantaged thereto belonging or appertaining.

Witness the hand and seal of the Grantor.

Test:

Mary M. Parks

J. William Keith (SEAL)  
County Treasurer for Queen Anne's  
County, Maryland

One Fifty cent Internal Revenue Stamps

State of Maryland, Queen Anne's County, to wit:

I hereby certify, that on this 26th day of May, 1936, before the Subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, personally appeared J. William Keith, present County Treasurer for Queen Anne's County, Maryland, the grantor above named, and acknowledged the foregoing DEED to be his act.

Witness my hand and Notarial Seal.

Notary Public  
Seal.

Mary M. Parks  
Notary Public  
My commission expires: May 3, 1937.

PLAINTIFFS EXHIBIT NO. 7,  
Filed Dec. 14th 1938.

.....

#3742 QUEEN ANNE'S COUNTY, TO WIT: be it remembered that on the eighth day of July in the year nineteen hundred and thirteen, the following DEED was brought to be recorded, to wit:-

THE DEED, made this 29th day of May, in the year nineteen hundred and thirteen, by Isaac Grolman and Emma Grolman, his wife, and James T. Bright and Mammie S. Bright, his wife, all of Queen Anne's County, State of Maryland.

WITNESSETH, that for and in consideration of the sum of Three Hundred Dollars, the receipt of which is hereby acknowledged, the said Isaac Grolman and Emma Grolman, James T. Bright and Mamie S. Bright, of County and State aforesaid, do hereby grant and convey unto John A. Rhodes of Queen Anne's County, State of Maryland, his heirs and assigns in fee simple, the following described real estate to wit: All those lots of land situate at Love Point in Queen Anne's County, Maryland, and particularly described as follows:

Lot No. 1 in Block 14 and Lot No. 3 in Block 14; for full and particular description of said lots reference is hereby made to a plat of the Love Point Land and Improvement Company, duly recorded among the Land Records of Queen Anne's County, said plat being recorded among the Land Records of Queen Anne's County, said plat being recorded in Liber S. S. No. 7, folio 590, and being a part of the land which was conveyed by Gustave C. F. Holz and Anna Holz, et al, to the Love Point Land and Improvements Company of Caroline County, by deed dated on the 16th day of January, A. D. 1901, and recorded in the aforesaid office for the recording of Deeds in and for Queen Anne's County in Deed Record J. E. G. No. 1, folio 372, as will more fully and at length appear by reference being and thereto.

Witness our hands and seals the day and year above written.

Test: G. O. Collaway.  
as to Isaac Grolman and  
Emma Grolman .

ISAAC GROLMAN (SEAL)

EMMA GROLMAN (SEAL)

Test: Ray Turner as to  
James T. Bright &  
Mamie S. Bright.

JAMES T. BRIGHT (SEAL)

MAMIE S. BRIGHT (SEAL)

STATE OF MARYLAND,

QUEEN ANNE'S COUNTY, TO WIT:

I hereby certify that on this 26th day of May, in the year nineteen hundred and thirteen, before me, the subscriber, a Justice of the Peace of the State of Maryland, in and for Queen Anne's County, personally appeared James T. Bright and Mamie S. Bright, and did each acknowledge the foregoing deed to be their respective act.

RAY TURNER  
Justice of the Peace.



STATE OF MARYLAND,

QUEEN ANNE'S COUNTY, TO WIT:

I hereby certify that on this 29th day of May, in the year nineteen hundred and thirteen, before me, the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County aforesaid, personally appeared Isaac Grolman and Emma Grolmand, and acknowledged the foregoing deed to be their act.

G. O. COLLAWAY N.P.

Notary Public Seal

State of Maryland,

Queen Anne's County, to wit:

I hereby certify that the foregoing is truly taken and copied from Liber W. F. W. No. 3, folios 405, etc., a Land Record Book for Queen Anne's County.

In testimony whereof I have hereunto subscribed my name and affixed the seal of the Circuit Court for Queen Anne's County this Twelfth day of December, in the year nineteen hundred and thirty eight.

Corporate Seals  
Place.

William H. Carter Clerk.

And on the back of the foregoing is thus endorsed, to wit:

Examiners Exhibit D. Filed March 23, 1939 and filed in Clerk office March 31st 1939.

.....  
PDAINTIFFS EXHIBIT NO. 8.  
Filed Dec. 14th 1942.

CORPORATION DEED IN MARYLAND

THIS DEED, Made this 31st day of May in the year nineteen hundred and thirteen by THE LOVE POINT LAND AND IMPROVEMENT CO. OF CAROLINE COUNTY A body corporate by the State of Maryland.

WITNESSETH, that in consideration of the sum of One dollars and other good and valuable consideration to it in hand paid, the receipt of which is hereby acknowledged the said Love Point Land and Improvement Co., of Caroline County does hereby grant and convey unto John A. Rhodes, of Love Point, Md.

All that certain lot, piece of land situate and lying in The Fourth election district of Queen Anne's County and State of Maryland, and particularly described as follows:

A triangle shape piece of land lying between lot #3 in Block #14 and a ten foot alley running through said Block #14, from Third Street to Second St., having a frontage of 27 feet on Third Street, and a depth of One hundred and twenty One feet along said ten foot alley, to the South line of lot #14 in Block #14, thence along East side of East line of Block number 14 Lot #3 to Third Street a distance of One hundred and nine feet and six inches. Said piece of land being two feet wide in rear or along South line of Lot 4 in Block #14. as laid down and described on a plot of The Love Point Farm, of Record in the office for the Recording of deeds at Centreville, Md. in and for the County of Queen Anne's, in Deed Record S. S. No. 7 folio 590 being a part of the same lands which were conveyed by Gustave C. F. Holz and Others to the Love Point Land and Improvement Co., of Caroline County by a deed of bargain and sale, executed on the 16th day of January A. D. 1901, and recorded in the aforesaid office for the recording of Deeds in and for Queen Anne's County in Deed Record J. E.G. No.1 folio 372 as will more fully and at length appear by reference being had thereto.

TO GETHER with the buildings and improvements thereon erected and the rights and appurtenances thereto belonging or appertaining.

TO HAVE AND TO HOLD the above granted property unto the said John A. Rhodes forever in fee simple, Subject however, to and this conveyance is made and accepted upon the express condition that the said John A. Rhodes His Heirs or Assigns, shall not at any time hereafter erect or cause, or procure of permit to be erected upon the hereby granted premises, or any part thereof any dwelling, building or structure of a cost value of less than Five Hundred Dollars and no part of said dwelling or structure shall be within fifteen feet of the street line of the front of said lot or lots as laid down on the plot or map hereinreferred to.

AND THE SAID LOVE POINT LAND AND IMPROVEMENT CO. Of Caroline County hereby covenants with the said John A. Rhodes that it will warrant specially the property hereby conveyed; that it has done no act to encumber said property; and that it will execute such further assurance of said land as maybe requisite.

AND THIS DEED further witnesseth, that the said Love Point Land and Improvement Co., of Caroline County does hereby constitute and appoint <sup>Robert McPherson</sup> its Secretary to be its Attorney for it and in its name, and as for its corporate act and deed, to acknowledge this deed before any person having authority by the laws of the State of Maryland, to take such acknowledgement, to the extent that the same may be duly recorded.

AS WITNESS, the corporate seal of said Love Point Land Improvement Co., of Caroline County and the signature of William G. Stayton President, thereof, the day and year first above written.

TEST: H. B. Anderson

LOVE POINT LAND AND IMPROVEMENT CO.  
OF CAROLINE COUNTY

Corporate Seals  
place.

Wm. G. Stayton (SEAL)  
PRESIDENT

Attest: Robert M Pherson.  
Secretary

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

I hereby certify that on this 31st day of May 1913 in the year one thousand nine hundred and thirteen before me, the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County aforesaid, personally appeared Robert McPherson the attorney named in the foregoing Deed, and by virtue and in pursuance of the authority therein conferred on him acknowledged the foregoing Deed to be the act of the said Love Point Land and Improvement Co., of Caroline County,

In Testimony Whereof I hereunto subscribe my name and affix my official seal this 31st day of May 1913 in the year one thousand nine hundred and thirteen.

H. B. Anderson  
Notary Public

Notary Public  
Seal.

And on the back of the foregoing is thus endorsed to wit:  
Examiner Exhibit E Filed March 23, 1939. and Filed In Clerk office  
Filed March 23, 1939.

PLAINTIFF EXHIBIT NO. 9  
Filed Dec. 14th 1938

THIS DEED, made this 20th day of January in the year nineteen hundred and thirty one, by M. Luther Thomas and Catherine B. Thomas, his wife, of Worcester County, in the State of Maryland, witnesseth.

That in consideration of the sum of Fifty Dollars, receipt of which is hereby acknowledged, the said M. Luther Thomas and Catherine B. Thomas, his wife, do hereby grant and convey unto John A. Rhodes, of Queen Anne's County, Maryland, his heirs and assigns, in fee simple, all of the following described real estate, to wit:

All that lot of parcel of land situate lying and being on Kent Island, in the Fourth Election District of Queen Anne's County, Maryland, at or near Love Point, having a frontage on Third Street of fifty feet and a depth of one hundred feet, and being Lot No. 2 in Block No. 14 as laid down on the Plot of the land of The Love Point Land and Improvement Company of Caroline County, recorded in Liber S. S. #7, folio 590 and 591, a Band Record Book for Queen Anne's County, and being the same lot of land which was conveyed unto the said M. Luther Thomas by Isaac Brolman and Emma Grolman, his wife, by deed bearing date the twenty second day of October in the year nineteen hundred and fifteen and which is recorded in Liber W. F. W. No. 8, folio 58 etc., one of the Land Record Books for Queen Anne's County,.

Together with the buildings and improvements thereon erected made or being and all the rights, roads, ways, waters, privileges, appurtenances, and advantages thereto belonging or in any wise appertaining.

And the said Luther M. Thomas and Catharine B. Thomas, his wife, hereby covenant that they will warrant specially the property hereby covenanted and will execute such other and further assurances of title as may be requisite.

Witness our hands and seals the day and year herein first above written.

M. Luther Thomas (SEAL)

Catherine B. Thomas (SEAL)

STATE OF MARYLAND,  
WORCESTER COUNTY, to wit:

I hereby certify that on this 29th day of January in the year nineteen hundred and thirty one, before the subscriber, a Notary Public of the State of Maryland, in and for Worcester County, personally appeared M. Luther Thomas and Catherine B. Thomas, his wife, and each did acknowledge the foregoing deed to be their respective act and deed.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year herein last above written.

F. W. Truitt  
Notary Public

Notary Public  
Seal.

PLAINTIFFS EXHIBIT NO. 10  
Filed Dec. 14th 1938.

THE MARYLAND TITLE GUARANTEE COMPANY-- DEED IN FEE.

THIS DEED, Made this 21st day of November in the year one thousand nine hundred and twenty - eight, by and between THE TITLE HOLDING COMPANY a body corporate, duly incorporated under the Laws of the State of Maryland, party of the first part; and John A. Rhodes, of the State of Maryland, party of the second part.

WITNESSETH, that in consideration of the sum of Five Dollars and other good and valuable consideration the receipt whereof is hereby acknowledged, the said party of the first part doth hereby grant and convey unto the said party of the second part, his heirs and assigns, in fee simple, all that lot of ground situate in Baltimore City, in the State of Maryland, and described as follows, that is to say:

BEGINNING, - for the same at the intersection of the northeast side of Grove Avenue, forty feet wide, and the northwest side of Central Avenue, thirty feet wide as shown on the Plat of Royston, which Plat is recorded among the Plat Records of Baltimore County in Plat Book J. W. S.No.2, folio 246; thence running northwesterly binding on the northeast side of Grove Avenue forty-one feet; thence northeast parallel with Central Avenue one hundred and fifty feet to the south side of an alley fifteen feet wide, thence southeasterly binding on said alley with the use thereof in common with others and parallel with Grove Avenue forty- one feet to the northwest side of Central Avenue; and thence southwesterly on the northwest side of Central Avenue one hundred and fifty feet to the place of beginning.

BEING, the same lot of ground described in a Lease from Allen P. Miller et al to Wilbur J. Frock and wife, dated June 28th 1928 and recorded among the Land Records of Baltimore City in Liber S. C. L. No. 4898, folio 150, whereof was reserved, issuing and payable out of said lot of ground the annual rent of Ninety Dollars (\$90.00), payable in equal semi-annual installments on the first days of January and July, in each and every year,

BEING also,- the same property described in a Deed from Allen P. Miller et al to the within named grantor, dated September 10th, 1928 and recorded among the Land Records of Baltimore City.

TOGETHER with the buildings and improvements thereupon; and the rights, alleys, ways, water, privileges, appurtenances and advantages to the same belonging or in anywise appertaining. and particularly the aforesaid rent of \$90.00 issuing out of said lot and payable as aforesaid.

TO HAVE AND TO HOLD the said lot of ground and premises, and particularly the aforesaid rent, issuing and payable thereout, and the reversion thereto, unto and to the use of the said party of the second part, his heirs and assigns, in fee simple, forever, subject to the estate terms and interest of the said lessees, their personal representatives and assigns, under said Lease.

AND the said grantor hereby covenants that it has not done any act, matter or thing whatsoever to encumber the property hereby granted; that it will warrant specially the property hereby granted and conveyed, and it---- will execute such further assurances of said land as may be requisite.

WITNESS: the signature of said body corporate, by the hand of Charlie H. Buck, its President, and its corporate seal hereto affixed.

Witness:

Harry Huszwaul

THE TITLE HOLDING COMPANY  
By: Chas. H. Buck  
President

STATE OF MARYLAND, BALTIMORE CITY, to wit:

I HEREBY CERTIFY, that on this 21st day of November in the year one thousand nine hundred and twenty eight before me, the subscriber, a Notary Public of the State of Maryland, an and for Baltimore City aforesaid, personally appeared Charles H. Buck, the President of said THE TITLE HOLDING COMPANY, the grantor herein and he acknowledged the foregoing Deed to be its corporate act.

In Testimony Whereof, I hereunto set my hand and affix my Notarial seal/.

Notary Public  
Seal.

Harry Kuszniaul  
Notary Public

And on the back of the foregoing is thus endorsed to wit:  
Examiners Exhibit No G. Filed March 23, 1939  
Filed in Clerk office March 31st 1939.

PLAINTIFF EXHIBIT NO. 11.  
Filed Dec. 14, 1938.

DEED OF GROUND RENT

THIS DEED, Made this 7th day of February, in the year nineteen hundred and twenty- seven, by Genevieve B. Eckenrode and William F. Eckenrode, her husband, of Baltimore City, in the State of Maryland, of th first part , and John A Rhodes, of Queen Anne's County, in the State of Maryland, of the second part.

Whereas, by Deed dated January 7th 1927, Genevieve B. Eckenrode did grant and convey unto the party of the second part, the following described lots of ground; and whereas, William F. Eckenrode, the husband of said Genevieve B. Eckenrode, was inadvertently omitted from said deed; and whereas, in order to correct said error, these presents are executed.

NOW, THEREFORE, THIS DEED, WITNESSETH, That in consideration of the sum of Five Dollars and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said Genevieve B. Eckenrode and William F. Eckenrode, her husband, do hereby grant and convey unto John A. Rhodes, his heirs and assigns, all those lots or parcels of ground situated and lying in Baltimore City, in the State of Maryland, and particularly described as follows:

BEGINNING for the first thereof on the west side of Patterson Park Avenue, at the distance of two hundred and twenty two feet northerly from the northwest corner of Monument Street and Patterson Park Avenue, and at the centre of a partition wall there being; and running thence northerly binding on the west side of Patterson Park Avenue thirteen feet and six inches to the centre of another partition wall there being, thence westerly through said wall and continuing the same course parallel with Monument Street in all eighty-one feet and six inches to the east side of an alley ten feet wide there situate; thence southerly binding on the east side of said alley, with the use thereof in common with others, thirteen feet and six inches, and thence easterly through the center of said first mentioned partition wall and continuing the same courses parallel with Monument Street in all eighty-one feet and six inches to the place of beginning.

BEING the same lot of ground ninthly described in a Lease dated July 5, 1899, and recorded among the Land Records of Baltimore City in Liber R. O. No. 1796, folio 210, from August Hannemann, &c., to Bernardine T. Hannemann; subject to the payment of the annual rent of Thirty-seven Dollars and Thirteen Cents, payable in equal half-yearly installments on the first day of January and July, in each and every year.

BEING also the same lot of ground firstly described in a Deed from David G. McIntosh, Jr., and India B. Ogier, Executors, etc., to Genevieve B. Eckenrode, dated January 5, 1927, and recorded among the Land Records of Baltimore City in Liber S. C.L. No. 4683, folio 361.

BEGINNING for the second thereof on the west side of Patterson Park Avenue at the distance of eighty-five feet northerly from the northwest corner of Madison Street and Patterson Park Avenue, and at the centre of a partition wall there being; running thence northerly on Patterson Park Avenue fourteen feet to the Centre of another partition wall there being; thence westerly through the centre of that wall, seventy-six feet to the east side of an alley thirteen feet wide, thence southerly on the east side of said alley, with the use thereof in common, fourteen feet, and thence westerly through the centre of said first mentioned partition wall seventy-six feet to the place of beginning.

The improvements on said lots of ground being known as Nos. 734 and 812 N. Patterson Park Avenue, respectively.

Being the same lot of ground seventhly described in a lease, dated the 17th day of July, 1899, and recorded among the Land Records of Baltimore City in Liber R. O. No. 1798, folio 231, from Philip C. Mueller, &c., to Henry A. Clark; subject to the payment of the annual rent of Thirty-eight Dollars and Fifty Cents, payable in equal half-yearly installments on the first day of January and July, in each and every year during the continuance of the same, and being also the same lot of ground secondly described in a deed dated the fifth day of January, 1927, and recorded among the Land Records of Baltimore City in Liber S. C. L. No. 4683, Folio 361, was granted and conveyed by David G. McIntosh, Jr., and India B. Ogier, Executors, etc., unto Genevieve B. Eckenrode subject to the term of years aforesaid.

TOGETHER with the improvements thereon, and the rights and appurtenances thereto belonging or appertaining.

TO HAVE AND TO HOLD the above granted property and particularly the aforesaid rent payable out of said lot, and the reversion thereto, unto the said John A. Rhodes, his heirs, and assigns, forever, in fee simple, subject, however, to the estate, terms and interest of the said lessees, their representatives and assigns, under the said lease.

AND the said Genevieve B. Eckenrode and William F. Eckenrode, her husband, hereby covenant that they will warrant specially the property hereby conveyed, and that they will execute such further assurances as may be requisite.

WITNESS our hands and seals the day and year first above written.

Test:

Guy B. Brown

Genevieve B. Eckenrode (SEAL)

WILLIAM F. ECKENRODE (SEAL)

STATE OF MARYLAND, Baltimore City, to wit:

I HEREBY CERTIFY, that on this 7th day of February, in the year one thousand and nine hundred and twenty-seven, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore City aforesaid, personally appeared Genevieve B. Eckenrode and William F. Eckenrode, her husband, and acknowledged the foregoing Deed to be their act.

AS WITNESS my hand and Notarial Seal.

Guy B. Brown  
Notary Public

Notary Public  
Seal.

And on the back of the foregoing Deed is thus endorsed, To wit:

Plaintiffs Exhibit No. 11.  
Examiners Exhibit No. H. Filed March 23, 1939 and Filed in Clerk's office on March 31, 1939.

PLAINIFFS EXHIBIT NO. 12  
Filed Dec. 14th 1938

One, One Dollar Recodation Stamp  
One, Fifty Cent Internal Revenue Stamp.

TITLE GURANTEE & TRUST CO.-- DEED IN FEE.

THIS DEED, Made this 10th day of January, in the year one thousand nine hundred and twenty- two, by and between ARCHIBALD SYKES and RHONA SYKES , his wife. of Baltimore City, State of Maryland, parties of the first part, and JOHN A. RHODES, of thesame place, party of the second part.

WITNESSETH, that in consideration of the sum of Five Dollars and other valuable consideration this day paid, the receipt whereof is hereby acknowledged, the said parties of the first part do hereby grant and convey unto the said party of the second part, hisheirs, and assign, in fee simple, all that lot of ground situate in Baltimore City, in the State of Maryland, and described as follows, that is to say:

BEGINNING for the same on the southeast side of Norfolk Avenue, at the distance of seventy- four feet five and five eighths inches southwesterly from the corner formed by the intersection of the southeast side of Norfolk Avauue and the southwest side of Oakfield Avenue, which point of beginning is designed to be in a line with the centre of the partition wall between the house on the lot now being described and the house on the lot next adjoining therto on the northeast; and running thence south- westerly binding on the southeast side of Norfolk Avenus eighteen feet two and seven- eighths inches to a point in line with the centre of the partition wall between the house on the lot now being described and the house on the lot adjoining thereto on the southwest; thence southeasterly to and through the centre of said partition wall, and continuing the same course, in all one hundred and nine feet ten and three- quarters inches to the outline of the whole tract conveyed by deed from Max Greenblatt, un- married to The Merton Realty Company dated June 20, 1921, and recorded among the Land Records of Baltimore City in Liber S. C. L. No. 3748, folio 497, etc., thence northeast- erly bounding on said outline eighteen feet two and seven- eights inches to intersect in line drawn southeasterly from the place of beginning through the centre of the partition wall in this description first mentioned; thence reversing the line so drawn and binding thereon northwesterly one hundred and nine feet ten and three- quarters inches to the place of beginning. The southeatermost ten feet of said lot is subject to the easement of an alleyway to be left open for the use in common. Being the premises known as No. 4109 Norfolk Avenue.

BEING the same lot of ground fifthly described in an indenture of lease dated January 10th, 1922, and recorded or intended to be recorded among the Land Records of Baltimore City prior hereto, whereby said lot was dimised and leased by The Merton Realty Company to Patrick H. Connorton, for the renewable term of ninety- nine years, at and under the annual rent of ninety dollars, payable in equal semi- annual instal- ments on the first days of January and July, in each and every year.

THE reversion in fee of which said lot of ground, together with the annual rent aforesaid, being one of the lots which was, by deed dated January 10th, 1922, and recorded or intended to be recorded among the aforesaid Land Records prior hereto, granted and conveyed by The Merton Realty Company to the said ARCHIBALD SYKES.

TOGETHER, with the buildings and improvements thereupon, <sup>and</sup> the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in any- wise appertaining; the reversion thereof, and specially the clear and separate annual rent issuing and payable thereout, as aforesaid.

AND TO HAVE/TO HOLD the said lot of ground and premises , unto and to the use of the said JOHN A. RHODES, his heirs, and assigns, in fee simple; subject however, to the leasehold estate and term of years existing therein, under and by virtue of said indenture of lease.

AND the said parties of the first part covenant that they will warrant specially the property hereby granted and conveyed, and that they will execute such further assurances of said land as may be requisite.

WITNESS the hands and seals of the said grantors.

Witness:

Alice D. Eason

ARCHIBALD SYKES (SEAL)

RHONA SYKES (SEAL)

STATE OF MARYLAND, BALTIMORE CITY, TO WIT:

I HEREBY CERTIFY, that on this tenth day of January, in the year one thousand nine hundred and twenty- two, before me, the subscriber, a notary Public of the State of Maryland, in and for Baltimore City aforesaid, personally appeared ARCHIBALD SYKES and RHONA SYKES, his wife, the within named grantors, and severally acknowledged the aforesgoing deed to be their respective act.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix my notarial seal.

Notary Public  
Seal.

Alice B. Eason  
Notary Public

And on the back of the aforesgoing Deed is thus endorsed to wit:  
Examiner Exhibit No. F. Filed March 23, 1939.  
Filed in clerk office March 31st 1939.

PLAINTIFFS EXHIBIT NO. 13  
Filed Dec. 14th 1938

DEED OF GROUND RENT

THIS DEED, Made this 27th day of January, in the year nineteen hundred and twenty seven, by the Eureka Construction Company, Incorporated, a body corporate, of the first part, and John A. Rhodes, of Baltimore City, in the State of Maryland, of the second part;

WITNESSETH, That in consideration of the sum of five dollars and other valuable considerations, receipt whereof is hereby acknowledged, the said Eureka Construction Company, Incorporated, does hereby grant and convey unto said John A. Rhodes, his heirs and assigns, all that lot or parcel of ground situated and lying in said city,-- and particularly described as follows:

BEGINNING for the same on the northeast side of Schaeffer Avenue (an avenue forty feet wide extending from Sefton Avenue to Carter Avenue laid out parallel with and one hundred and forty four feet southwesterly at right angles from the last line of the land described in a deed from Mathias Leimkuhler to Vincent L. O'Connor and wife, dated February 16, 1926, and recorded among the Baltimore City land records in Liber S. C. L. No. 4533, folio 474, at the distance of two hundred and ten feet southeasterly from the corner formed by the intersection of the northeast side of said Avenue and the southeast side of Sefton Avenue; and running thence southeasterly binding on the northeast side of Schaeffer Avenue thirty feet to a point in line with the centre of the partition wall between the house on the lot herein described and that on the lot adjoining on the southeast; thence northeasterly to and through the centre of said wall and continuing the same courses in all one hundred and forty- four feet to the said last line of the above mentioned deed; thence northwesterly binding thereon thirty feet, and thence southwesterly at right angles to Schaeffer Avenue one hundred and forty- four feet to the beginning; subject, however, to leaving open an alley five feet wide along the rear of this lot for use in common, same known as 126 Schaeffer Avenue.

BEING the first which my lease, dated the 27th day of January, 1927, and recorded prior hereto among the Baltimore City land records was demised and leased by the Eureka Construction Company, Incorporated, unto Vincent M. Kearns, for the terms of ninety- nine years renewable forever, at and for the annual rent of Seventy Eight Dollars, payable in equal semi-annual installments on the 27th day of January and July in each and every year during the continuance of the same,

TOGETHER with the improvements thereon, and the rights and appurtenances thereto belonging or appertaining.

TO HAVE AND TO HOLD the above granted property and particularly the aforesaid rent payable out of said lot, and the reversion thereto, unto the said John A. Rhodes, his heirs and assigns, forever, in fee simple, subject, however, to the estate, terms and interest of the said lessee, his representatives and assigns, under the said lease.

AND the said grantor hereby covenants that it will warrant specially the property hereby conveyed, and that it will execute such further assurances as may be requisite.

WITNESS the corporate seal of said grantor and the signature of Vincent L. O'Connor its president.

Test:

EUREKA CONSTRUCTION COMPANY

Regina Graham

By: Vincent L. O'Connor  
President

STATE OF MARYLAND, BALTIMORE CITY --- to wit:

I HEREBY CERTIFY, that on this 27th day of January, in the year one thousand nine hundred and twenty- seven, before me, the subscriber, a notary public of the State of Maryland, in and for the city aforesaid, personally appeared Vincent L. O'Connor, president of the Eureka Construction Company, Incorporated, and acknowledged the foregoing Deed to be its Corporate act.

WITNESS my hand and notarial seal.

Notary Public  
Seal/

Regina Graham  
Notary Public

And on the back of the foregoing Deed was thus endorsed to wit:  
Examiners Exhibit J. Filed March 31st 1939.

PLAINTIFFS EXHIBIT NO. 14.  
Filed Dec. 14th 1938.

TITLE GUARANTEE & TRUST CO. DEED IN FEE

THIS DEED, Made this 13th day of October, in the year one thousand nine hundred and twenty-two, by and between MORRIS CAPIAN, of Baltimore City, State of Maryland, party of the first part, and JOHN A. RHODES, OF QUEEN ANNE'S COUNTY, State aforesaid, party of the second part.

WITNESSETH, that in consideration of the sum of One thousand four hundred dollars, this day paid, the receipt whereof is hereby acknowledged, the said party of the first part doth hereby grant and convey unto the said party of the second part, his heirs, and assigns, in fee simple, all that lot of ground situate in Baltimore City, in the State of Maryland, and described as follows, that is to say:

BEGINNING for the same on the northwest side of Norfolk Avenue, at the distance of one hundred and ninety feet northeast from the corner formed by the intersection of the northwest side of Norfolk Avenue with the northeast side of Kent Avenue; and running thence northeast binding on the northwest side of Norfolk Avenue nineteen feet; thence northwest at right angles to the northwest side of Norfolk Avenue to and through the centre of the partition wall between the house on the lot now being described and the house on the lot next adjoining to the northeast, and continuing the same course, in all one hundred feet to the southeast side of an alley ten feet wide there being; thence southwest binding on the southeast side of said alley, with the use thereof in common with others, nineteen feet to meet a line drawn from the place of beginning at right angles to Norfolk Avenue to and through the centre of the partition wall between the house on the lot now being described and the house on the lot next adjoining to the southwest; and thence reversing the line so drawn to and through said partition wall, and continuing the same course, in all one hundred feet to the place of beginning, . Being the premises known as No. 4118 Norfolk Avenue.

BEING the lot of ground eleventhly described in an indenture of lease August 10, 1922, and recorded among the Land Records of Baltimore City in Liber S. S. L. No 3894, folio 273, etc., whereby said lot of ground was demised and leased by the Bowling Construction Company to Daniel F. Ludow, for the renewable term of ninety- nine years, at and under the annual rent of eighty- four dollars, payable in equal semi-annual instalments on the first days of February and August, in each and every year.

THE reversion in fee of which said lot of ground, together with the annual rent aforesaid, was, by deed dated August 10, 1922, and recorded among the Land Records aforesaid in Liber A. C.L. No. 3894, folio 278, etc., granted and conveyed by The Bowling Construction Company to the said party of the first part.

TOGETHER with the buildings and improvements thereupon; and the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining, the reversion thereof, and especially the clear and separate annual rent issuing and payable thereout, as aforesaid.

TO HAVE AND TO HOLD the said lot of ground and premises, unto and to the use of the said JOHN A. RHODES, his heirs and assigns, in fee simple; subject , however, to the leasehold estate and term of years existing therein, under and by virtue of said indenture of lease.

AND the said party of the first part covenants that he will warrant specially the property hereby granted and conveyed, and that he will execute such further assurances of said land as may be requisite.

WITNESS the hand and seal of the said grantor.

WITNESS:

Alex Kinnamon

Morris Caplan (SEAL)

STATE OF MARYLAND, BALTIMORE CITY, TO WIT:

I HEREBY CERTIFY, that on this 13th day of October, in the year one thousand nine hundred and twenty-two, before me, the subscriber, a notary public of the State of Maryland, in and for Baltimore City, aforesaid, personally appeared MORRIS CAPLAN, the within named grantor, and acknowledged the foregoing deed to be his act.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix my notarial seal.

Notary Public  
Seal.

Alex Kinnamon  
Notary Public

One, One Dollar Recognition Stamp  
One, Fifty Cent Internal Revenue Stamp

PLAINTIFFS EXHIBIT NO. 15  
Filed Dec. 14th 1938

THE MARYLAND TITLE GUARANTEE COMPANY-- DEED IN FEE.

THIS DEED, Made this first day of February in the year one thousand nine hundred and twenty-one, by and between CLARENCE A. SINGER of the City of Baltimore, in the State of Maryland, party of the first part; and JOHN A. RHODES, of Queen Anne's County, State of Maryland, party of the second part.

WITNESSETH, that in consideration of the sum of Five Dollars and other valuable considerations the receipt whereof is hereby acknowledged, the said party of the first part doth hereby grant and convey unto the said John A. Rhodes, his heirs and assign, in fee simple, all those two lot of ground situate in Baltimore City, in the State of Maryland, and described as follows, that is to say;

BEGINNING,- for the first thereof on the north side of Eager Street, at the centre of the partition wall between the house on this lot and the house adjoining on the west, being at the distance of thirty-eight feet easterly binding on the north side of Eager Street twelve feet to the centre of the partition wall along the centre of said partition wall twenty seven feet and six inches; thence

westerly two and one- quarter inches to the west side of the west wall of the back building on the east; thence northerly along the west side of said back building eighteen feet and two inches to the northwest corner thereof; thence northerly parallel to Valley Street, thirty- four feet and four inches to the south side of an alley ten feet wide; thence westerly on the south side of said alley and parallel to Eager Street, twelve feet and one inch; thence southerly parallel to Valley Street, thirty- four feet and four inches to the northwest corner of the back building on this lot, thence southerly along the west side of the west wall of said back building eighteen feet and two inches; thence easterly two and one- quarter inches to the centre of the partition wall first above mentioned and thence southerly along the centre of said partition wall ~~and~~ twenty- seven feet and six inches to the beginning.

BEGINNING, - for the second thereof on the north side of Eager Street, at the centre of the partition wall between the house on this lot and the house adjoining on the west being at the distance of fifty feet easterly from the northeast corner of Eager Street and Valley Street; and running thence easterly binding on the north side of Eager Street twelve feet to the centre of the partition wall between the house on this lot and the house adjoining on the east; thence northerly along the centre of said partition wall twenty- seven feet and six inches westerly two and one- quarter inches to the west side of the back building adjoining on the east; thence northerly along the west side of said back building eighteen feet and two inches to the northwest corner thereof; thence northerly parallel to Valley Street thirty- four feet and four inches to the south side of an alley ten feet wide, thence westerly on the south side of said alley and parallel to Eager Street eleven feet and ten and one half inches, thence southerly parallel to Valley Street thirty- four feet and four inches to the northwest corner of the back building on this lot, thence southerly along the west side of the west wall of said back building eighteen feet and two inches; thence easterly two and one- quarter inches to the centre of the partition wall first above mentioned; and thence southerly along the centre of said partition wall twenty- seven feet and six inches to the beginning.

BEING, - the same two lots of ground described in Lease from Clarence A. Singer to Charles W. Mulligan, of even date herewith and to be recorded prior hereto; whereby was reserved, issuing and payable out of each of the said two lots of ground the annual ground rent of Fifty-four Dollars (\$54.00) , payable semi-annually on the first days of February and August , in each and every year.

TOGETHER with the buildings and improvements thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

TO HAVE AND TO HOLD the said lots of ground and premises and particularly the aforesaid rents payable out of each of the said lots of ground and the reversions thereto, unto and to the use of the said John A. Rhodes, his heirs and assigns, in fee simple, forever, subject however to the estate and interest of the said lessee, his personal representatives and assigns, under the said Lease.

AND the said Grantor hereby covenants that he has not done nor suffered to be done any act, matter or thing whatsoever to encumber the property hereby granted; that he will warrant specially the property hereby granted and conveyed, and he will execute such further assurances of said land as may be requisite.

WITNESS the hand and seal of the said grantor.

WITNESS

Geo. C. Wiedersum

Clarence A. Singer (SEAL)

STATE OF MARYLAND, BALTIMORE CITY, TOWIT:

INHEREBY CERTIFY, that on this first day of February in the year one thousand nine hundred and twenty one before me, the subscriber, a notary public of the State of Maryland, in and for Baltimore City aforesaid, personally appeared Clarence A. Singer , the grantor named in the foregoing deed and he acknowledged the foregoing deed to be his respective act.

In TESTIMONY WHEREOF, I hereunto set my hand and affix my notarial seal.

Notary Public  
Seal

Geo. C. Wiedersum  
Notary Public

One, Two Dollar Recordation Stamp

And on the back of the foregoing is thus endorsed to wit:  
Examiner Exhibit No. L. Filed March 23, 1939  
Filed March 31, 1939.

PLAINTIFFS EXHIBIT NO. 16.  
Filed Dec 14, 1938

One, One Dollar Recordation Stamp  
One Fifty Cent Internal Revenue Stamp

THIS DEED, Made this 3rd day of November in the year one thousand nine hundred and thirty -two, by and between the MONUMENTAL REALTY COMPANY, a body corporate, duly incorporated under the laws of the State of Maryland, party of the first part; and JOHN A. RHODES, of Queen Anne's County, in the State of Maryland, party of the second part.

WITNESSETH, That in consideration of the sum of \$5.00 Dollars, and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said party of the first part doth hereby grant and convey unto the said party of the second part, his heirs and assigns, in fee simple, all that lot of ground situate in Baltimore City, in the State of Maryland, and described as follows, that is to say:

BEGINNING for the same at the corner formed by the intersection of the south side of a street sixty feet wide (Walkbrook Avenue), running west from the land of the



Western Maryland, Railroad parallel with North Avenue and the west side of a street sixty feet wide, running north from North Avenue, now called Braddish Avenue; and running thence south bounding on the west side of Braddish Avenue fifteen feet to the centre of the partition wall between the house on the lot now being described and the house on the lot adjoining thereto on the south; and running thence westerly along the centre of said partition wall and parallel with North Avenue sixty feet to the east side of an alley ten feet wide; thence northerly along the east side of said alley, with the use thereof in common, fifteen feet to the south side of Walbrook Avenue; and running thence easterly on the south side of said Avenue sixty feet to the place of beginning, the Improvements thereon being known as No. 1924 Braddish Avenue.

BEING one of the lots of ground described in a Lease from Issac C. Rosenthal and Harriett S. Rosenthal, his wife, to Charles W. Mulligan, dated February 18, 1927, and recorded among the Land Records of Baltimore City in Liber S. C. L. NO. 4701. Folio 196 &c., whereby was reserved, issuing and payable out of the said lot of ground, the annual ground rent of Ninety Dollars (\$90.00), payable in equal semi-annual instalments on the eighteenth days of February and August, in each and every year.

BEING ALSO, one of the lots of ground described in a Deed from Mary E. Bergner to the within named Grantor, dated October 21, 1932, and duly recorded among the Land Records of Baltimore City in Liber S. C. L. No. 5330, Folio .

TOGETHER with the buildings and improvements thereupon; and the rights, alley, ways, waters, privileges, appurtenances and advantages to the same belonging or in any wise appertaining, and particularly the aforesaid rent, issuing and payable out of the said lot of ground as aforesaid.

TO HAVE AND TO HOLD the said lot of ground and premises, and particularly the aforesaid rent, issuing and payable thereout, and the reversions thereto, unto and to the use of the said party of the second part, his heirs and assigns, in fee simple, forever; subject, however, to the estate, terms, and interest of the said Lessee, his personal representatives and assigns, under the said Lease

AND the said Grantor hereby covenants that it has not done nor suffered to be done any act, matter or thing whatsoever to encumber the property hereby granted; that it will warrant specially the property hereby granted and conveyed, and it will execute such further assurances of said land as may be requisite.

WITNESS: the signature of the said corporate, by the hand of William E. Ferguson its President, and its corporate seal hereto affixed.

MONUMENTAL REALTY COMPANY

Witness:

E. Elizabeth Lacher

By: William E. Ferguson (SEAL)  
Vice President.

STATE OF MARYLAND, BALTIMORE CITY, TO WIT:

I HEREBY CERTIFY, that on this 3rd day of November in the year one thousand nine hundred and thirty two, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore City aforesaid, personally appeared William E. Ferguson the Vice President of the said MONUMENTAL REALTY COMPANY, the within named Grantor, and he acknowledged the foregoing Deed to be the act of said body corporate.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix my notarial seal.

E. Elizabeth Lacher  
Notary Public

Notary Public  
Seal.

PLAINTIFFS EXHIBIT NO. 17  
Filed Dec. 14th 1938

THIS DEED, Made this 13th day of November, in the year one thousand nine hundred and thirty-one, by and between, THE TITLE HOLDING COMPANY, a body corporate, duly incorporated under the laws of the State of Maryland, party of the first part; and JOHN A. RHODES, of the City of Baltimore, in the State of Maryland, party of the second part.

WITNESSETH, that in consideration of the sum of Fifteen Hundred Dollars (\$1500.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the said party of the first part doth hereby grant and convey unto the said party of the second part, his heirs and assigns, in fee simple, all that lot of ground situate in the City of Baltimore, in the State of Maryland, and described as follows, that is to say:

BEGINNING, for the same on the south side of Union Avenue at the distance of three hundred and twenty-two feet and three inches westerly from the centre formed by the intersection of the south side of Union Avenue and the west side of Conduit Avenue, which place of beginning is designed to be in the line of the centre of the partition wall there erected; thence westerly binding on the south side of Union Avenue, fourteen feet and seven inches to the east of an alley seventeen feet wide, thence southerly binding on the east side of said alley with the use thereof in common, one hundred and four one-hundredths feet to the north side of an alley twelve feet wide; thence easterly binding on the north side of said last mentioned twelve foot alley with the use thereof in common, fourteen feet and seven inches to intersect a line drawn southerly from the place of beginning and passing through the centre of the above mentioned partition wall; and thence northerly reversing the line so drawn and binding thereon, one hundred and thirteen one-hundredths feet to the place of beginning. Being now known as No. 1413 Union Avenue.

BEING,- the same lot of ground tenthly described in a Lease dated March 1, 1929, and recorded among the Land Records of Baltimore City in Liber S. C. L. No. 4980 Folio 545, etc., from Thomas F. Mullan and wife to Angela M. O'Neill, whereby was reserved, issuing and payable out of said lot of ground the annual rent of Ninety Dollars (\$90.00), payable in equal semi-annual instalments on the first days of March and September in each and every year.

BEING,- also the same lot of ground tenthly described in a Deed from Thomas F. Mullan and wife to the said The Title Holding Company, dated March 7, 1929, and recorded among the land Records aforesaid in Liber S. CL. No. 4980, Folio 549, etc.

TOGETHER with the buildings and improvements thereupon; and the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining, and particularly the aforesaid rent, issuing out of said lot of ground, payable as aforesaid.

TO HAVE AND TO HOLD the said lot of ground and premises and particularly the aforesaid rent, issuing and payable thereout, and the reversion thereto, unto and to the use of the said party of the second part, his heirs and assigns, in fee simple forever; subject to the estate, terms and interest of the said Lessee, her personal representatives and assigns, under the said Lease.

AND the said Grantor hereby covenants that ir has not done nor suffered to be done act, matter or thing whatsoever to encumber the property hereby granted; that it will warrant specially the property hereby granted and conveyed, and it will execute such further assurances of said land as may be requisite.

WITNESS,- the signature of said body corporate, by the hand of Elmer M. Harper its me President, and its corporate seal hereto affixed.

THE TITLE HOLDING COMPANY

BY ELMER M. HARPER  
Vice President

Witness,

Harry Kuszuianl

Corp.  
Seal.  
Place.

STATE OF MARYLAND, BALTIMORE CITY , TO WIT:

I HEREBY CERTIFY, that on this 13th day of November in the year one thousand nine hundred and thirty one before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore City aforesaid, personally appeared Elmer M. Harper , the Vice President of the said THE TITLE HOLDING COMPANY, the within named Grantor, and he acknowledged the aforesaid Deed to be the act of said body corporate.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix my notarial seal.

Harry Kuszuial  
Notary public

Notary Public  
Seal.

PLAINTIFFS EXHIBIT NO. 18  
Filed Dec. 14, 1938

THIS DEED, Made this 3rd day of November, A. D. Nineteen Hundred and thirty Four, by and between John A. Rhodes, of Queen Anne's County, State of Maryland, and M. Loretta Clark, of Talbot County, State of Maryland, Administrators of the estate of Clara R. RHodes, deceased.

WITNESSETH, that in consideration of the sum of FIFTEEN HUNDRED DOLLARS, the said John A. Rhodes and M. Loretta Clark, Administrators, as aforesaid, do hereby grant and convey unto the said John A. Rhodes his heirs and assigns, forever in fee simple, all that lot of ground and premises situated, lying and being in Baltimore City, State of Maryland, and described as follows.

BEGINNING for the same on the Northeast side of Wesley Avenue at a distance of 200 feet Northwesterly from the corner formed by the intersection of the Northeast side of Wesley Avenue and the north west side of Oxford Avenue, and running thence northwesterly, binding on the northeast side of Wesley Avenue, fifty feet and running thence Northerly parallel with Oxford Avenue 155 feet to the Southwest side of a ten foot alley there situate with the use thereof in common with other lots binding thereon, and thence Southeasterly, binding on the Southwest side of said alley and parallel with Wesley Avenue fifty feet and thence Southwesterly, parallel with Oxford Avenue, one hundred fifty feet to the place of beginning; being the premises known as No. 5208 Wesley Avenue.

Being the same lot of ground which was conveyed unto the said Clara R. Rhodes by deed from the N. C. Sibley Company, Inc., dated the 4th day of March, 1926, and recorded in Liber S. C. L. No. 4538, Folio 133, one of the Land Records of Baltimore City, and being the same lot of ground secondly described in a Lease dated March 3rd, 1926, and recorded among the Land Records of Baltimore City prior hereto, from the N.C. Sibley Company to Josephine Primrose, wherein the same was demised and leased for a term of ninety nine years, renewable forever, subject to the payment of the annual rent of Ninety dollars (\$90.00), payable in equal half yearly instalments on the first days of March and September in each and every year.

TOGETHER with the buildings and improvements thereupon erected, made or being, and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

TO HAVE AND TO HOLD the aforesaid lot of ground and premises unto and to the use of the said John A. Rhodes, his heirs and assigns, forever in fee-simple, and especially with the right to collect the aforesaid rent of Ninety Dollars (\$90.00) issuing therefrom.

AND the said Grantors do hereby covenant and agree that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property hereby granted and that they will execute such further assurances of the same as may be requisite.

WITNESS the hand and seals of the said grantors on the day and year first above written.

TEST:  
W. D. Bishop  
W. D. Bishop

JOHN A. RHODES (SEAL)  
M. LORETTA CLARK (SEAL)

STATE OF MARYLAND, TALBOT COUNTY TO WIT:

I hereby certify that on this 3rd day of November A. D. , Nineteen Hundred and Thirty Four, before me, the subscriber, a Notary Public of the State of Maryland, in and for Talbot County, aforesaid, personally appeared M. Loretto Clark and acknowledged the foregoing deed to be her act.

Witness my hand and Notarial Seal.

W. D. Bishop  
Notary Public  
Notary Public Seal.

STATE OF MARYLAND, QUEEN ANNE COUNTY, TO WIT:

I hereby certify, that on this 3rd day of November A. D. , Nineteen Hundred and Thirty Four, before me, the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County aforesaid, personally appeared John A. Rhodes and acknowledged the foregoing deed to be his act.

Witness my hand and Notarial Seal.

W. D. Bishop  
Notary Public  
Notary Public Seal.

And on the back of the foregoing is thus endorsed to wit:  
Examiners Exhibit No. 9 Filed March 23, 1939 and Filed in Clerk office March 31st 1939.

.....@.....  
PLAINTIFF EXHIBIT NO, 19  
Filed Dec. 14 1938.

THIS DEED, Made this 13th day of October in the year one thousand nine hundred and twenty-two, by and between WILLIAM R. BLUME and MARY I. BLUME, his wife, of Baltimore City, State of Maryland, parties of the first part, and JOHN A. RHODES, of Queen Anne's County, State aforesaid, party of the second part.

WITNESS, that in consideration of the sum of Fifteen Hundred Dollars, this day paid, the receipt whereof is hereby acknowledged, the said parties of the first part do hereby grant and convey unto the said party of the second part, his heirs and assigns, in fee simple, all that lot of ground situate in Baltimore City, in the State of Maryland, and described as follows, that is to say:

BEGINNING for the same on the westernmost side of Pall Mall Avenue, at the distance of one hundred and fifty-four feet seven inches from the easternmost corner of Lot No. 3, as laid down on the Plat of Edgecombe Park; and running thence northwest and binding on the west side of Pall Mall Avenue twenty feet five inches, more or less, to the southerly side of an alley fifteen feet wide there being; thence west on said alley one hundred and one feet, more or less, to the easterly side of an alley ten feet wide there being; thence binding on the easterly side of said alley, with the use thereof in common, southeast thirty-three feet, more or less, to intersection a line drawn at right angles from the place of beginning; thence reversing said line east to and through the centre of the partition wall between the house on the lot now being described and the lot adjoining thereto on the southeast one hundred feet, more or less, to the place of beginning. Being the premises known as No. 1608 Pall Mall Avenue.

BEING the same lot of ground which, by indenture of lease dated September 26, 1922, and recorded among the Land Records of Baltimore City in Liber S. CL. No. 3912, folio 251, etc., was demised and leased by the said parties of the first part to John W. Plummer and wife, for the renewable term of ninety-nine years, at and under the annual rent of ninety dollars, payable in equal semi-annual instalments on the twenty sixth days of March and September, in each and every year.

TOGETHER with the buildings and improvements thereupon; and the rights, alley, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining the reversion thereof, and especially the clear and separate annual rent issuing and payable thereout as aforesaid.

TO HAVE AND TO HOLD the said lot of ground and premises, unto and to the use of the said JOHN A. RHODES, his heirs and assigns, in fee simple, subject however, to the leasehold estate and term existing therein, under and by virtue of said indenture of lease.

AND the said parties of the first part, covenant that they will warrant specially the property hereby granted and conveyed, and that they will execute such further assurances of said land as may be requisite.

WITNESS the hands and seals of the said grantors.

Witness:

Edgar J. Brown  
William R. Blume (SEAL)  
Mary I. Blume (SEAL)

STATE OF MARYLAND, BALTIMORE CITY TO WIT:

I HEREBY CERTIFY, that on this 13th day of October, in the year one thousand nine hundred and twenty-two, before me, the subscriber, a notary public of the State of Maryland, in and for Baltimore City, aforesaid, personally appeared WILLIAM R. BLUME and MARY I. BLUME, his wife, the within named grantor, and severally acknowledged the foregoing deed to be his respective act.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix my notarial seal.

Notary Public Seal. Edgar J. Brown  
Notary Public

AND on the back of the foregoing is thus endorsed to wit:  
Examiners Exhibit P. Filed March 23, 1939 and Filed in Clerk office March 31st 1939.

PLAINTIFF'S EXHIBIT NO. 20  
Filed Dec. 14, 1938.

THIS DEED, Made this 30th day of Sept in the year nineteen hundred and twenty one by Frances R. Summers, substituted Trustee by virtue of Order of Court Docket 60<sup>A</sup>, folio 493) and decree October 15th 1920, in ex-parte matter of trust estate of Francis T. Summers, deceased, of the City of Baltimore State of Maryland, of the first part, and John A Rhodes, of Love Point, Queen Anne's County, of same State aforesaid, of the second part.

WITNESSETH, That in consideration of the sum of One Thousand and One Hundred (\$1,100.00 Dollars, the said Frances R. Summers, substituted trustsm etc., part of the first part, doth hereby grant and convey unto the said John A. Rhodes, party of the second part, his heirs, and assigns, all that lot or parcel of ground situated and lying in the City of Baltimore (New Annex) State of Maryland, and better known as NO. 363 Maryland Avenue, Westport, - and particularly described as follows: BEGINNING for the same at a point formed by the intersection of the South East side of Maryland Avenue, with the North East side of First Street, and running thence North-easterly on the South East side of Maryland Avenue, fifteen feet to the centre of a partition wall there situate thence Southeasterly thru the centre of the partition wall and parallel with First Street, eighty seven feet to the North West side of an alley ten feet wide there situate thence Southwesterly binding on the North West side of said alley with the use thereof in common with the use thereof in common with others fifteen feet to First Street, and thence Northwesterly binding on the North East side of First Street eighty seven feet to the place of beginning.

BEING the same one of several lots and parcel of ground which by lease, dated the 10th day of October 1919, and recorded in Liber S. C. L. 3460-1, folio was demised and leased by Frank O. Singer, Jr., and Alberta M. N. Singer, his wife, unto Thomas Thompson, for the term of Ninety Years, at and for the annual rent of Sixty Six (\$66.00) Dollars, payable in equal half-yearly installments on the first days of April and October in each and every year during the continuance of the same, and being also the same one of two lots of ground which by deed, dated the 15th day of october, 1920 and recorded in Liber S. C. L., 3658, folio 130 was granted and conveyed by Frederick Briskman, Trustee under will of Frances T. Summers, Rec., H. W. J., 132,52 unto Frances R. Summers, substituted Trustee as aforesaid, party of the first part herein and grantor, subject to the term of years aforesaid.

TOGETHER, with the improvements thereon, and the rights, and appurtenances thereto belonging or appertaining.

TO HAVE AND TO HOLD the granted property and particularly the aforesaid rent payable out of said lot, and the revision thereto, unto the said John A. Rhodes, his heirs and assigns, forever, in fee simple, subject, however, to the estate, terms and interest of the said lessee, his representatives and assigns, under the said lease.

AND the said Francis R. Summers, substituted trustee, hereby covenats that he will warrant specially the property hereby conveyed, and that he will execute such further assurances as may be requisite.

WITNESS my hand and seal the day and year first above written.

Test: Walter R. Heath  
Francis R. Summers, Trustee (SEAL)  
Substituted Trustee by virtue of decree of Court (60A.fol.493) October 15th, 1920, in Exparte matter of trust estate of Francis T. Summers deceased.

STATE OF MARYLAND, CITY OF BALTIMORE, TO WIT:

I HEREBY CERTIFY, that on this 30th day of Sept. in the year one thousand nine hundred and twenty one before me, the subscriber, a notary public of the State of Maryland, in and for the City of Baltimore, aforesaid; personally appeared Francis R. Summers, substituted Trustee, and above named grantor, and acknowledged the afore-going Deed to be his act,

Witness my hand and notariál seal this day of year first above written.

Notary Public Seal.

Walter R. Heath NOTARY PUBLIC

AND on the back of the foregoing is thus endorsed to wit: Examiners Exhibit Q. Filed March 23, 1939, and Filed in Clerk office March 31st 1939.

PLAINTIFFS EXHIBIT NO. 21 Filed Dec. 14th 1938

THIS DEED, Made this 7th day of September, in the year one thousand nine hundred and twenty-seven, by and between CARROL B. HAZAZER and MILLICENT HAZAZER, his wife, of the City of Baltimore, in the State of Maryland, parties of the first part; and JOHN A. RHODES, of Love Point, Queen Anne's County, Maryland, party of the second part.

WITNESSETH, that in consideration of the sum of Five Dollars and other good and valuable consideration the receipt whereof is hereby acknowledged, the said parties of the first part do hereby grant and convey unto the said party of the second part, his heirs and assigns, in fee simple, all that lot of ground, situated in Baltimore City, in the State of Maryland, and described as follows, that is to say:

BEGINNING, for the same on the southwest side of the Frederick Road at the distance of twenty five feet seven and one half inches southeasterly from the intersection of the southwest side of the Frederick Road and the eastermost side of Frederick Heights Avenue as now laid out, said place of beginning being at the centre of the partition wall between the improvements erected on the lot of ground now being described and the improvements erected on the lot of ground next adjoining thereto on the northwest, thence running southeasterly binding on the southwest side of the Frederick Road fifteen feet and five eighths of an inch to the centre of the partition wall between the improvements erected on the lot of ground now being described and the improvements erected on the lot of ground next adjacent thereto on the southeast, thence running south thirteen degrees and thirty minutes west through the centre of said last mentioned partition wall in all seventy-four feet and five inches to the northeastermost side of an alley ten feet wide, thence running north seventy-six degrees and thirty-eight minutes west binding on said alley with the use thereof in common fifteen feet and five eights of an inch to meet a line drawn south thirteen degrees and thirty minutes west from the place of beginning and through the centre of the partition wall in this description first mentioned and thence running north thirteen degrees and thirty minutes east through the centre of said first mentioned partition wall in all seventy-five feet and eight inches to the place of beginning. The improvements erected upon said lot of ground being known as No. 2939 Frederick Road.

BEING, the same lot of ground secondly described in a Lease from The Frederick Road Park Building Company to Jacob Meizen, dated October 13th. 1926, and recorded among the Land Records of Baltimore City in Liber S. C. L. No. 4648, folio 34, whereby was reserved, issuing and payable out of said lot of ground the annual rent of \$96.00, payable in equal semiannual instalments on the fifteenth days of April and October, in each and every year.

BEING ALSO, the same lot of ground secondly described in a Deed from The Frederick Road Park Building Company to the said Carrol B. Hazazer, dated October 13th 1926, and recorded among the aforesaid Land Records in Liber S. C. L. No. 4648, folio 36.

TOGETHER, with the buildings and improvements thereupon, and the rights, alley, ways, waters, privileges, appurtenances, and advantages to the same belonging or in anywise appertaining, and particularly the aforesaid rent, payable as aforesaid issuing out of said lot of ground.

TO HAVE AND TO HOLD the said lot of ground and premises, and particularly the aforesaid rent, issuing and payable thereout, and the reversion thereto, unto and to the use of the said party of the second part, his heirs and assigns, in fee simple, forever, subject to the estate, terms and interest of the Lessee, his personal representatives and assigns, under the said Lease.

AND the said grantors hereby covenant that they have not done nor suffered to be done any act, matter or thing whatsoever to encumber the property hereby granted; that they will warrant specially the property hereby granted and conveyed, and they will execute such further assurances of said land as may be requisite.

WITNESS: the hands and seals of the said grantors.

Witness: Carroll B. Hazazer (SEAL) Harry Kuszuran Millicent Hazazer (SEAL)

STATE OF MARYLAND, BALTIMORE CITY, TO WIT:

I HEREBY CERTIFY, that on this 7th day of September, in the year one thousand nine hundred and twenty seven, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore City aforesaid, personally appeared Carrol B. Hazazer and Millicent Hazazer, his wife, the within named grantors and

they acknowledged the foregoing Deed to be their respective act.

IN TESTIMONY WHEREOF , I hereunto set my hand and affix my notarial seal.

Notary Public Seal.

Harry Kuszurnal  
Notary Public

And on the back of the foregoing is thus endorsed to wit:  
Examiners Exhibit R. Filed March 23, 1939 and Filed in Clerk's Office March 31st 1939.

PLAINTIFFS EXHIBIT NO, 22,  
Filed Dec. 14., 1938

One, One Dollar Recommendation Stamp  
One, Fifty Cent Internal Revenue Stamp

THIS DEED, Made this thirteenth day of November in the year one thousand nine hundred and twenty five by The N. C. Sibley Company, a body corporate of the State of Maryland, party of the first part, and John A. Rhodes, of the County of Queen Anne's ~~County~~ State of Maryland, party of the second part.

WITNESSETH that in consideration of Five Dollars and other good and valuable considerations, receipt of which is hereby acknowledged, the said The N. C. Sibley Company, does grant and convey unto John A. Rhodes his heirs and assigns, in fee-simple, all that lot of ground situate, lying, and being in Baltimore City (New Annex) and known as 5312 St. George Avenue, and described as follows, that is to say:

BEGINNING for the same on the west side of ST. George Avenue at a point distant northerly three hundred feet from the corner formed by the west side of St. George Avenue and the North side of Glenwood Avenue (both of said avenues being fifty feet wide and laid out through the lands of the Kenilworth Park Co.); running thence northerly binding on the west side of St. George Avenue fifty feet; thence westerly parallel with Glenwood Avenue one hundred and fifty feet; thence southerly parallel with St. George Avenue fifty feet; and thence easterly parallel with Glenwood Avenue one hundred and fifty feet to the place of beginning.

BEING the same lot or parcel of ground described in a deed dated August 16th 1925, from The Kenilworth Improvement Association, Incorporated, to the grantors herein and recorded among the Land Records of Baltimore City in Liber S. C. L. 4441, folio 118.

TOGETHER, with the buildings and improvements thereon erected made or being, and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or in any wise appertaining.

TO HAVE AND TO HOLD the said lot of ground and premises; above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances, and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said John A. Rhodes, his heirs and assigns, subject however, to the legal effect and operation of a ninety-nine year lease of the said premises by the grantor herein to Vincent M. Kearns, dated October 27, 1925, and recorded among the Land Records of Baltimore City in Liber S. C. L. 4479, folio , in fee simple, the annual rent yielding from said leasehold being ninety dollars payable in equal half yearly installments from and after October 27th 1925.

AND the said The N. C. Sibley Company hereby covenants that it will warrant specially the property hereby granted and conveyed, and that it will execute such further assurances of said premises as may be requisite.

WITNESS the hand and seal of Newton C. Sibley, President of the N. C. Sibley Company, Inc., and the affixing of it's corporate seal.

Test: Frank R. Neubauer

The N. C. Sibley Company, Inc.  
N. C. Sibley  
President

Corporate Seals  
Place.

STATE OF MARYLAND, CITY OF BALTIMORE TO WIT:

I HEREBY CERTIFY , that on the thirteenth day of November in the year one thousand nine hundred and twenty five before me, the subscriber a Notary Public of the State of Maryland, in and for Baltimore City, aforesaid, personally appeared Newton C. Sibley, President of the N. C. Sibley Company and he acknowledged the foregoing Deed to be the act. of the said corporate grantor

(Notary Public Seal)

Frank R. Neubauer  
Notary Public

And on the back of the foregoing is thus endorsed to wit:  
Examiner Exhibit S. Filed March 23 1939  
and Filed in Clerk's Office March 31st 1939.

.....  
SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
Filed December 19th 1938.

QUEEN ANNE'S COUNTY, TO WDT:

THE STATE OF MARYLAND

TO. William J. Nigran

Seals OF BALTIMORE CITY, GREETING:  
Place.

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the first Monday of January next, to answer the complaint of Charles Rhodes, et al, against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.  
WITNESS, The Honorable William Mason Shehan Chief Judge of our said Court, the first monday of December 1938.  
Issued the 14th day of December 1938.

Thomas J. Keating Jr. A. Sydney Gadd Jr. Clerk.

Solictior for Complainant

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of January next, being the Return Day.

And on the back of the foregoing is thus endorsed to wit:  
Summoned and a copy of the process left with the defendant.  
Joseph C. Deagan  
Sheriff

12/26/38

.....  
SUBPOENA FOR RESPONDENT TO APPEAR  
AND ANSWER  
Filed Dec. 19th 1938.

QUEEN ANNES COUNTY TOWIT:

THE STATE OF MARYLAND

TO MICHAEL HYLAND

Seals  
Place

OF BALTIMORE CITY , GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the first Monday of January next, to answer the complaint of Charles Rhodes, et al. against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.  
WITNESS, The Honorable William Mason Shehan Chief Judge of our said Court, the first day of Decemver 1938  
Issued the 14th day of December 1938.

Thomas J. Keating, Jr. A. Sydney Gadd Jr. Clerk.

Solicitor for Complainant

TO THE DEFENDANT: You are required to file you answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of January next, being the Return Day.

A. Sydnry Gadd Jr. Clerk.

And on the back of the foregoing is thus endorsed to wit:  
Summoned and a copy of the Process left with the defantant  
Joseph C. Deagan  
Sheriff

12/16/38.

..... SUBPOENA FOR RESPONDENT TO APPEAR ANDANSWER  
@QUEEN ANNE'S COUNTY, TO WIT: Filed Dec 23rd 1938

THE STATE OF MARYLAND

TO Edward W. Rhodes and Bessie L. Rhodes his wife

Seals OF TALBOT COUNTY, GREETING  
Place

YOU ARE HEREBY COMMANDED, That all excusesset aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, In said county, on the First Monday of January next, to answer the complaint of Charles Rhodes, et al. against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable William Mason Shehan Chirf Judge of our said Court, the first Monday of December 1938 Issued thd 14th day of day of December 1938.

Thomas J. Keating, Jr.,

A. Sydney Gadd Jr.  
A. Sydney Gadd Jr. Clerk.

Solicitor for Complaint

TO THE DEFENDANT: Your are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of January next, being the Return Day.

A. Sydney Gadd Jr.  
A. Sydney Gadd Jr. Clerk.

True Copy

Test: William H. Carter , Clerk.

And on the back of the foregoing is thus endorsed to wit:

I hereby certify that I served the within Subpoena on Edward W. Rhodes by reading same to him and by leaving a copy of same with him thas 19th day of Dec. 1938.

Per: M. L. Aikenhead

John R. Scott  
Sheriff

.....  
SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER  
Filed Dec. 23rd. 1938

QUEEN ANNE'S COUNTY, TO WIT:

Seals Place

THE STATE OF MARYLAND,

TO Edward W. Rhodes, Executor of the Will of Martha M. Durney

OF TALBOT COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear Before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the first Monday of January next, to answer the complaint of Charles Rhodes, et al. against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable William Mason Shehan Chief Judge of our said Court, the first Monday of December 1938 Issued the 14th day of December 1938

Thomas J. Keating Jr.

A. Sydney Gadd Jr. Clerk

Solicitor for Complainant

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of January next, being the Return Day.

A. Sydney Gadd Jr. Clerk

True Copy

Test: A. Sydney Gadd Jr. Clerk.

And on the back of the foregoing is thus endorsed towit:

I hereby certify that I served the within Subpoena on Edward W. Rhodes by reading same to him and by leaving a copy of same with him this 19th day of Dec. 1938.

John R. Scott  
Sheriff

Per M. L. Ackenhead

.....  
SUBPOENA FOR RESPONDENT TO APPEAR AND ANSWER  
Filed Dec. 23rd. 1938

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Mary A. Rhodes

Seals  
Place

OF TALBOT COUNTY COUNTY GREETING:

YOU ARE HEREBY COMMANDED, That ll excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the first Mon Monday of January next, to answer the complaint of Charles Rhodes, et al against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable William Mason Shehan Chief Judge of our said Court, the first Monday of December 1938. Issued the 14th day of December, 1938.



Thomas J. Keating Jr.,  
Solicitor for Complainants

A. Sydney Gadd Jr. Clerk.

TO THE DEFENDANT: You are required to file your answer or other defence in the office of the Clerk of this Court within fifteen days of the first Monday of January next, being the Return Day.

True Copy  
Test: A. Sydney Gadd Jr. Clerk

And on the back of the foregoing is thus endorsed to wit:  
I hereby certify that I served the within Subpoena on Mary A. Rhodes by reading same to her and by leaving a copy of same with her this 19th day of Dec. 1938.

John R. Scott  
Sheriff

Per M. L. Ackenhead

.....SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER  
Filed Dec. 23rd. 1938.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Normand L. Rhodes, Executor of the Will of Martha M. Duiney  
Seals  
Place.

OF TALBOT COUNTY COUNTY. GREETING:

YOU ARE HEREBY COMMANDED, That ll excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the first Mon Monday of January next, to answer the complaint of Charles Rhodes, al, against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable William Mason Shehan Chief Judge of our said Court, the first Monday of December 1938  
Issued the 14th day of December 1938.

Thomas J. Keating Jr.

A. Sydney Gadd Jr. Clerk.

Solicitor for Complainant

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of January next, being the Return Day.

A. Sydney Gadd Jr. Clerk

And on the back of the foregoing is thus endorsed to wit;  
I hereby certify that I served the within Subpoena on Morman L. Rhodes by reading same to him and by leaving a copy of same with him this 19th day of Dec. 1938.

John R. Scott  
Sheriff

per: M. L. Ackenhead

.....  
SUBPOENA FOR RESPONDENT TO APPEAR  
AND ANSWER.  
FILED Dec. 29th 1938

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO. Walter P. Carrion

Seals)  
Place)

OF BALTIMORE CITY , GREETING:

YOU ARE HEREBY COMMANDED, That ll excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville in said county, on the first Monday of January next, to answer the complaint of Charles Rhodes, et al. against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril/

WITNESS, The Honorable William Mason Shehan Chief Judge of our said Court, the first Monday of December 1938  
Issued the 14th day of December, 1938.

Thomas J. Keating Jr.

A. Sydney Gadd Jr. Clerk.

Solicitor for complainant

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of \_\_\_\_\_ next, being the Return Day.

A. Sydney Gadd Jr. Clerk

And on the back of the foregoing is thus endorsed to wit:  
Summoned and a copy of the Process left with the def-

endant

12/24/38

Joseph C. Deagan  
Sheriff

.....  
ANSWER  
FILED DEC. 29th 1938.

CHARLES RHODES, AND NANNIE  
L. RHODES, HIS WIFE, ET AL.

VS.

EDWARD W. RHODES, AND BESSIE  
RHODES, his wife, et al.

) IN THE CIRCUIT COURT FOR  
)  
) QUEEN ANNE'S COUNTY.  
)  
) IN EQUITY.

TO THE HONORABLE, THE JUDGE OF SAID COURT.

The answer Micheal Hyland to the Bill of Complaint hereto-  
fore exhibited in this Court, says:

1. That he consents to the relief prayed in the aforesaid Bill of Complaint but reserving and retaining unto himself his rights to protection as an unsatisfied legatee in the distribution of the proceeds of the sale of said real estate specially mentioned therein.

And as in duty bound, etc.

Filed Dec. 29th 1938.

Nathan Posner  
ATTORNEY FOR RESPONDENT

.....  
ANSWER OF WALTER P. CARRION  
Filed Dec. 31st 1938.

CHARLES RHODES, AND MANNIE L.  
RHODES, his wife, et al.

VS.

EDWARD W. RHODES, and BESSIE  
RHODES, his wife, MARY A. RHODES,  
EDWARD W. RHODES and NORMAN L. RHODES,  
Executors of the Will of Martha M.  
Durney, deceased, WALTER P. CARRION, ET AL.

) IN THE  
)  
) CIRCUIT COURT FOR  
)  
) QUEEN ANNE'S COUNTY  
)  
) IN EQUITY.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The answer of Walter P. Carrion to the Bill of Complaint  
heretofore exhibited against him and others respectfully shows unto your Honors:

1. That he admits the allegations contained in paragraph one of the Bill of Complaint.
2. Answering the second paragraph thereof your Respondent avers that from the bequest on One Thousand (\$1,000.00) Dollars made to him in the will of John A. Rhodes, more particularly mentioned in the first paragraph of the Bill of Complaint, there is still due him the sum of Two Hundred Seventy-four Dollars and Fifty-nine Cents (\$274.59) less collateral inheritance tax of seven and one half percent, and he is advised that the said balance due him is a charge, claim and lien against the real estate of John A. Rhodes, deceased, and that he is entitled to have the same paid to him before any distribution of the proceeds of any sale or sales is made to the heirs at law of the said John A. Rhodes, and he is further advised that this proceeding has been brought in part so that the said real estate may be sold to satisfy his claim.
3. That your Respondent believes the allegations contained in the third, fourth, fifth, sixth, seventh, ninth and tenth paragraphs of the Bill of Complaint are true.
4. That your Respondent has no knowledge of the allegation contained in the eight paragraph of the Bill of Complaint and can, therefore, neither admit nor deny the same.
5. And answering said Bill of Complaint further your Respondent in order to obtain the balance due him from the aforementioned legacy of One Thousand (\$1,000.00) Dollars does hereby consent to the passage of an order directing the sale of the real estate as prayed in the Bill of Complaint.

AND AS IN DUTY BOUND, etc.

Walter P. Carrion  
Respondent  
Filed Dec. 31st 1938.

Milton H. Talkin  
Solicitor for Respondent

.....  
SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
Filed Jan 4th 1938.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

SEALS)  
PLACE)  
TO

Charles R. Goldsborough  
Helen R. Goldsborough, his wife

Of Baltimore City, Greeting

YOU ARE HEREBY COMMANDED, That all excuses set adise, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the first Monday of January next, to answer the complaint of Charles Rhodes, et al. against you in said Court, exhibited.

Hereof fail not, as you will answer the contrary at your peril/

WITNESS, The Honorable William <sup>Msaon</sup>/Shehan Chief Judge of our said Court, the first Monday of December 1938  
Issued the 14th day of December 1938.

Thomas J. Keating Jr.,

A. Sydney Gadd Jr. Clerk.  
A. Sydney Gadd Jr.

Solicitor for Complainants

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of January next, being the Return Day.

A. Sydney Gadd Jr. Clerk.  
A. Sydney Gadd Jr. Clerk.

True Copy

Test: A. Sydney Gadd Jr. clerk.

And on theback of the foregoing is thus endorsed to wit:

Summoned Helen R. Goldsbrough and A. copy of the Prcess left with the Defendant Non Est as to Charles R. Goldsbough

Joseph C. Deagan Sheriff

.....  
SUBPOENA FOR RESPONDENT TO APPEAR  
AND ANSWER  
Filed Jan 4th 1938

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND,

TO Howard F. Rhodes

Seals  
Place

OR Baltimore City, Greeting:

YOURARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the 1st Mon Monday of January next, to answer the complaint of Charles Rhodes against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable William Mason Shehan Chief Judge of our said Court, the First Monday of December 1938  
Issued the 14th day of December 1938

Thomas J. Keating Jr.

A. Sydney Gadd Jr. Clerk

Solicitor for Complainant

TO THE DEFENDANT: You are required to file your answer or other defense in theoffice of theClerk of this Court within fifteen days of the first Monday of January next, being the Return Day.

A. Sydney Gadd Jr. Clerk

True Copy

Test: A. Sydney Gadd Jr, Caerk.

And on the back of the foregoing is thus endorsed to wit:  
Non Est.

Joseph C. Deagan  
Sheriff

.....  
 COPY OF INVENTORY AND APPRAISEMENT  
 OF REAL ESTATE OF JOHN H. RHODES  
 Filed January 4th 1939

A TRUE AND PERFECT INVENTORY of all and singular, the Real Estate of John A. Rhodes, late of Queen Anne's County, deceased, appraised by the Subscribers J. Sudler Cockey, and John M. Norman, jointly, we having first been legally authorized, and having taken the oath prescribed by law, as will be seen by the warrant to appraise, and certificate thereon hereto annexed.

REAL ESTATE	Sales Accounts for 1st Audit		
1- Two story house and lot of ground being Lots #1-2-3-4-8-9-10-13-14-15-16- of Block #18 at Love Point.....\$800.00			
2- Bungalow and lot of land being Lot #16 of Block #14 at Love Point,           500.00			
3- One Lot of land west of bungalow being Lot #17 of Block #14 at Love Point ..... 25.00			
4- Two lots of land South of twoStory house being Lots#18 and #19 of Block #14 at Love Point .....40.00			
5- One lot of land North of twostory house being Lot #3 of Block #14 at Love Point.....20.00			
All above lots sold per 1st Report of Sales ...1385.00		1385.00	
6- One lot in Baltimore City being #3012 Christopher Ave. yielding ground rent of #90.00 per year ..... 1,500.00 This lot sold per 3rd Report as Parcel No. 3.		1,500.00	
7- One lot in Baltimore City being #812 N. Patterson Park Ave. yielding ground rent of \$38.50 per year,.....641.67 This lot sold as Parcel 5- 3rd Report		641.67	
8- One lot in Baltimore City being #734 N. Patterson Park Ave. yielding ground rent of \$37.14 per year,.....619.00 This Lot sold as Parcel 4- 3rd Report		619.00	
9- One lot in Baltimore City being #4109 Norfolk Ave. yielding ground rent of \$90.00 per year.....1,500.00 This lot sold as Parcel 6- 3rd Report		1,500.00	
10- One lot in Baltimore City being #3311 Bayonne Ave. yielding ground rent of \$78.00 per year.....1,300.00 This lot sold as Parcel 7 2nd Report		1,300.00	
11- One lot in Baltimore City being #4118 Norfolk Ave. yielding ground rent of \$84.00 per year.....1,400.00 This lot sold Per 4th Report to go in 2nd Audit		1,400.00	1400.00
12- Two lots in Baltimore City being #908 and #806 E. Eager St. yielding ground rent of \$54.00 per year for each lot.....1,800.00 Lot No 908 E. Eager devised to Church			900.00 90.00
13 Lot No 908 Eager sold as Lot No. 9 3rd Report of sales.                   900.00		900.00	1500.00
13 One lot in Baltimore City being #1914 Braddish Ave. yielding ground rent of #90.00 per year.....1,500.00 Not sold to time of 1st Audit		1,500.00	
14 One lot in Baltimore City being #1413 Union Ave, yielding ground rent of \$90.00 per year. ....1,500.00 Sold as Lot No.11 2nd Report.		1,500.00	
15- One lot in Baltimore City being #5208 Wesley Ave. yielding ground rent of \$90.00 per year .....1,500.00 This is lot the sale of which was set aside		1,500.00	1500.00

16-One lot in Baltimore City being #4608 Pall Mall Road yielding ground rent of \$90.00 per year,.....	1,500.00		
17 One lot in Westport being #2363 Annapolis Road yielding ground rent of \$66.00 per year,.....	1,100.00	1100.00	
18-One lot in Baltimore City being #2939 Frederick Ave, yielding ground rent of \$96,00 per year,.....	1,600.00		1600.00
19- One lot in Govans being #1312 St. George Ave. yielding ground rent of \$90.00 per year.....	1,500.00	1500.00	
Sold as Parcel No, 16 2nd Report	20,345.67	13445.67	6900.00
	13,445.67		
	6,900.00		
	<u>20,345.67</u>		

J. Sudler Cockey  
John M. Norman  
Appraisers,

WE, THE SUBSCRIBER, do certify that the foregoing is a just and true Inventory and valuation of all and singular the Real Estate of the said John A. Rhodes, deceased, so far as the same has come to our sight and knowledge, and as valued and appraised in dollars and cents, according to the best of our skill and judgment.

WITNESS, our hands and seals this 6th day of March, in the year of our Lord one thousand nine hundred and thirty nine.

J. Sudler Cockey (SEAL)  
Appraisers.  
John M, Norman (SEAL)

Amount of Appraisalment: \$20,345,67

QUEEN ANNE'S COUNTY, TO WIT

ON this 6th day of March 1939 came M. Loretto Clark and M. Edith Rhodes, administratrices c.t.a. of John A. Rhodes, deceased, and made oath in due form of law, that the annexed and foregoing is a true and perfect inventory of all the Real Estate of said deceased, within this State that has come to their knowledge, and that should they hereafter discover any other Real Estate belonging to the said deceased, in this State, they will return an additional inventory thereof.

Certified by Norman S. Dudley Register of Wills.

IN THE ORPHANS' COURT FOR QUEEN ANNE'S COUNTY:

On this 7th day of March, 1939, the foregoing inventory was duly examined and passed by court, and same ordered to be received, filed and recorded.

Norman S. Dudley Register of Wills

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

I, Norman S. Dudley, Register of Wills of Queen Anne's County, State of Maryland, do hereby certify that the foregoing is a true and whole copy of the Inventory and Appraisalment of the Real Estate of John A. Rhodes, deceased, filed in the Orphans' Court of Queen Anne's County on the 7th day of March, 1939 and recorded in Liber N, S. D. #1, folio 251, a Record Book of Inventories in the Orphans' Court for Queen Anne's County.

In Testimony Whereof I hereunto set my hand and affix the seal of the Orphans' Court of Queen Anne's County this 21st day of December, 1939.

Seals  
Place.

Norman S. Dudley  
Register of Wills

Dated January 4th 1939

ANSWER TO BILL OF COMPLAINT  
Filed Jan 10th 1939.

CHARLES RHODES, et al vs. EDWARD W. RHODES, et al. IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The joint and severally Answer of Edward W. Rhodes, Bessie Rhodes, his wife, Mary A. Rhodes and Norman L. Rhodes, to the Bill of Complaint of Charles Rhodes, and others against them and others in this Court exhibited-

THESE defendants answering say:

1. That they admit the facts alleged in the 1st paragraph of said Bill of Complaint.
2. That answering the 2nd paragraph of said Bill of Complaint, your

respondents admit that the personal estate of said John A. Rhodes, deceased, as shown by the Administration Account and Distribution Account in the Orphans Court for Queen Anne's County does not appear to have been sufficient to pay the pecuniary legacies under said decedent's Will, but your respondents are not advised as to whether the said personal estate of John A. Rhodes has been fully administered or not and are not advised as to whether the pecuniary legatees have claims against the real estate of said decedent for any unpaid portion of their respective pecuniary legacies, but, nevertheless, consent to such decree of this Honorable Court in the premises as may be right and proper.

3. That your respondents admit the facts alleged in the 3rd, 4th and 5th paragraphs of said Bill.

4. That your respondents admits the facts alleged in the 6th paragraph of said Bill, and further answering said 6th paragraph, aver that all of the right, title, property, estate and interest which passed to the said Martha M. Durney under the Will of said John A. Rhodes, deceased, or to which she became entitled under said Will, is now distributable to the persons entitled thereto under and by virtue of the provisions of the Will of said Martha M. Durney, filed with the Bill of Complaint in this proceeding as "Plaintiffs' Exhibit No. 3"

5. That your respondents admits the facts alleged in the 7th, 8th, 9th and 10th paragraphs of said Bill.

6. That further answering said Bill of Complaint your respondents as far as they may be authorized to do so submit these proceedings to this Honorable Court for such decree in the premises as may be right and proper.

AND AS IN DUTY BOUND, &c.

GILBERT MARSHALL  
SOLICITOR FOR DEFENDANTS

Diled Jan 10th 1939.

Edward W. Rhodes

Elizabeth M. Rhodes

Mary A. Rhodes

Norman L. Rhodes

DEFENDANTS

.....  
ANSWER TO BILL OF COMPLAINT OF  
EXECUTORS  
Filed Jan 10th 1939

CHARLES RHODES, et al

vs.

EDWARD W. RHODES, et al

IN THE CIRUCIT COURT

FOR

QUEEN ANNE'S COUNTY

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Answer of Edward W. Rhodes and Norman L. Rhodes, the Executors of the Estate of Martha M. Durney, deceased, to the Bill of Complaint of Charles Rhodes, and others against them and others in this Court exhibited;

These Defendants answering say;

1. That they admit the facts alleged in the 1st paragraph of said Bill of Complaint.

2. That answering the 2nd paragrph of said Bill of Complaint, your respondents admit that the personal estate of said John A. Rhodes, deceased, as shown by the Administration Account and Distribution Account on the Orphans Court for Queen Anne's County does not appear to have been sufficient to pay the pecuniary legacies under said decedent's Will, but your respondents are not advised as to whether the said personal estate of John A. Rhodes has been fully administered or not and are not advised as to whether the pecuniary legatees have claims against the real estate of said decedent for any unpaid portion of their respective pecuniary legacies, but, nevertheless, consent to such decree of this Honorable Court in the premises as may be right and proper.

3. That your respondents admit the facts alleged in the 3rd, 4th and 5th paragraphs of said Bill.

4. That your respondents admit the facts alleged in the 6th paragraph of said Bill, and further answering said 6th paragraph, aver that all of the right, title, property, estate and interest which passed to the said Martha M. Durney under the Will of said John A. Rhodes, deceased, or to which she became entitled under said Will, is hoe distributable to the persons entitled thereto under and by virtue of the provisions of the Will of said Martha M. Durney filed with the Bill of Complaint in this proceeding as "Plaintiffs' Exhibit No. 3".

5. That your respondents admit the facts alleged in the 7th, 8th, 9th and 10th paragraphs of said Bill.

6. That further answering said Bill of Complaint your respondents as far as they may be authorized to do so submit these proceedings to this Honorable Court for such decree in the premises as may be right and proper.

AND AS IN DUTY BOUND, &c.

Edward W. Rhodes,

G. Albert Marshall  
SOLICITOR FOR DEFENDANTS

Normand L. Rhodes  
EXECUTORS OF THE ESTATE OF MARTHA  
M. DURNEY, deceased.  
DEFENDANTS

Filed Jan 10th 1939.

.....  
ANSWER TO BILL COMPLAINT  
Filed Jan. 10th 1939.

CHARLES RHODES, et al                         |             IN THE CIRCUIT COURT FOR  
  |             QUEEN ANNE'S COUNTY,  
vs   |             IN EQUITY.  
EDWARD W. RHODES, etal                       |

TO THE HONORABLE , the judges of said Court/

THE ANSWER of Helen Rhodes Goldsbrough and Charles R. Goldsbrough, two of the Defendants to the Bill of Complaint filed in this cause, respectfully shows:

THAT your Respondents admit the matters and facts alleged in the Bill of Complaint and consent to the passing of a Decree for the sale of the real estate as prayed in said Bill.

AND as in duty bound, etc.

Helen Rhodes Goldsbrough  
Charles R. Goldsbrough  
DEFENDANTS

Filed Jan 10th 1939.

.....  
ANSWER OF WILLIAM J. NIGRIN ONE OF  
RESPONDENT, TO BILL OF COMPLAINT  
Filed Jan. 14th 1939

CHARLES RHODES, AND                         |             IN THE  
MANNIE L. RHODES, his wife et al           |             CIRCUIT COURT F OR  
  |             QUEEN ANNE'S COUNTY  
vs.   |             IN EQUITY  
EDWARD W. RHODESand                         |  
BESSIE RHODES, his wife et al.            |

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Answer of William J. Nigrin, one of the Respondents in the above entitled cause, to the Bill of Complaint exhibited against him, respectfully represents:

1. That to the best of his knowledge, information and belief the allegations contained in the said Bill of Complaint are true, and he consents to the passage of such Orders and Decrees as to this Honorable Court may seem meet and proper, in order that this Respondent may be paid his pecuniary legacy in full.

And as in duty bound, etc.

WEINBERG & SWEETEN AND GREEN  
Solicitor for Respondent,  
William J. Nigrin

Filed Jan 14th 1939.

.....  
ANSWER TO BILL OF COMPLAINT  
Filed Feb. 25th 1939.

CHARLES RHODES, etal                         |             IN THE CIRUCIT COURT FOR  
  |             QUEEN ANNE'S COUNTY,  
versus    |             IN EQUITY.  
EDWARD W. RHODES etal.                       |

TO THE HONORABLE, the judges of said Court:

THE ANSWER of Howard F. Rhodes, one of the Defendants in the above cause, to the Bill of Complaint respectfully sets forth:

THAT your Respondent admits thematters and facts alleged in the Bill of Compñaint and consents to thepassage of a Decree for the sale of the real estate and the relief prayed for in theBill.

AND as in duty bound, etc.,

Howard F. Rhodes

.....  
PETITION FOR APPOINTMENT  
OF TRUSTEE"  
Filed March 1, 1939

CHARLES RHODES, et al                    ()  
  ()  
  ()                    FOR  
  ()  
EDWARD W. RHODES, et al                ()  
  ()                    QUEEN ANNE'S CONNTY

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petitioners of Edward W. Rhodes and Normand L. Rhodes, Executors of the Estate of Martha M. Durney, deceased, Edward W. Rhodes, individually, Norman L. Rhodes, individually, Bessie and Mary A. Rhodes, respectfully represent unto your Honors:

1. That being, with others, defendants in the above entitled case they have heretobefore filed their respective answers to the Bill of Complaint in said proceeding throughand by their counsel, G. Elbert Marashall, Esq.

2. That your petitioners are together entitled to receive as the aggregate amount of their several interests in the estate of said John A. Rhodes whose real estate and property is sought in the aboge entitled proceeding to be sold, a little less than one half of the rest and residue of the estate remaining after payment of the unpaid portions of said pecuniary legacies, as will appear by reference to the certified copies of the Will of said John A. Rhodes and the Administration and Distribution Accounts filed in these proceedings.

3. That your petitioners are advised that it is in the discretion of this Honorable Court to appoint one or more Trustees for the purpose of selling the real estate and property of the said John A. Rhodes, deceased, and believing to be fair and equitable that the very consideratible interests of your petitioners SHOULD BE CONSIDERED IN the appointment of Trustees, your petitioners very respectfully request that your Honors give favorable consideration to the naming of G. Elbert Marshall, Esq., as one of the Trustees to make said sale or sales.

WHEREFORE your petitioner pray:

(a) That in the decree to be passed by this Honorable Court for the sale of said real estate of John A. Rhodes, deceased, that G. Elbert Marshall be named as one of the Trustees to make said sale.

(b) And that your petitioners may have such other and further relief as the nature of their cas may require.

AND AS IN DUTY BOUND. &c.

G. Elbert Marshall  
SOLICTIOR FOR PETITIONERS

Edward V. Rhodes,  
Normand L. Rhodes  
Executors of the Estate of Martha M.  
Durney, deceased.  
Edward W. Rhodes  
Norman L. Rhodes  
Bessie Rhodes  
Mary A. Rhodes

Filed March 1st 1939.

.....  
DEPOSITIONS  
Filed March 31st 1939

CHARLES RHODES and ANNIE L.            )  
RHODES, his wife, Et al                )  
  )  
  ()                    FOR  
  )  
  ()                    QUEEN ANNE'S COUNTY  
Edward Rhodes and Bessie                )  
Rhodes, his wife, Et al.                )  
  ()                    IN EQUITY.  
  ()                    NO. 3191

TO THE HONORABLE , THE JUDGES OF SAID COURT:

Thomas J. Keating, Jr., Esq., having notified your examiner that he desired to take testimony in the above entitled case at his office in Centreville, Maryland, at 11:00 o8Clock a.m., Thursday, March 23, 1939. Your Examiner did attend at the office of Thomas J. Keating, Jr., Esq. at the time stated above, there being present Thomas J. Keating, Jr., Esq., solicitor for the Plaintiffs, G. Elbert Marshall, Esq., solicitor for some of the defendants, Charles A. Trageser, M. Lorretto Clark and Samuel T. Rhodes, Jr., and proceeded to take the following testimony to wit:

Charles A. Trageser, Esq., the first witness, of lawful age, after being duly sworn, deposes and says:

- 1.Q. Please state your name, occupation and place of address.  
A. Charles A. Trageser, Attorney at Law, 308 Broxton Road, Baltimore, Maryland.
- 2.Q. Are you a member of the Bar of Baltimore City?  
A. I am, and the State of Maryland as well.
- 3.Q. State whether or not you are one of the parties to this suit.  
A. I am, as husband of Virginia Trageser - nee, Virginia Rhodes.
- 4.Q. Did you know the late John A. Rhodes, on or about when did he die?  
A. He died on about the eighth day of December, 1937.



5.Q. Do you know whether or not he died testate or intestate?

A. He died testate.

6.Q. I now hand you a paper marked "Plaintiff's Exhibit #1", and will ask you to identify this paper.

A. This is a certified copy of the Last Will and Testament of John A. Rhodes, of Queen Anne's County, Maryland, which bears a certificate of probate of the Orphan's Court for Queen Anne's County, Maryland, dated December 9, 1938.

The Solicitor for the Plaintiffs now hands the Examiner paper marked "Plaintiffs Exhibit #1" with request that it be filed in these proceedings, and it is so filed and marked "Examiner's Exhibit A".

7.Q. What relation was John A. Rhodes, deceased, to your wife, Mrs. Trageser?

A. He was an uncle being a brother of her father, Samuel T. Rhodes, Sr.

8.Q. Do you know what Real Estate the said John A. Rhodes was seized and possessed of at the time of his death?

A. Parcel #1-house and lot of land at Love Point, Queen Anne's County, Maryland, consisting of lots numbered 16, 17, 18 and 19 in block number 14, and parts of lots numbers 1,2,3,4,8,9,10,13,14,15, and 16 in block number 18.

9.Q. I now hand you paper marked "Plaintiff's Exhibit #5", and "Plaintiffs Exhibit #6", and ask you to identify same.

A. These papers are the deeds for the two properties just mentioned in Parcel #1.

The Solicitor for the Plaintiffs now hands the Examiner paper marked "Plaintiffs Exhibit #5" and Plaintiff's Exhibit #6" with request that they be filed in these proceedings, and it is so filed and marked "Examiner's Exhibit B" and Examiner's Exhibit C."

A. Parcel #2- a bungalow with lot of land at Love Point, Queen Anne's County, Maryland, consisting of lots numbers 2 and 3 in block number 14, and a small strip of land adjoining lot number 3.

10 Q. I now hand you papers marked "Plaintiff's Exhibit #7" and "Plaintiff's Exhibit #8 & "Plaintiff's Exhibit #9" and ask you to identify same.

A. Numbers 8 and 9 are the original deeds to parcel of property mentioned in parcel number 2 and "Plaintiff's Exhibit #7" is a certified copy of deed to another part of the same property.

The Solicitor of the Plaintiff now hands the Examiner papers marked "Plaintiff's Exhibit #7", "Plaintiff's Exhibit #8" and "Plaintiff's Exhibit #9", respectively, and requests that they be filed in these proceedings, and it is so filed and marked "Examiners Exhibit D. E. and F." respectively.

A. Parcel #3- an annual rent of \$90.00 issuing payable and instant to 3012 Christopher Ave., Baltimore, Maryland, and the reversion thereof.

11 Q. I now hand you paper marked "Plaintiff's Exhibit #10" and ask you to identify same.

A. Plaintiff's Exhibit #10" just handed me is the deed for the ground rent just mentioned in said deed, refers to said rent as being located on Grove Ave., which is now known as Christopher Ave.

The Solicitor of the Plaintiff now hands the Examiner paper marked "Plaintiff's Exhibit #10" and requests that the paper be filed in these proceedings, and it is so filed and marked "Examiner's Exhibit G."

A. Parcel #4- an annual rent of \$37.14, issued payable and instant to 734 North Patterson Park Ave., Baltimore, Maryland.

12Q. I now hand you "Plaintiff's Exhibit #11" and ask you to identify same.

A. A ground rent deed for the ground rent just mentioned.

The Solicitor of the Plaintiff now hands the Examiner paper marked "Plaintiff's Exhibit #11" and requests that it be filed in these proceedings, and it is so filed and marked "Examiner's Exhibit H?"

A. Parcel #5- annual rent of \$38.50, issued payable and instant to 812 North Patterson Park Ave., Baltimore, Maryland, which rent is mentioned in the deed "Plaintiff's Exhibit #11" Just handed to me and identified.

A. Parcel #6- an annual rent of \$90.00, issued payable and instant to 4109 Norfolk Ave. Baltimore Maryland

13Q. I now hand you "Plaintiff's Exhibit #12" for your identification.

A. This is a deed for the ground rent and reversion just mentioned, 4109 Norfolk Ave. Baltimore, Maryland.

The Solicitor of the Plaintiff now hands the Examiner paper marked "Plaintiff's Exhibit #12" and requests that it be filed in these proceedings, and it is so filed and marked "Examiner's Exhibit I".

A. Parcel #7- an annual rent of \$78.00, issuing payable and instant to 3310 Bayonne Ave., Baltimore, Maryland and the reversion thereof. This was formerly known as 126 Schaffer Ave, Baltimore, Maryland

14 Q. I now hand you paper marked, "Plaintiff's Exhibit #13" and ask you to identify same.

A. This is a deed for the ground rent and version just referred to which shows that the address was formerly known as 126 Schaffer Ave.

The Plaintiff's Solicitor now hands the Examiner paper marked "Plaintiff's Exhibit #13" and requests that it be filed in these proceedings, and it is so filed and marked "Examiners Exhibit J".

A. Parcel #8- an annual rent of \$84.00 issuing payable and instant to 4118 Norfolk Ave, Baltimore, Maryland.

15 Q. I now hand you paper marked "Plaintiff's Exhibit #14" and ask you to identify same.

A. This is a deed for the ground rent and the reversion just referred to.

The Plaintiff's Solicitor now hands the Examiner paper marked "Plaintiff's Exhibit #14" and requests that it be filed in these proceedings, and it is so filed and marked "Examiner Exhibit K."

- A. Parcel #9- an annual rent of \$54.00, issuing payable and instant to 906 East Eager St., Baltimore, Maryland.
- 16 Q. I now hand you paper marked "Plaintiff's Exhibit #15" and ask you to identify same.
- A. This is a deed for two rents, one of which has just been mentioned as 906 East Eager Street, said deed including in it the second, description the rent of 908 East Eager Street, the latter of which is not in this proceeding, but which was left by John A. Rhodes, under his Last Will and Testament to the Catholic Church, by specific devises.

The Plaintiff's Solicitor now hands the Examiner paper marked "Plaintiff's Exhibit #15" and requests that it be filed in these proceedings, and it is so filed and marked "Examiner Exhibit L."

- A. Parcel #10- an annual rent of \$90.00, issuing payable and instant to 1914 Braddish Ave., Baltimore, Maryland.
- 17.Q. I now hand you Plaintiff's Exhibit #16 and ask you to identify same.
- A. It is a deed for the annual rent and reversion just referred to at 1914 Braddish Ave.

The Plaintiff's Solicitor now hands the Examiner paper marked "Plaintiff's Exhibit #16" and requests that it be filed in these proceedings, and it is so filed and marked "Examiner Exhibit M."

- A. Parcel #11- an annual rent of \$90.00 issuing payable and instant to 1413 Union Ave, Baltimore, Maryland
- 18 Q. I now hand you Plaintiff's Exhibit #17 and ask you to identify same.
- A. This is a deed for the annual rent and reversion just referred to at 1413 Union Ave., Baltimore, Maryland.

The Plaintiff's Solicitor now hands the Examiner paper marked "Plaintiff's Exhibit #17" and requests that it be filed in these proceedings, and it is so filed and marked "Examiner's Exhibit N".

- A. Parcel #12- an annual rent of \$90.00, issuing payable and instant to 5508 Wesley Ave., lately known as 5208 Wesley Ave.
- 19.Q. I now hand you Plaintiff's Exhibit #18 for identification.
- A. This is a deed to the annual rent and reversion just referred to, referring to the number of the property as 5208 Wesley Ave, as is already stated the correct number is now 5508 Wesley Ave.

The Plaintiff's Solicitor now hands the Examiners paper marked "Plaintiff's Exhibit #18" and request that it be filed in these proceedings, and it is so filed and marked "Examiners Exhibit O".

- A. Parcel #13- an annual rent of \$90.00 issuing payable and instant to 4608 Pall Mall Road, Baltimore, Maryland, lately known as 1608 Pall Mall Ave, Baltimore Maryland.
- 20.Q. I now hand you paper marked "Plaintiff's Exhibit #19" and ask you what it is.
- A. This is a deed to the annual rent and reversion just referred to the premises being 1608 Pall Mall Ave., which has been changed to 4608 Pall Mall Road, Baltimore, Maryland

The Plaintiff's Solicitor now hands the Examiner paper marked "Plaintiff's Exhibit #19" and requests that it be filed in these proceedings, and it is so filed and marked "Examiner's Exhibit P".

- A. Parcel #14 - an annual rent of \$66.00, issuing payable and instant to 2363 Annapolis Road, West Port, which is part of Baltimore City, this address was formerly known as 363 Maryland Ave., West Port Baltimore City.
21. Q. I now hand you paper Marked "Plaintiff's Exhibit #20" and ask you what it is.
- A. It is a deed for the annual rent and reversion just referred to, description of which refers to Maryland Ave., West Port.

The Plaintiff's Solicitor now hands the Examiner paper marked "Plaintiff's Exhibit # 20" and requests that it be filed in these proceedings, and it is so filed and marked "Examiner's Exhibit Q."

- A. Parcel # 15- an annual rent of \$96.00 issuing payable and instant to 2939 Frederick Road, Baltimore, Maryland.
- 22.Q. I now hand you Plaintiff's Exhibit #21 and ask you what it is.
- A. It is a deed for the ground rent and reversion just referred to.

The Plaintiff's Solicitor now hands the Examiner paper marked "Plaintiff's Exhibit #21" and requests that it be filed in these proceedings, and it is so filed and marked "Examiner's Exhibit R."

- A. Parcel #16- an annual rent of \$90.00 issuing payable and instant to 5312 St. George Ave., Baltimore, Maryland.
23. Q. I now hand you paper marked "Plaintiff's Exhibit #22" and ask you what it is.
- A. It is a deed for the ground rent and reversion just referred to.

The Plaintiff's Solicitor now hands the Examiner paper marked "Plaintiff's Exhibit #22" and requests that it be filed in these proceedings, and it is so filed and marked "Examiners Exhibit S."

24. Q. Mr. Trageser, in your practice of Law and dealing with Real Estate, are you or not familiar with the values of Real Estate in Baltimore City?
- A. I have handled quite a few estates which were valued and sold, and in this particular instance, I sought the advice of various Real Estate operators in Baltimore City with reference to the value of rents in this estate.

- 25. Q. Do you feel qualified to express an opinion as to the value of the various parcels mentioned in these proceedings?
- A. I do, fully, having made the investigation already referred to.
- 26. Q. Will you now give me your opinion of the value of the various parcels which you have mentioned?
- A. On Parcel #1, I think a value of \$20000.00 is conservative, it being a two-story house, considerable ground, and it being a beach front property where many Baltimoreans desire to locate.

Parcel #2, improved, being one-story bungalow, is in the rear of the first parce, with an approach from the main road, in my opinion is worth \$800.00.

In both these instances, of course, these values depend upon the present condition of the improvements.

- Parcel #3, 3012 Christopher Street,- \$1384.61.
- Parcel #4, 734 North Patterson Park Ave.- \$530.00
- Parcel #5, 812 North Patterson Park Ave.- \$550.00
- Parcel #6, 4109 Norfolk Ave.- \$1440.00
- Parcel #7, 3310 Bayonne Ave,- \$ 1200.00
- Parcel #8, 4118 Norfolk Ave.- \$ 1344.00
- Parcel #9, 906 East Eager Street- This is an lod brick house, three-stories , in a poor neighborhood, and a value of 10%, therefore, seems to be conservative, - \$540.00
- Parcel #10, 1940 Braddish Ave, - \$1384.00
- Parcel #11, 1413 Union Ave.- # 1384.00
- Parcel #12, 5508 Wesley Ave.- \$1384.00
- Parcel #13, 4608 Pall Mall Road-\$1384.00
- Parcel #14, 2363 Annapolis Road, West Port,- \$1015.00
- Parcel #15, 2939 Frederick Road,-\$1536.00
- Parcel #16, 5312 St. George Ave.- \$1384.00

Some of these rents are figured at 6½%, some at 6¼% and some at 7%. The one rent as explained being figured at 10%, in the sale of these ground rents either in bulk or individually, the practice in Baltimore City is to allow a counselor fee of \$25.00 for each rent, and a commission of 2½% on the sale price of the rents to the Broker.

- 27 Q. You have mentioned various ones of these parcels as bearing different street numbers now than that called for in the respective deeds which you have identified. Will you please explain how this occurs?
- A. In Baltimore City, since thedate these rents were purchased, some of the streets have been renamed to avoid duplication, New numbers have been assigned to those various properties as explained heretofore. I am satisfied however, from seeing the deeds that the properties indentified are correct.
- 28. Q. Will you state whether or not in your opinion the Real Estate mentioned in these proceedings could be divided among the parties interested therein, or owing same without loss or injury to said parties?
- A. The property could not be divided in kind, because of the numerous claimants without loss or injury, because thenumber of the properties and the number of the claimants do not bear an equal relation, and because also, it is necessary to sell some of these properties to pay the 2-year legatees of the Last Will and Testament of John A. Rhodes, which will make the equasion between the number of claimants and number of properties to be divided more unequal. In addition more equal. In addition to this, it is obvious that the numerous claimants would not be satisfied with any division in kind, due to the various values, on which the properties would be susceptible

E. S.  
Do you know, or can you state, any other matter or thing which may be of benefit or advantage to the parties to this cause, or either of them, or that may be material to the subject of this your examination, or the matters in question between the parties? If yea, state the same fully and at large in your answer.

Answer:  
No.

Chas A. Trageser

James H. Richardson, the second witness, of lawful age, after being duly sworn, deposes and says:

- 1. Q. State you name , residence and occupation, please.
- A. James H. Richardson, 5200 Midwood Ave. Baltimore, Maryland, Real Estate Broker.
- 2. Q. Are you or not a member of the Real Estate Board of Baltimore City?
- A. Yes sir.
- 3. Q. Are you familar with the values of ground rents obtaining to the present time in Baltimore City?
- A. Yes, through the purchase and sale of ground rents from time to time.
- 4. Q. Have you or not made a valuation of the various ground rents which John A. Rhodes owned at the time of his death, and arrived at a valuation of the same?
- A. Yes, I have.
- 5. Q. I now hand you the Bill of Complaint wherein these ground rents are described as parcels numbers 3 to 16, inclusive, and ask you if you will place a valuation on said lots or ground rents?
- A. Parcel #3, 3012 Christopher Ave., I value at \$1384.00.  
Parcel #4, 734 North Patterson Park Ave., Baltimore, Md., I value at \$530.00  
Parcel #5, 812 North Patterson Patterson Park Ave., Baltimore, Md., I value at \$549.00.  
Parcel #6, 4109 Norfolk Ave., Baltimore, Md., I value at \$1440.00  
Parcel #7, 126 Schaffer Ave., Baltimore, Md., I value at \$1199.00, now known as 3310 Bayonne Ave.  
Parcel #8, 4118 Norfolk Ave., Baltimore, Md., \$1344.00  
Parcel #9, 906 East Eager St., Baltimore , Md., \$540.00  
Parcel #10, 1914 Braddish Ave., Baltimore, Md., \$1384.00

Parcel #11, 1413 Union Ave., Baltimore, Md., \$1384.00.  
 Parcel #12, 5508 Wesley Ave., formerly known as 5208 Westly Ave., \$1384.00  
 Parcel #13, 4608 Pall Mall Ave., later known as 1608 Pall Mall Road, \$1384.00  
 Parcel #14, 2363 Annapolis Road, \$1015.00  
 Parcel #15, 2939 Frederick Road, I value at \$1436.00  
 Parcel #16, 5312 St. George Ave., \$1384.00

E. S.

Do you know, or can you state, any other matter or thing which may be of benefit or advantage to the parties to this cause, or either of them, or that may be material to the subject of this your examination, or the matters in question between the parties? If yea state the same fully and at large in your answer.

Answer:

No.

James H. Richardson

Samuel T. Rhodes, Jr., the third witness, produced on the part of the plaintiff, of lawful age, after being duly sworn, deposes and says:

By Thomas J. Keating, Jr., Esq., Solicitor for Plaintiffs:

1. Q. Please state your name, age, place of residence and occupation?  
 A. Samuel T. Rhodes, Jr., age forty, live near Centreville, and am a farmer/
  2. Q. Are you one of the parties to this suit?  
 A. Yes, I am one of the plaintiffs.
  3. Q. Did you know the late John A. Rhodes?  
 A. Yes, sir
  4. Q. What relation was he to you?  
 A. My own blood uncle.
  5. Q. On or about when did he die?  
 A. December 8th., 1937.
  6. Q. Do you know whether or not he left a will?  
 A. Yes he did leave one.
  7. Q. Do you know Walter P. Carrion, Michael Hyland and William Nigrin?  
 A. Yes, The Michael Holland mentioned is really Michael Hyland.
  8. Q. Do you know Howard Rhodes?  
 A. Yes,
  9. Q. What relation was he to Mr. John A. Rhodes?  
 A. Mr. John Rhodes' nephew, son of Dennie Rhodes.
  10. Q. Will you please name the brother and sisters of your Uncle John A. Rhodes?  
 A. Henry Rhodes, Dennis Rhodes, Samuel T. Rhodes, Sr., Josiah Rhodes who is called in the Will Joseph Rhodes, Martha Durney, Annie Rhodes called in the will Mary Ann Rhodes, Charles Rhodes and Edward Rhodes.
  11. Q. Which ones of the said brothers and sisters of Mr. John A. Rhodes predeceased Him?  
 A. Samuel T. Rhodes, Sr., who died on February 22nd., 1925; Henry Rhodes who died on or about the year nineteen hundred and twenty-seven or twenty-eight; Dennis Rhodes who died about the year nineteen hundred and thirty-two or thirty-three; and Josiah Rhodes who died about the year nineteen hundred and thirty-six.
  12. Q. Is Mrs. Martha M. Durney still living?  
 A. No she is dead. She died about last August which was after the death of Mr. John A. Rhodes.
  13. Q. Now will you tell me what children or grand-children your Uncle Josiah Rhodes left surviving him the grand-children, if any, being children of any, being children of any deceased child?  
 A. The only children are still living of Josiah Rhodes and their names are Nora Appleford who is married to Bernard Appleford, and Milton Rhodes who is single; Tilghman Rhodes whose wife's name is Elizabeth; Mrs. Lillian Dickerson who is a widow; Stella Rhodes whose husband's name is Norman Rhodes; Avis Rhodes, single, who is now in the Catholic Sisterhood and goes by the name of Sister Mary Rita; Mrs. Blanche Bradley who married Gorham Bradley; Harry B. Rhodes whose wife's name is Helen; and Arthur Rhodes whose wife's name is Roumain.
  14. Q. What children did your father, Samuel T. Rhodes, Sr., have?  
 A. They are all living and they are M. Gertrude Rhodes, single; Helen R. Goldsborough; Catherine Harrison who married Spencer T. Harrison; Virginia R. Trageser who married Charles A. Trageser; and Samuel T. Rhodes, Jr., whose wife's name is Anna H.
  15. Q. What children did you Uncle Henry Rhodes have?  
 A. He had two children, both of whom are living- George Rhodes whose wife's name is Helen Connolly who married Bernard Connolly.
  16. Q. Do you know whether or not Mrs. Durney who died after the death of Mr. John A. Rhodes, died testate or intestate?  
 A. She left a will.
  17. Q. I now hand you marked "Plaintiffs' Exhibit No.3" and will ask you what it is?  
 A. A certified copy of Mrs, Martha M. Durney's will.
- Mr. Thomas J. Keating, Jr., Counsel for the Plaintiffs, now hands to the Examiner paper writing purporting to be "Plaintiffs' Exhibit No.3" and asks that same be filed, and the same is filed and marked herewith "Exhibit T".
18. Q. Do you know whether or not any Executors have qualified under that will?  
 A. I have herad that Mr. Edward Rhodes and Norman Rhodes have qualified as Executors of that will.
  19. Q. Mr. Rhodes, are you familiar with any of the real estate that your Uncle John died seized and possessed of?  
 A. Only the Love Point property which consists of a house and bungalow, also some lots attached to same.
  20. Q. What value would you place on them?  
 A. About \$1,700.00 for the two story house and lot and \$800.00 for the bungalow and lots.
  21. Q. You, Mr. Rhodes, are a land owner of Queen Anne's County and familiar with the values of real estate, are you not?  
 A. I am to a certain extent.
  22. Q. Do you know anything about the ground rent properties in Baltimore that Mr. John A. Rhodes owned?  
 A. Only what I have heard is all.
  23. Q. Will you state whether or not, in your opinion, the real estate mentioned in

these proceedings could be divided among the parties owning same or interested therein without loss or injury to said parties?

A. I do not without being sold.

24. Q. Why?

A. Because the one piece that I might want, the rest might want the same piece, so the only thing to do is to sell and divide the money. The number of pieces and the number of parties are not the same, and the values are very different on the various properties.

Also the three named legatees have got to be taken care of.

25. Q. Do you know whether or not all of the parties to this suit are of age and sui juris?

A. Yes.

26. Q. Will you please tell me where the defendants reside?

A. Edward W. Rhodes lives at Queen Anne, Talbot County; Bessie Rhodes lives in same place; Mary A. Rhodes lives in the same place; Norman Rhodes lives in Talbot County; Helen R. Goldsborough, her husband, live in Baltimore City; William J. Nigrin lives in Baltimore City; Walter P. Carrion lives in Baltimore City; Michael Hyland lives in Baltimore City; and Howard F. Howard lives in Baltimore City.

E. S.

Do you know, or can you state, any other matter or thing which may be benefit or advantage to the parties to this cause, or either of them, or that may be material to the subject of this your examination, or the matters in question between the parties? If yea, state the same fully and at large in your answer.

Answer: No.

Samuel T. Rhodes Jr.

Mrs. M. Loretto Clark, the fourth witness produced on the part of the plaintiffs, of lawful age, after being duly sworn, deposes and says:

By Mr. Thomas J. Keating, Jr., Counsel for Plaintiffs:

1. Q. Please state your name, place of residence and occupation?

A. M. Loretto Clark, Queen Anne's, and Post Office clerk.

2. Q. State whether or not you are a party to this suit?

A. I am not.

3. Q. Did you know the late John A. Rhodes in his life time?

A. I did.

4. Q. Was or not, he related to you in any way?

A. My father's brother.

5. Q. What is your father's name?

A. Charles Rhodes.

6. Q. Do you know whether your Uncle John A. Rhodes left a last will and testament?

A. He did. It is the will that was introduced in these proceedings.

7. Q. Who qualified as Executrices or Administratrices c.t.a. under said will?

A. Myself, M. Loretto Clark, and M. Edith Rhodes qualified as Administratrices c.t.a.

8. Q. Have or not the said Administratrices fully administered the personal estate of John A. Rhodes?

A. We have with the exception of two or three dollars that we may be able to collect at some future date, but which is very uncertain, and we filed our final distribution account and administration account.

9. Q. I now hand you paper marked "Plaintiffs' Exhibit No. 2" and ask you to tell me what it is?

A. It is a certified copy of the first and final administration account and distribution account of John A. Rhodes, deceased, which Mrs. Rhodes and I filed.

Mr. Thomas J. Keating, Jr., Counsel for the plaintiffs, now hands to the Examiner paper writing purporting to be "Plaintiffs' Exhibit No. 2" and asks that same be filed, and the same is filed and marked herewith "Examiners' Exhibit U".

10. Q. By reference to the account it appears that four pecuniary legatees received certain moneys on account of their respective legacies. Will you state whether or not said legatees have received any other moneys from the estate than that shown by said account?

A. They have not.

11. Q. Are you familiar with the various relations of the Rhodes family?

A. I am.

12. Q. Will you tell me what brothers and sisters the said John A. Rhodes had and whether or not any of them are dead and, if so, about when they died?

A. Henry Rhodes who died about the year nineteen hundred and twenty-seven or eight; Samuel T. Rhodes, Sr., who died February 22nd., 1925; Martha M. Durney who died August, 1938, and who has died since my Uncle John A. Rhodes; Dennis Rhodes: who died about the year nineteen hundred and thirty-two or thirty three; Josiah Rhodes who died about the year nineteen hundred and thirty-six. Those are all that are deceased. Charles Rhodes, Edward W. Rhodes and Mary A. Rhodes are living.

13. Q. What children did Mr. Josiah Rhodes have and state whether or not they have survived him?

A. Nora Appleford whose husband is Bernard Appleford; Milton Rhodes, single; Tilghman Rhodes whose wife's name is Elizabeth; Lilliam Dickerson, widow; Stella Rhodes who is married to Norman Rhodes; Avis Rhodes otherwise known as Sister Mary Rita; Blanche Bradley who is married to Gorham Bradley; Harry Rhodes whose wife's name is Helen; Arthur Rhodes whose wife's name is Roumain; who are all living children of Josiah Rhodes.

14. Q. What children did Henry Rhodes leave surviving him?

A. George W. Rhodes whose wife's name is Helen and Edna Connolly who is married to Bernard F. Connolly and who are the only children of Henry Rhodes.

15. Q. What children did Mr. Samuel T. Rhodes, Sr., have?

A. M. Gertrude Rhodes, single, Helen R. Goldsborough who married Charles R. Goldsborough; Catherine Harrison who married Spencer T. Harrison; Virginia R. Trageser who married Charles A. Trageser and Samuel T. Rhodes, Jr., whose wife's name is Anna H. Rhodes and who is also sometimes known as Anna P. Rhodes.



Defendants in the above cause, waives Notice of the taking of testimony in support of the allegations of the Bill of Complaint.

Nathan Posner  
ATTORNEY FOR MICHAEL B. HYLAND, Defendant.

Filed May 17th, 1939.

.....  
WAIVER OF TAKING TESTIMONY BY  
ATTORNEY FOR WILLIAM J. NIGRIN, Defendant.

CHARLES RHODES, et al.                    Ø        IN THE CIRCUIT COURT FOR  
  Ø        QUEEN ANNE'S COUNTY,  
  Ø  
EDWARD W. RHODES, et al.                Ø        IN EQUITY

TO H. B. W. Mitchell, Examiner:

THE UNDERSIGNED, Attorney for William J. Nigrin, one of the defendants in the above cause, waives Notice of the taking of testimony in support of the allegations of the Bill of Complaint.

WEINBERG & SWEETEN AND GREEN  
Howard A. Sweeten  
ATTORNEY FOR WILLIAM J. NIGRIN,  
Defendant.

Filed May 17th 1939.

.....  
WAIVER OF TAKING TESTIMONY BY  
ATTORNEY FOR WALTER P. CARRION,  
Defendant.

CHARLES RHODES, et al.                   Ø        IN THE CIRCUIT COURT FOR  
  Ø        QUEEN ANNE'S COUNTY,  
  Ø  
EDWARD W. RHODES, et al.                Ø        IN EQUITY.

TO H.B.W. Mitchell, Examiner:

THE UNDERSIGNED, Attorney for Walter P. Carrion, one of the Defendants in the above cause, waives Notice of taking of testimony in support of the allegations of the Bill of Complaint.

Milton H. Talkin  
ATTORNEY FOR WALTER P. CARRION,  
DEFENDANT.

Filed May 17, 1939.

.....  
CONSENT BY ATTORNEY FOR WALTER P. CARRION  
FOR THE APPOINTMENT OF THOMAS J. KEATING JR.  
TRUSTEE TO MAKE SALE.  
Filed May 17th 1939

CHARLES RHODES, ET AL                   Ø        IN THE CIRCUIT COURT FOR  
  Ø        QUEEN ANNE'S COUNTY,  
  Ø  
EDWARD W. RHODES, et al                Ø        INEQUITY.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The undersigned, attorney for Walter P. Carrion one of the Defendants in the above entitled cause, respectfully recommends that in the event a decree is signed for the sale of the real estate mentioned in these proceedings that Thomas J. Keating, Jr., be appointed Trustee to make the sale.

Milton H. Talkin  
Attorney for Walter P. Carrion

Filed May 17, 1939

.....  
LETTER OF CONSENT FROM ATTORNEY  
FOR WILLIAM J. NIGRIN FOR THE APPOINT\*  
MENT OF J/ THOMAS J. KEATING JR., TRUSTEE  
TO MAKE SALE.  
Filed May 17, 1939.

Thomas J. Keating Jr., Esq.  
Attorney at Law  
Centreville, Maryland

March 10, 1939.

Re: John A. Rhodes Estate  
Dear Mr. Keating:  
Replying to your letter of March 9, I am returning the waiver of notice

of the taking of testimony, signed by us as attorneys for William J. Nigrin.  
 Inasmuch as you represent all of the plaintiffs, we see no reason why you should not be appointed Trustee to make the sale, and you are at liberty to exhibit this letter to Court as our consent to your appointment as such Trustee.  
 With kind personal regards, we are,

Very truly yours,  
 WEINGERG, SWEETEN & GREEN  
 Howard A. Sweeten

Filed May 17, 1939.

.....  
 LETTER OF CONSENT FROM ATTORNEY  
 FOR MICHAEL B. HYLAND FOR THE  
 APPOINTMENT OF THOMAS J. KEATING JR.  
 TRUSTEE TO MAKE SALE.

March 10th 1939.

Mr. Thomas J. Keating, Jr.  
 Attorney At Law  
 Centreville, Maryland

In Re: John A. Rhodes Estate

Dera Sir:

You will find enclosed waiver of notice for the taking of testimony in the above matter.

I am likewise preparing consent petition to your appointment as Trustee and trust that you will find the same in order.

Your cooperation is greatly appreciated and I would appreciate your advice as to the approximate time it will take to get this matter concluded.

Very Truly yours,  
 N. Posner

Filed May 17, 1939.

.....  
 DECREE  
 Filed June 19, 1939

CHARLES RHODES, et al	∅	IN THE CIRCUIT COURT FOR
Plaintiffs,	∅	
versus	∅	QUEEN ANNE'S COUNTY,
	∅	
EDWARD W. RHODES, et al.	∅	IN EQUITY
Defendants.	∅	CHANCERY NO. 3191

D E C R E E

& THE ABOVE CAUSE standing ready for hearing and being submitted without argument, the Bill, Answers, and all other proceedings having been read and considered

IT IS THEREUPON, this 17th day of June in the year nineteen hundred thirty-nine, by the Circuit Court for Queen Anne's County, in Equity, adjudged, ordered and decreed that the real estate mentioned and described in these proceedings be sold and that G. Elbert Marshall and Thomas J. Keating, Jr., be and they are appointed Trustees to make said sale and that the course and manner of their proceedings shall be as follows:

THEY shall first file with the Clerk of this Court a Bond to the State of Maryland with surety or sureties to be approved by the Clerk of this Court in the penalty of Twenty Five Thousand Dollars (\$25,000.00), if corporate surety be given, and in double said amount, if personal surety be given, conditioned for the faithful performance of the trust reposed in them by this Decree, or that may be reposed in them by any future order or decree in the premises; they shall then proceed to make sale of the said real estate either at public or private sale provided that if any of the parcels of real estate are sold at private sale the said parcel or parcels shall not be sold at less than the maximum value of each of said parcels as shown by the testimony, and if any of said parcels are sold at public sale, then said Trustees shall give notice thereof, by advertisement at least three(3) weeks prior to the day of sale inserted in some newspaper printed and published in the City or county in which said parcel or parcels may be located, of the time, place, manner and terms of sale, which sale shall be made for cash, twenty per cent. thereof to be paid to the time of sale and balance upon ratification of sale, or all cash at the time of sale at the option of the purchaser or purchasers, any deferred payment to bear interest from day of sale and to be secured to the satisfaction of said Trustee, and as soon as may be convenient after any such sale or sales, the said Trustees shall return to this Court a full and particular account of their proceedings relative to such sale or sales with an affidavit of the truth thereof and of the fairness of said sale; and upon the final ratification of said sale or sales by this Court and upon payment of the whole purchaser money for any parcel or parcels so sold ( and not before), the said Trustees shall, by good and sufficient Deed to be executed, acknowledged and recorded according to law, convey to the purchaser or purchasers, his, her, or their heirs, the property and estate so sold unto said purchaser, purchasers, free, clear, and discharged from all claims of the parties to these proceedings, Plaintiffs and Defendants, and of those claiming by, from, or under them, or any of them, in and to said real estate.

AND the Trustees shall bring into this Court the money arising from said sale or sales to be distributed under the future order and direction of this Court after deduction of the costs of this suit, including all usual costs and expenses incident to making sale of the real estate and ground rents mentioned in these proceedings, and such



commissions to the said Trustees as this Court shall think proper to allow in consideration of the skill, attention and fidelity herewith they shall appear to have discharged their trust.

Wm. Mason Shehan  
JUDGE

Filed June 19. 1939.

.....  
CERTIFIED COPY OF BOND  
Filed June 22, 1939.

Queen Anne's County, to wit: Be it remembered that on the 22 day of June, 1939, the following bond was filed for record, to wit:

KNOW ALL MEN BY THESE PRESENTS:

That we, G. Elbert Marshall of Talbot County, Maryland, and Thomas J. Keating, Jr. of Queen Anne's County, Maryland, as principals, and Fidelity and Deposit Company of Maryland, a corporation of the State of Maryland, as surety, are held, and firmly bound unto the State of Maryland, in the full and just sum of Twenty-five Thousand and 00/100 Dollars, (\$25,000.00), current money to be paid to the said State of Maryland or its certain attorney; to which payment well and truly to be made and done, we bind ourselves, and each of us, our and each of our heirs, personal representatives and successors, jointly and severally, firmly by these presents, sealed with our seals and dated this 22nd day of June, in the year one thousand nine hundred and thirty-nine.

WHEREAS, The above bounden G. Elbert Marshall and Thomas J. Keating, Jr., by virtue of a Decree of the Circuit Court for Queen Anne's County, in Equity, bearing date of June 17, 1939, have been appointed Trustees to sell the property mentioned in the proceedings in the case of Charles Rhodes and other, plaintiffs, against Edward W. Rhodes, and others, defendants, now pending on said Court.

NOW, THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, That if the above bounden, G. Elbert Marshall and Thomas J. Keating, Jr., do and shall well and faithfully perform the trust reposed in them by said Decree, or that may be reposed in them by any future Decree or Order in the premises, then the above obligation shall be void, otherwise to be and remain in full force and virtue in law.

Test: ( as to G. Elbert Marshall) G. ELBERT MARSHALL (SEAL)  
THOS, J, KEATING JR.(SEAL)

John T. Baynard FIDELITY AND DEPOSIT COMPANY OF MARYLAND

Test: ( as to Thomas J. Keating, Jr) By E. V. Shockley  
Attorney-in-fact.

Mary Ker Keating

Corp.  
Seals  
Place

As to Surety:  
I. Grant

And attached to the foregoing bond was appointment of E. V. Shockley, as Attorney-in fact.

And on the back of the foregoing bond was thus endorsed, to wit: Security approved and bond filed June 22, 1939.

A. Sydney Gadd Jr. Clerk.

State of Maryland,

Queen Anne's County, to wit:

I hereby certify that the foregoing is truly taken and copied from Liber W. H. C. No.1, folio 136, a Bond Record Book for QUEEN ANNE'S County aforesaid.

In testimony whereof I have hereunto subscribed my name and affix the seal of the Circuit Court for Queen Anne's County this 22nd day of June, in the year nineteen hundred and thirty nine.

Corporate Seal.

A. Sydney Gadd Jr. Clerk.

.....  
TRUSTEES' FIRST REPORT OF SALE.  
Filed August 1, 1939.

CHARLES RHODES IN THE CIRCUIT COURT FOR  
versus QUEEN ANNE'S COUNTY, IN EQUITY  
EDWARD W. RHODES, et al CHANCERY NO. 3191

TRUSTEES' FIRST REPORT OF SALE

THE FIRST REPORT of G. Elbert Marshall and Thomas J. Keating, Jr., Trustees, of the sale of a part of the real estate mentioned and described in the proceedings in this Cause, respectfully shows unto your Honors:

THAT, pursuant to a Decree passed by this Honorable Court on the 17th day of Juen, 1939, your Trustees did proceed to file with the Clerk of this Court their Bond with corporate surety thereon in the penalty of Twenty-five Thousand Dollars (\$25,000.00), which Bond and the surety thereon was duly approved by the Clerk of this Court.

YOUR Trustees then proceeded to advertise two of the parcels of real estate mentioned and described in these proceedings, to wit: Parcel Nos. 1 and 2, being the land which is situated in Queen Anne's County, for sale at public auction, said advertisement being inserted once a week for three successive weeks in the Queen Anne's Record - Observer, a newspaper printed and published in Queen Anne's County, Maryland, a Certificate of the publication thereof being filed herewith as a part hereof.

THAT, pursuant to said advertisement, your Trustees did attend in front of the Court House Door in the Town of Centregille, Queen Anne's County, Maryland, on Tuesday, July 11, 1939, between the hours of one and two o'clock, P.M., and after reading the advertisement of sale did have the Auctioneer cry the same and thereupon did sell said real estate as follows:

THEY did sell unto Walter P. Carrion and Bernadetta L. Carrion, his wife, they being then and there the highest bidders therefor, Parcel No. 1, of said real estate at and for the sum of Eleven Hundred and Thirty Dollars (\$1130.00), and upon the terms set forth in the Advertisement of Sale and additional terms announced - that possession of the property would be given upon compliance with the terms of sale and that taxes would be adjusted as of the day of sale and that the purchaser was to pay the expenses of all Title papers including Revenue Stamps, said Parcel No. 1 being:

A HOUSE and lot of land at Love Point, Queen Anne's County, Maryland, consisting of Lots Nos. 16, 17, 18 and 19 in Block No. 14, and parts of Lots Nos. 1, 2, 3, 4, 8, 9, 10, 13, 14, 15, and 16 in Block No. 18, being all the land conveyed to John A. Rhodes, by two Deeds, one from The Love Point Land and Improvement Company of Caroline County, dated the 26th day of August, 1911, and recorded in Liber W. F. W. No. 1, folio 19, etc., and the other from J. Wm. Keith, County Treasurer, dated May 26, 1939, and recorded in Liber W. H. C. No. 3-A, folio 36, etc., both Land Records Books for Queen Anne's County.

THE PURCHASERS have paid the sum of Two Hundred and Twenty-six Dollars (\$226.00) in cash on account of the purchaser money and your Trustees believe that they will promptly pay the balance and comply with the other terms of sale upon the final ratification thereof by the Court.

AND your Trustees then proceeded to sell Parcel No. 2 of said real estate unto Cleveland G. Caine, he being then and there the highest bidder therefor, at and for the sum of Five Hundred and Twenty-five Dollars (\$525.00) upon the terms set forth in the advertisement and the same additional terms hereinbefore set forth in connection with Parcel No. 1, said Parcel No. 2, being:

A BUNGALOW and lot of land at Love Point, Queen Anne's County, Maryland, consisting of Lots Nos. 2 and 3 in Block No. 14, and a small strip of land adjoining Lot No. 3, said land having been conveyed unto John A. Rhodes by three Deeds, one from Isaac Grollman and wife, dated May 29, 1913, and recorded in Liber W. F. W. No. 3, folio 405 etc., one from The Love Point Land and Improvement Company of Caroline County, dated May 31, 1913, and recorded in Liber W. F. W. No. 3, folio 404, etc., and on from M. Luther Thomas and wife, dated January 20, 1931, and recorded in Liber BHT No. 12, folio 331, etc., all Land Record Books for Queen Anne's County.

THE PURCHASER has paid One Hundred and Five Dollars (\$105.00) in cash on account of the purchaser money and your Trustees believe he will comply with the terms of sale and pay the balance of the purchase money in cash upon ratification of the sale by the Court.

THE REPORT states the amount of sales to be One Thousand/six hundred and Fifty-five Dollars (\$1,655.00).

Respectfully submitted,

Elbert Marshall

Thos. J. Keating Jr.

TRUSTEES

STATE OF MARYLAND,             )  
  ) TO WIT:  
QUEEN ANNE'S COUNTY,        )

THIS IS TO CERTIFY that on this 1st day of August, 1939, before the subscriber, Clerk of the Court for Queen Anne's County, personally appeared G. Elbert Marshall and Thomas J. Keating Jr., Trustees, and made oath in due form of law that the matters and facts set forth in the foregoing Report of Sale are true to the best of their knowledge and belief and that the sales were fairly made.

IN TESTIMONY whereof, I hereunto set my hand and seal the day and year herein last above written.

A. Sydney Gadd Jr.

CLERK.

Filed August 1, 1939.

.....  
TRUSTEES' SECOND REPORT OF SALE  
Filed August 1, 1939.

CHARLES RHODES, et al.             ) IN THE CIRCUIT COURT FOR  
  )                                     )             )             )             )             )  
        versus                             )             )             )             )             )             )             )             )  
  )             )             )             )             )             )             )             )  
EDWARD W, RHODES, et al.         ) CHANCERY #3191.

TRUSTEES' SECOND REPORT OF SALE

TO THE HONORABLE, the Judges of said Court:

THE SECOND REPORT OF SALES of real estate made in this Cause by G. Elbert Marshall and Thomas J. Keating, Jr., Trustees, respectfully shows unto your Honors:

THAT pursuant to the Decree of this Honorable Court passed on the 17th day of June, 1939, your Trustees, after having filed an approved Bond as required, have sold at private sale to Edwin Webster Wells of Baltimore City, Maryland, four (4) of the Ground Rent properties in Baltimore City, as hereinafter specified and have taken from the Purchaser a Contract of Sale in the following terms:

SUBJECT TO RATIFICATION BY THE COURT

G. Elbert Marshall and Thomas J. Keating, Jr., Trustees in the case of Rhodes vs Rhodes, being Chancery proceeding No. 3191, in the Circuit Court for Queen Anne's County, in Equity, hereby sell and agree to convey, and Edwin Webster Wells of Baltimore, Maryland, hereby purchases and agrees to pay for, at the prices indicated opposite each item of property shown below, all the several reversionary interests in fee simple and the ground rents issuing thereout, on the following described properties, situate, lying and being in the City of Baltimore, and State of Maryland, as conveyed to John A. Rhodes, late of Queen Anne's County, deceased, by deeds as referred to in the individual items hereinafter specified and reference being herein made to the individual numbers of said items of property as they appear in the Bill of Complaint and testimony filed in the aforesaid Chancery proceeding, viz:-

Parcel No. 7- the reversion and ground rent of \$78.00 per year issuing out of the property known as No. 3310 Bayonne Avenue, formerly known as Schaffer Avenue, by deed from Eureka Construction Company, dated January 27, 1927, recorded in Liber S. C. L. No. 4692, Folio 244, &c., at and for the sum of \$1300.00

Parcel No. 11- the reversion and ground rent of \$90.00 per year issuing out of the property known as No. 1413 Union Avenue, by deed from Title Holding Company dated November 13, 1931, recorded in Liber S. C. L. No. 5265, folio 351, at and for the sum of \$1500.00

Parcel No. 13- the reversion and ground rent of \$90.00 per year issuing out of the property known as NO. 4608 Pall Mall Road, formerly known as 4608 Pall Mall Avenue, by deed of William R. Bloom and wife, dated October 13, 1922, recorded in Liber S. C. L. No. 3920, folio 393 &c., at and for the sum of \$1500.00

Parcel No. 16- the reversion and ground rent of \$90.00 per year issuing out of the property known as No. 5312 St. George Avenue, by deed from N. C. Sibley Company, dated November 13, 1925, recorded in Liber S. C. L. No. 4487, folio 336, &c., at and for the sum of \$1500.00

The total amount of the foregoing several sales is the sum of \$5800.00, of which amount, the sum of \$200.00 has been paid to the said Trustees by checks of said Purchaser who has tendered himself as ready and willing to pay the balance of the initial payment of 20% of the said sales upon demand and to pay the full balance of said purchase price upon Ratification of the sales by the Court.

After Ratification of the sales by the Court and compliance by the purchaser with all the terms of this agreement, including full settlement of the purchase price, the Trustees will execute upon tender thereof by the purchaser, a deed at the purchaser's expense, including revenue stamps, conveying said property, except as to an allowance of such title fee as is customarily payable by a vendor of ground rent in Baltimore City, which shall not be more than \$25.00 for each separate item of property above described.

The ground rent on each of said properties will be adjusted between the Trustees and the purchaser as of the date of this agreement, to wit: July 21st, 1939.

The purchaser is to pay interest at the rate of six per centum per annum on the deferred balance of the purchase price for each property, accounting from the date of this agreement to the date of said payment.

In connection with these sales, it is understood that the Trustees do not have, and shall not assume, any duty or responsibility in respect to unpaid public dues, assessments, taxes or other charges against any of said items of real estate or property.

Dated and executed on this 21st day of July in the year one thousand nine hundred and thirty-nine. In event title to any of said properties is found to be defective, the sale of that property shall be null and void and the funds paid on account thereof refunded to purchasers".

In addition to the Two Hundred Dollars (\$200.00) mentioned in the Contract, the Purchaser has made a payment of Nine Hundred and Sixty Dollars (\$960.00), or a total of Eleven Hundred and Sixty Dollars (\$1160.00), and your Trustees believe he will carry out his contract upon the ratification of the sale by this Honorable Court.

THE PRICES obtained for each of the four (4) aforesaid parcels are more than the maximum value thereof as shown by the testimony.

THE REPORT states the amount of sales to be Fifty-eight Hundred Dollars (\$5800.00).

Respectfully submitted,  
G. Elbert Marshall  
Thos. J. Keating Jr.  
TRUSTEES

STATE OF MARYLAND, )  
 ) TO WIT:  
QUEEN ANNE'S COUNTY, )

THIS IS TO CERTIFY, that on this 1st day of August 1939, before the subscriber, Clerk of the Court for Queen Anne's County, Maryland, personally appeared G. Elbert Marshall and Thomas J. Keating, Jr., Trustees, and made oath in due form of law that the matters and facts set forth in the foregoing Report of sales are true to the best of their knowledge and belief and that the Sales were fairly made.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal the day and year herein last above written.

Corporate Seals  
Place.  
Filed August 1, 1939.

A. Sydney Gadd Jr.  
CLERK.

.....  
TRUSTEES' THIRD REPORT OF SALE  
Filed August 1, 1939.

CHARLES RHODES et al.  
  
                  versus  
  
EDWARD W. RHODES, etal.

IN THE CIRCUIT COURT FOR  
QUEEN ANNE'S COUNTY, IN EQUITY  
CHANCERY #3191.

TRUSTEES' THIRD REPORT OF SALE

TO THE HONORABLE, the Judges of said Court:

G. THE THIRD REPORT OF SALES of real estate, made in this Cause by Elbert Marshall and Thomas J. Keating, Jr., Trustees, respectfully shows unto your Honors:

THAT pursuant to the Decree of this Honorable Court passed on the 17th day of June, 1939, your Trustees, after having filed an approved Bond as required, have sold at private sale to the Norfolk Realty Corporation of Baltimore City, Maryland, seven (7) of the Ground Rent properties in Baltimore City, as hereinafter specified and have taken from the Purchaser a Contract of Sale in the following terms:

"SUBJECT TO RATIFICATION BY THE COURT

G. Elbert Marshall and Thomas J. Keating, Jr., Trustees in the case of Rhodes vs. Rhodes, being Chancery proceeding No. 3191, in the Circuit Court for Queen Anne's County, in Equity, hereby sell and agree to convey, and Norfolk Realty Corporation with its principal offices at 16 East Lexington Street, Baltimore, Maryland, hereby purchases and agrees to pay for, at the prices indicated opposite each item of property shown below, all the several reversionary interests in fee simple and the ground rents issuing thereout, on the following described properties, situate, lying and being in the City of Baltimore, and State of Maryland, as conveyed to John A. Rhodes, late of Queen Anne's County, deceased, by deed as referred to in the individual items hereinafter specified and reference being herein made to the individual numbers of said items of property as they appear in the Bill of Complaint and testimony filed in the aforesaid Chancery proceedings, viz:-

Parcel No. 3- 3012 Christopher Avenue, annual rent \$90.00,  
by deed from the Title Holding Company, dated November 21, 1928, recorded in Liber S. C. L. No. 4948, folio 206 &c., a Land Record Book of Baltimore City, at and for the sum of \$1466.00

Parcel No. 4- 734 N. Patterson Park Avenue, annual rent \$37.14  
by deed from Genevieve B. Eckenrode and husband, dated February 7, 1927, recorded in S. C. L. No. 4692, folio 564, at and for the sum of \$620.00

Parcel No. 5- 812 N. Patterson Park Avenue, annual rent \$38.50,  
by same deed as Parcel No. 4 above, at and for the sum of \$642.00

Parcel No. 6- 4109 Norfolk Avenue, annual rent \$90.00, by  
deed from Archibald Sykes and wife, dated January 10, 1922, and recorded in Liber S. C. L. No. 3817, folio 418, at and for the sum of \$1466.00

Parcel No. 9- 906 East Eager Street, annual rent \$54.00,  
by deed from Clarence A. Singer, dated February 1, 1921, and recorded in S. C. L. No. 3697, folio 122, at and for the sum of \$611.00

Parcel No. 12- 5508 Wesley Avenue, annual rent \$90.00,  
by deed from John A. Rhodes and M. Loretta Clark, Administrators, dated November 3, 1934, and recorded in S. C. L. No. 5490, folio 285, at and for the sum of \$1466.00

Parcel No. 14- 2363 Annardis Road, annual rent \$66.00, by  
Deed from Francis R. Summers, dated September 30, 1921, and recorded in S. C. L. No. 3784, folio 214, at and for the sum of \$1040.00

The total amount of aforesaid several sales is the sum of \$7311.00, of which amount, the sum of \$1,000.00 has been paid to the said Trustees by check of said purchaser who has tendered himself as ready and willing to pay the balance of the initial payment of 20% of the said sales upon demand and to pay the full balance of said purchase price upon Ratification of the sales by the Court.

After Ratification of the sales by the Court and compliance by the purchaser of all the terms of this agreement, including full settlement of the purchaser's price, the Trustees will execute upon tender thereof by the purchaser, a deed at the purchaser's expense, including revenue stamps, conveying said property, except as to an allowance of such title fee as is customarily payable by a vendor of ground rent in Baltimore City, which shall not be more than \$ 25.00 for each separate item of property above described.

The ground rent on each of said properties will be adjusted between the Trustees and the purchaser as of the date of this agreement, to wit: July 21st, 1939.

The purchaser is to pay interest at the rate of six per centum per annum on the deferred balance of the purchase price for each property, accounting from the date of this agreement to the date of said payment.

In connection with these sales, it is understood that the Trustees do not have, and shall not assume, any duty or responsibility in respect to unpaid public dues, assessments, taxes or other charges against any of said items of real estate or property.

Dated and executed on this 21st day of July in the year one thousand nine hundred and thirty-nine".

THE PURCHASER has made a payment of One Thousand Dollars (\$1,000.00) and your Trustees believe he will carry out his contract upon the ratification of the sale by this Honorable Court.

THE PRICES obtained for each of the seven (7) aforesaid parcels are more than the maxium value thereof as shown by the testimony.

THE REPORT states the amount of sales to be Seven Thousand Three hundred and Eleven Dollars (\$7,311.00).

Respectfully submitted,  
G. Elbert Marshall  
Thos. J. Keating Jr.  
TRUSTEES

STATE OF MARYLAND, )  
                          ) TO WIT:  
QUEEN ANNE'S COUNTY, )

THIS IS TO CERTIFY, that on this 1st day of August, 1939, before the subscriber, Clerk of the Court for Queen Anne's County, Maryland, personally appeared G. Elbert Marshall and Thomas J. Keating Jr., Trustees, and made oath in due form of law that the matters and facts set forth in the foregoing Report of Sales are true to the best of their knowledge and belief and that the sales were fairly made.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal the day and year herein last above written.

CORPORATE SEALS PLACE A. Sydney Gadd Jr.  
CLERK

.....  
NISI OF FIRST REPORT OF SALE  
Filed August 1, 1939.

N I S I  
Charles Rhodes, et al ) IN THE CIRCUIT COURT FOR  
                          ) )  
                          ) ) QUEEN ANNE'S COUNTY IN EQUITY  
                          ) )  
vs. ) )  
Edward W. Rhodes, et al ) CHANCERY NO. 3191

ORDERED, This 1st day of August A.D., 1939, that the sale of Real Estate made and reported in this cause by G. Elbert Marshall and Thos, J. Keating Jr. Trustees, First Report of Sale, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 5th day of October next, provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 2nd day of September next.

The Report states the amount of sales to be \$ \$ 1,155.00  
A. Sydney Gadd Jr. Clerk  
Clerk

Filed August 1, 1939.  
.....  
NISI OF SECOND REPORT OF SALE  
Filed August 1, 1939.

N I S I  
Charles Rhodes, et al ) IN THE CIRCUIT COURT FOR  
                          ) )  
                          ) ) QUEEN ANNE'S COUNTY IN EQUITY  
                          ) )  
vs. ) )  
Edward W. Rhodes, et al ) CHANCERY NO, 3191.

ORDERED, This 1st day of August A.D., 1939, that the sale of Real Estate made and reported in this cause by G. Elbert Marshall and Thos. J. Keating Jr. Trustees, Second Report of Sale, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 5th day of October next, provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 2nd day of September next.

the  
The Report states/amount of sales to be \$ \$ 5,800.00  
A. Sydney Gadd Jr. Clerk.  
Clerk.

✓ Filed August 1, 1939.

.....  
NISI OF THIRD REPORT OF SALE  
Filed August 1, 1939.

N I S I

Charles Rhodes, et al  
vs.  
Edward W. Rhodes, et al

IN THE CIRCUIT COURT  
FOR QUEEN ANNE'S COUNTY IN EQUITY  
CHANCERY NO. 3191.

ORDERED, This 1st day of August A.D., 1939, that the sale of Real Estate made and reported in this cause by G. Elbert Marshall and Thos. J. Keating Jr. Trustees, Third Report of Sale, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 5th day of October next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 2nd day of September next. The Report states the amount of sales to be \$ \$ 7,311.00

A. Sydney Gadd Jr. Clerk.

Filed August 1, 1939.

\_\_\_\_\_ Clerk.

.....  
PETITION  
Filed Sept. 7, 1939

CHARLES RHODES, et al  
versus  
EDWARD W. RHODES, et al

IN THE CIRCUIT COURT FOR  
QUEEN ANNE'S COUNTY, IN EQUITY  
CHANCERY # 3191.

TO THE HONORABLE, the Judges of said Court:

THE PETITION of G. Elbert Marshall and Thomas J. Keating, Jr., Trustees heretofore appointed in this Cause, respectfully shows unto your Honors:

THAT, as will appear by the Trustees' "First Report of Sale" heretofore filed herein, the two parcels of land therein reported sold, were sold at the purchase prices of Eleven Hundred and Thirty Dollars (\$1130.00) and Five Hundred and Twenty-five Dollars (\$525.00) respectively, making a total of Sixteen Hundred and Fifty five (\$1655,00) for the two parcels.

THAT, through inadvertance, in the last paragraph of the said "First Report of Sale" it is stated as follows: "The REPORT states the amount of sales to be One Thousand and Fifty-five Dollars (\$ 1,155.00)".

THAT the order Nisi passed on said "First Report of Sale" likewise contained an error in the amount of sales, to wit; stating that same was \$1155.00 instead of \$1655.00.

THAT your Trustees now desire to procure the permission of this honorable Court to amend the said Trustees' "First Report of Sale" by interlineation, stating as follows; "The Report states the amount of sales to be One Thousand Six Hundred and Fifty-five Dollars (\$1,655.00)".

WHEREFORE, your Petitioners pray your Honorsto pass an Order authorizing and permitting them to amend said Trustees' "First Report of Sale" by interlineation as herein requested and further directing the Clerk of this Court, upon the making of said amendment by said Trustees, to publish a new Order Nisi on said Report settling forth the correct amount of sales.

Respectfully submitted,

G. Elbert Marshall

Thos. J. Keating Jr.  
TRUSTEES

Filed Sept. 7, 1939

.....  
ORDER OF COURT  
Filed Sept. 9, 1939.

ORDER OF COURT

UPON THE AFOREGOING PETITION of G. Elbert Marshall and Thomas J. Keating Jr., Trustees, it is, by the Circuit Court for Queen Anne's County, in Equity, this 8th day of September, 1939, ORDERED that said Trustees be and they are hereby authorized to amend said Trustees' "First Report of Sale" by interlineation, to wit: that they be authorized, in place of the last paragraph of said Report, to insert the following: "THE REPORT states the amount of sale to be One Thousand Six Hundred and Fifty-five Dollars (\$1,655.00)", and upon making said amendment by said Trustee, the Clerk of this Court is directed to pass a new Order Nisi in the usual form settling forth the correct amount of sales, a copy thereof to be published as is usual in such cases.

Wm. Mason Shehan  
JUDGE

Filed Sept. 9, 1939.

ORDER OF NISI  
Filed Sept. 9, 1939.

N I S I

Charles Rhodes, et al            () IN THE CIRCUIT COURT FOR  
                                  ()   
                                  () QUEEN ANNE'S COUNTY IN EQUITY  
                                  ()   
Edward W. Rhodes, et al         () CHANCERY NO. 3191.

ORDERED, This 9th day of September A.D., 1939, that the sale of Real Estate made and reported in this cause by G. Elbert Marshall and Thos, J. Keating Jr. Trustees, First Report of Sale, by ratified and confirmed, unless cause to the contrary thereof be shown on or before the 15th day of November next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 13th day of October next.

The Report states the amount of sales to be \$1,655.00

\_\_\_\_\_ A. Sydney Gadd Jr. Clerk

Filed Sept. 9, 1939.

EXCEPTIONS TO NORFOLK REALTY CORPORATION OF  
BALTIMORE CITY TO THE SALE OF \$90.00  
GROUND RENT ISSUING OUT OF 5508  
WESLEY AVENUE  
Filed Oct. 9th 1939

CHARLES RHODES, et al            () IN THE CIRCUIT COURT FOR  
                                  ()   
                                  () QUEEN ANNE'S COUNTY  
                                  ()   
EDWARD W. RHODES, et al         () IN EQUITY  
                                  () Chancellory No. 3991.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The exceptions of the Norfolk Realty Corporation of Baltimore City, a body corporate, as herein set out. respectfully show unto your Honor:

1. That, by their report of sale, dated July 21, 1939, and heretobefore filed herein, G. Elbert Marshall and Thomas J. Keating, Jr., the Trustees herein, reported a sale to the Norfolk Realty Corporation of Baltimore City, a body corporate, of certain annual ground rents mentioned in these proceedings and ordered to be sold by the Trustees herein named, under a decree of this Court passed herein on June 17, 1939.

2. That, among the properties included in said report of sale as being sold to your petitioner is the following:

Parcel No.12- 5508 Wesley Avenue; annual ground rent of \$90.00 conveyed to John A. Rhodes, deceased, by deed from John A. Rhodes, and M. Loretta Clark, Administrators, dated November 3, 1934, and recorded among the Land Records of Baltimore City in Liber S. C. L. No. 5490, folio 285; sold to the said Norfolk Realty Corporation of Baltimore City, a body corporate, for the sum of fourteen hundred and sixty-six dollars (\$1466.00)

3. That the said Norfolk Realty Corporation of Baltimore City, a body corporate, as purchaser of said Parcel NO. 12, excepts and objects to the ratification of the sale to it of said annual ground rent of ninety dollars (\$90.00 issuing out of 5508 Wesley Avenue, AND FOR REASONS FOR SAID exceptions and objections states:

(a) That the said John A. Rhodes acquired title to said annual ground rent of ninety dollars (\$90.00) and the reversionary estate in and to the property known as 5508 Wesley Avenue, by the deed hereinabove referred to, from himself and M. Loretta Clark, Administrators of the Estate of Clara R. Rhodes, deceased.

(b) That the said Clara R. Rhodes, deceased, was the wife of the said John A. Rhodes, and, at the time of her death, was seized of the reversionary estate in and to said property known as 5508 Wesley Avenue, together with the annual ground rent of ninety dollars (\$90.00) issuing thereout.

(c) That the said Clara R. Rhodes, died intestate and Letters of Administration were fully granted by the Orphans' Court of Queen Anne's County to the said John A. Rhodes and M. Loretta Clark.

(d) That said Administrators duly returned said real estate in the inventory filed by them in the estate of the said Clara R. Rhodes, appraising said property for fifteen hundred dollars (\$1500.00) and, in the administration account filed in said proceedings in the Orphans' Court, accounted for said fifteen hundred dollars (\$1500.00) along with other appraised property, as cash received by them; and, after the payment of court expenses and commissions, distributed one-half thereof to John A. Rhodes, as surviving husband, and distributed the other one-half thereof among a large number of heirs and personal representatives of the

said Clara R. Rhodes, deceased, and filed in said proceedings releases as representing such distribution.

(e) That it would appear from said proceedings in the Orphans' Court that it was the belief of said Administrators that they had power to sell said real property for fifteen hundred dollars (\$1500.00) to John A. Rhodes, the same representing a capitalization of said annual ground rent at six per cent, and to execute a deed thereof to him, upon the payment to said Administrators of fifteen hundred dollars (\$1500.00)

(f) That, in the opinion of counsel for this exceptant, such deed did not vest in the said John A. Rhodes a good and marketable title to said reversionary estate and annual ground rent of ninety dollars (\$90.00), and that, upon the death of the said Clara R. Rhodes, her Administrators took no title to said property, but, by operation of law, the title thereto vested in the said John A. Rhodes, surviving husband, as to an undivided moiety or half interest therein, and that the other moiety or half interest therein vested in the legal heirs at law of the said Clara R. Rhodes, deceased; and that, by reason thereof, the Trustees herein named are unable to convey to this exceptant a good and marketable title to said annual ground rent of ninety dollars (\$90.00) and reversionary interest in 5508 Wesley Avenue.

4. WHEREFORE, this exceptant objects and excepts to the ratification of the sale to it of said Parcel NO. 12, being an annual ground rent of ninety dollars (\$90.00) issuing out of 5508 Wesley Avenue and the reversionary estate therein, and says that the Trustees in this proceeding cannot convey to it a good and marketable title thereto.

5. This exceptant further states that, by the terms of sale, it was to be allowed the sum of twenty-five dollars (\$25.00) representing the cost of the title examination incurred by it in connection with the purchase of said rent; and it, therefore, respectfully prays this Honorable Court to authorize the Trustees herein to allow and pay to this petitioner the sum of twenty-five dollars (\$25.00), representing the cost incurred by it in the matter of the examination of the title to said property.

AND as in duty, etc.

Wm. Edgar Byrd  
Attorney for Norfolk Realty  
Corporation of Baltimore City,  
Exceptant

Filed October 9th 1939.

.....  
CERTIFICATE OF ORDER NISI NO. 1.  
Filed Oct. 10th 1939.

N I S I

CHARLES RHODES, et al                    |            IN THE CIRCUIT COURT FOR  
  |            |  
vs.   |            |            QUEEN ANNE'S COUNTY, IN EQUITY,  
  |            |  
EDWARD W. RHODES, e t al.            |            |            CHANCERY NO. 3191.

ORDERED, This 1st day of August A. D. 1939, that the sale of Real Estate made and reported in this cause by G. Elbert Marshall and Thos. J. Keating, Jr., Trustees, Third Report of Sale, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 5th day of October next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of our successive weeks before the 2nd day of September next. The Report states the amount of sales to be \$7,311.00.

A. SYDNEY GADD JR., Clerk.  
True Copy-  
Test: A. SYDNEY GADD JR, Clerk.

Filed August 1, 1939.

QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. October 10th 1939.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO. hereby certifies that the Order Nisi No. 1, in the case of Charles Rhodes, et al vs Edward W. Rhodes et al. Chancery No. 3191 a true copy of which is hereto annexed, was inserted in the QUEEN ANNE'S RECORD - OBSERVER, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week for four successive weeks the first publication thereof having been made in said newspaper on the third day of August 1939, being more than four weeks before the second day of September 1939.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO.

By Bertha G. Durney



CERTIFICATE OF PUBLICATION  
OF ORDER NISI NO. 2.  
Filed Oct. 10th 1939.

N I S I

CHARLES RHODES, et al            ( )    IN THE CIRCUIT COURT FOR  
  ( )  
          vs.                           ( )            QUEEN ANNE'S COUNTY,  
  ( )                                    IN EQUITY  
EDWARD W. RHODES, et al       ( )    Chancery No. 3191.

ORDERED, This 1st day of August A.D., 1939, that the sale of Real Estate made and reported in this cause by G. Elber Marshall and Thos. J. Keating, Jr., Trustees, Second Report of Sale, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 5th day of October next, provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 2nd day of September next.

The Report states the amount of sales to be \$5,800.00/

A. SYDNEY GADD JR.    CLERK.  
TRUE COPY  
TEST: A. SYDNEY GADD JR.    Clerk.

Filed August 1, 1939.

.....  
ANSWER TO EXCEPTIONS  
Filed Oct. 11, 1939.

CHARLES RHODES, et al            ( )    IN THE CIRCUIT COURT FOR  
  ( )  
          vs.                           ( )            QUEEN ANNE'S COUNTY, IN EQUITY  
  ( )  
EDWARD W. RHODES, et al       ( )    CHANCERY NO, 3191

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Answer of G. Elbert Marshall and Thomas J. Keating, Jr., Trustees in the above entitled proceeding, to the Exceptions filed on October 7, 1939 in said proceeding by Norfolk Realty Corporation of Baltimore City to the sale of that property described in the third Report of Sale herein as parcel No. 12, 5508 Wesley Avenue, annual ground rent of Ninety Dollars, etc. These Trustees answering said Exceptions admit the facts as therein alleged and consent to such order or Decree as the Court may deem right and proper in the premises.

And as in duty bound, etc.,

G. Elbert Marshall  
  Thos. J. Keating Jr.  
  TRUSTEES

Filed Oct. 11, 1939.

.....  
ORDER OF COURT SUSTAINING EXCEPTIONS OF  
NORFOLK REALTY CORPORATION OF BALTIMORE  
CITY TO THE SALE OF \$90.00 GROUND  
RENT ISSUING OUT OF 5508 WESLEY AVENUE  
Filed Oct. 13th 1939.

CHARLES RHODES, et al            ( )    IN THE CIRCUIT COURT FOR  
  ( )  
          vs,                           ( )            QUEEN ANNE'S COUNTY,  
  ( )  
EDWARD W. RHODES, et al       ( )    IN EQUITY  
  Chancellory No. 3391

The Exceptions of the Norfolk Realty Corporation, a body corporate, heretofore filed herein, excepting and abjecting to the ratification of the sale to it of an annual ground rent of \$90.00 issuing out of 5508 Wesley Avenue, being known as Parcel No. 12, in the report of sale heretofore filed herein by G. Elbert Marshall and Thomas J. Keating, Jr., Trustees, under date of July 21, 1939, having been considered by the Court, and the said Trustees admitting the allegations as to the title of said property as set forth in said exceptions, it is the opinion of this Court that the Trustees herein named are unable to convey to the Norfolk Realty Corporation a good and marketable title to said ground rent of \$90.00 and the reversionary interest in the property known as 5508 Wesley Avenue.

It is, therefore, this 12th day of October 1939, by the Circuit Court for Queen Anne's County ORDERED that the exceptions of the Norfolk Realty Corporation, a body corporate, to the sale to it of parcel No. 12, 5508 Wesley Avenue; annual ground rent of \$90.00 conveyed to John A. Rhodes, deceased, by deed from John A. Rhodes and M. Loretta Clark, Administrators, dated November 3, 1934, and recorded among the Land Records of Baltimore City in Liber S. C.L. No. 5490, folio 285, be and the same are hereby sustained; and

It is further ORDERED that the said Norfolk Realty Corporation, a body corporate, be and it is hereby relieved of any obligation to complete the purchase of said annual ground rent of \$90.00 herein referred to and that any deposit

paid by it to said Trustees be refunded; and

It is further ORDERED that said Trustees are hereby authorized and directed to pay unto the said Norfolk Realty Corporation, or William Edgar Byrd, its Attorney, the sum of twenty-five dollars (\$25.00), representing the cost of title examination incurred by it in connection with the purchase of said ground rent, agreeably with the terms of sale thereof, as set forth in the report of sale thereof heretofore filed herein by said Trustees.

Thomas J. Keating

Filed Oct. 13, 1939.

ORDER OF COURT  
Filed Oct. 13, 1939.

ORDERED, This 13th day of October, A.D., 1939, by the Circuit Court for Queen Anne's County, in Equity, that the sales of real estate made and reported in this cause by G. Elbert Marshall and Thomas J. Keating, Jr., Trustees in said Trustees' second report of sale, be, and the same are hereby, finally ratified and confirmed, no cause to the contrary thereof having been shown although notice appears to have been given as required by the proceeding Order Nisi; and the Trustees are allowed the usual commissions on said sale and such proper expenses, not personal, as they shall produce vouchers for to the Auditor.

Thos. J. Keating

FILED Oct 13, 1939.

ORDER OF COURT  
Filed Oct. 13th 1939.

ORDERED, This 12th day of October, A. D. ,1939, by the Circuit Court for Queen Anne's County, in Equity, that the sales of real estate made and reported in this cause by G. Elbert Marshall and Thomas J. Keating, Jr., Trustees in said Trustees' third report of sale, be, and the same are hereby, finally ratified and confirmed, save and except the sale of that parcel therein reported and described as parcel No. 12, 5508 Wesley Avenue, annual rent Ninety Dollars, et c., and reported to have been sold for Fourteen Hundred Sixty-six and 00/100 Dollars, (\$1466.00), notice appearing to have been given as required by the proceeding Order Nisi, and exceptions having been filed and sustained only as to said parcel No. 12, 5508 Wesley Avenue, and the Trustees are allowed the usual commissions on said sale and such proper expenses, not personal, as they shall produce vouchers for to the Auditor.

Thos. J. Keating

Filed Oct. 13, 1939

FOURTH REPORT OF SALE  
Filed November 3rd 1939.

CHARLES RHODES, et al  
versus

IN THE CIRCUIT COURT FOR  
QUEEN ANNE'S COUNTY, IN EQUITY.

EDWARD W. RHODES, et al

CHANCERY #3191

TRUSTEES' FOURTH REPORT OF SALES

TO THE HONORABLE, the judges of said Court:

THE FOURTH REPORT OF SALES of real estate made in this Cause by G. Elbert Marshall and Thomas J. Keating, Jr., Trustees, respectfully shows unto your Honors:

THAT, pursuant to the Decree of this Honorable Court passed on the 17th day of June, 1939, your Trustees, after having filed an approved Bond as required, have sold at private sale to The United Building Company, Baltimore City, Maryland, one of the ground rent properties in Baltimore City as hereinafter specified, and have taken from the Purchaser a Contract of Sale in the following terms:

"SUBJECT TO RATIFICATION BY THE COURT:

G. Elbert Marshall and Thomas J. Keating, Jr., Trustees in the case of Rhodes versus Rhodes, being Chancery proceeding No. 3191 in the Circuit Court for Queen Anne's County, in Equity, hereby sell and agree to convey, and The United Building Company, a body corporate of the State of Maryland, hereby purchases and agrees to pay for, at the purchase price hereinafter set forth, the reversionary interest in fee simple and the ground rent issuing thereout, on the following described property situate, lying and being in the City of Baltimore, State of Maryland:

ALL that lot or parcel of land described in the Bill of Complaint and Testimony filed in the aforesaid Chancery proceedings as Parcel No. 8, being the reversion and ground rent of \$84.00 per annum issuing from, payable out of, and incident to the premises at 4118 Norfolk Avenue, Baltimore City, Maryland, which was conveyed to John A. Rhodes by Deed from Morris Caplan, dated October 13, 1922, and recorded in Liber S. C.L. #3920, folio 39, a Land Record Book for Baltimore City.

THE purchase price for said property shall be \$1380.00, of which amount the sum of \$300.00 has been paid to the said Trustees by check of the said Purchaser, which has tendered itself ready and willing to pay the full balance of the said purchase price upon ratification of the said sale by the aforesaid Court.

AFTER ratification of the sale by the Court and compliance by the Purchaser with all the terms of this Agreement, including full settlement

of the purchase price, the Trustees will execute, upon tender thereof by the Purchaser, a Deed at the Purchaser's expense, including Revenue Stamps, conveying said property, EXCEPT as to an allowance of \$25.00 as a Title fee, said allowance to be deducted from the purchase money.

THE Purchaser is to pay interest at the rate of 6% per annum on the deferred balance of the purchase money accounting from the date of this Agreement to the date of settlement.

IN connection with this sale, it is understood that the Trustees do not have, and shall not assume, any duty or responsibility in respect to unpaid public dues, assessments, taxes, or other charges against said real estate.

IN the event that Title to said property is found to be defective, this sale shall be void and the funds paid on account thereof shall be refunded to the Purchaser.

DATED and executed this \_\_\_\_\_ day of \_\_\_\_\_ in the year nineteen hundred and thirty-nine".

THE PURCHASER had made a payment of Three Hundred Dollars (\$300.00) on account of the purchase money and your Trustees believe that it will carry out its Contract of purchase by the payment of the balance of the purchase money upon the ratification of the sale by this Honorable Court.

THE PURCHASE PRICE of the aforesaid real estate and the ground rent issuing thereout is more than the maximum value thereof as shown by the testimony.

THE REPORT states the amount of sales to be Thirteen Hundred and Eighty Dollars (\$1380.00).

Respectfully submitted,

G. Elbert Marshall

Thos. J. Keating Jr.,  
TRUSTEES

STATE OF MARYLAND )  
                          ) to wit:  
TALBOT COUNTY,      )

THIS IS TO CERTIFY that on this 31st day of October, 1939, before the subscriber, a Notary Public of the State of Maryland, in and for Talbot County, personally appeared G. Elbert Marshall, one of the Trustees herein, and made oath in due form of law that the matters and facts set forth in the foregoing Report of Sales are true to the best of his knowledge and belief and that the sales were fairly made.

IN TESTIMONY WHEREOF, I hereunto set my hand and Notarial seal affix the day and year herein last above written.

Notary Public  
Seal

Elizabeth W. Lister  
NOTARU PUBLIC

STATE OF MARYLAND, )  
                          ) TO WIT:  
QUEEN ANNE'S COUNTY, )

THIS IS TO CERTIFY THAT on this third day of November, 1939, before the subscriber, Clerk of the Circuit Court for Queen Anne's County, Maryland, personally appeared Thomas J. Keating, Jr., one of the Trustees herein, and made oath in due form of law that the matters and facts set forth in the foregoing Report of Sales are true to the best of his knowledge and belief and that the sales were fairly made.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal the day and year herein last above written.

A. Sydney Gadd Jr.  
CLERK

Filed November 3rd 1939.

.....  
N I S I  
Filed November 3rd 1939

CHARLES Rhodes, et al            ) N I S I  
                                  ) In the Circuit Court for  
vs                                    ) Queen Anne's County, In Equity  
                                  )                                    )  
Edward W. Rhodes, et al        ) Chancery No. 3191

ORDERED, This 3rd day of November, A.D., 1939, that the sale of the real estate made and reported in this cause, by G. Elbert Marshall and Thomas J. Keating Jr, Trustees, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 11th day of January 1940 next: provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 11th day of December next.

The Report states the amount of sales to be \$1380.00

A. Sydney Gadd Jr. Clerk  
\_\_\_\_\_  
Clerk

Filed November 3rd 1939.

.....  
CERTIFICATE OF PUBLICATION OF  
ORDER NISI  
Filed Nov. 17th 1939

N I S I

CHARLES RHODES, et al                    )           In the Circuit Court for Queen Anne's  
  )           County, in Equity  
vs    )           Chancery No. 3191  
EDWARD W. RHODES, et al                )

ORDERED, This 9th day of September A.D., 1939, that the sale of Real Estate made and reported in this cause by G. Elbert Marshall and Thos. J. Keating Jr., Trustees, First Report of Sale be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 15th day of November, next, provide d a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 13th day of October next.

The Report ststes the amount of sales to be \$1,655.00.

A. SYDNEY GADD JR. Clerk

True Copy  
Test: A. Sydney Gadd Jr. Clerk.

Filed Sept. 9, 1939.

QUEEN ANNE'S RECORD - OBSERVER  
Centreville, Md. November 17, 1939

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO. hereby certifes that the Order Nisi in the case of CharlesRhodes, et al vs Edward W. Rhodes, et al First Report of Sale a true copy of which is hereto annexed, was inserted in the QUEEN ANNE'S RECORD -OBSERVER, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week for Four successive the first publication thereof having been made in said newspaper on the 10th day of Sept 1939, being more then 4 successive weeks before the 13th day of October 1939.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO.

By Cleo C. Green

Filed Nov. 17, 1939.

.....  
ORDER OF COURT  
Filed Nov. 21st 1939

ORDERED this 20th day of November, 1939, by the Circuit Court for Queen Anne's County, in Equity, that the sale of the real estate made and reported by G. Elbert Marshall and Thomas J. Keating Jr. Trustees, in this their First Report of Sale be and the same ate hereby finally ratified and confirmed, no cause to the contrary having bee shown, although notice appears to have been given as required by the preveding order nisi; and the trustees are allowed the usual commissions and such proper expenses as they shall produce vouches for to the Auditor .

Thos. J. Keating

Wm. Mason Shehan

Filed Nov. 21st 1939.

.....  
CERTIFICATE OF PUBLICATION  
OF TRUSTEES' SALE  
Filed Nov. 21st 1939

PUBLIC SALE  
TRUSTEES'S SALE OF VALUABLE  
REAL ESTATE

PURSUANT to a Decree of the Circuit Court for Queen Anne's County, in Equity, passed on the 17th day of June, 1939, in a cause in said Court entitled "Charles Rhodes", et al", No. 3191 Chancery, the undersigned Trustees will offer an expose at public sale to the highest bidder in front of the Court House door in the Town of Centreville, Queen Anne's County, Maryland, on TUESDAY , JULY 11, 1939, between the hours of one and two o'clock,P.M, all of the following described, real estate, to wit:

PARCEL NO. 1 A HOUSE and lot of land at LovePoint, Queen Anne's County, Maryland, consisting of Lots Nos.16,17,18, and 19 in Block No. 14, and parts of Lots Nos. 1,2,3,4,8,9,10,13,14, 15, and 16 in Block No. 18; being all the land conveyed to John A. Rhodes by two Deeds one from The Love Point Land and Improvement Company of Caroline County, dated the 26th day of August, 1911, and recorded in Liber W. E. W. No. 1, folio, 19, etc., and the other from J. Wm. Keith, County Treasure, dated May 26, 1936, and recorded in Liber W. H. C. No. 3-A, folio 36, etc., both Land Record Books for Queen Anne's County,

THIS PROPERTY IS IMPROVED BY A FINE RESIDENCE FRONTING DIRECTLY ON CHESAPEAKE BAY.

PARCEL NO.2 A BOUNGALOW and lot of land at Love Point, Queen Anne's County, Maryland, consisting of Lots Nos. 2, and 3 in Block No. 14, and a small strip of land adjoining Lot No.3, said land having been conveyed unto John A. Rhodes by three Deeds, one from Isaac Grollman and wife, dated May 29, 1913, and recorded in Liber W.F.W. No. 3, folio 405, etc., one from The Love Point Land and Improvement Company of CARoline County, dated May 31, 1913, and recorded in Liber W.F.W. No. 3, folio 404, etc., and one from M. Luther Thomas and wife, dated January 20, 1931, and recorded in Liber B. #TT No, 12, folio 331, etc., all Land Record Books for Queen Anne's Countyl

THIS PROPERTY IS IMPROVED BY A VERY NICE FRAME BUNGALOW NEAR THE WATER FRONT AT LOE POINT.

BOTH PROPERTIES WOULD MAKE IDEAL SUMMER HOMES OR YEAR ROUND RESIDENCE

TERMS OF SALE As prescribed by said Decree - Twenty percent (20%) of the purchase money will be required on day of sale and the balance thereof will be payable upon ratification of the sale by the Court said balance to draw interest from the day of sale and to be secured satisfactory to the Trustees; or all cash at the option of the purchaser. Other terms will be made known on the day of sale.

G. ELBERT MARSHALL

THOMAS J. KEATING JR.,  
Trustees.

J. Elmer Anthony, Auctioneer.

QUEEN ANNE'S RECORD - OBSERVER  
Centreville, Md. August 1st 1939

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO. hereby certifes that the Trustees' Sale in the case of Charles Rhodes, et al versus Edward W. Rhodes, et al No. 3191 Chancery a true copy of which is hereto annexed, was inserted in the QUEEN ANNE'S RECORD- OBSERVER, a weekly newspaper printed and published at Centreville Queen Anne's County, Maryland, once a week for three successive weeks the first publication thereof having been made in said newspaper on the 2nd day of June 1939, being more than three weeks before the 11th day of July 1939.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO.  
By Bertha G. Durney

Filed Nov. 21st 1939.

.....  
REPORT AND ACCOUNT OF  
THE AUDITOR  
Filed Jan. 3, 1940.

In the Circuit Court for Queen Anne's County, in Equity.

Charles Rhodes, et al	∅	
	∅	Cause No. 3191
versus	∅	
	∅	Chancery
Edward W. Rhodes, et al	∅	

To the Honorable, the Judges of said Court:-

- (1) Madison Brown, your auditor, makes this report to you in explanation of the annexed account which he has made after studing the proceedings of this cause.
- (2) John A. Rhodes, hereinafter called "Testator" died in 1937 leaving a will which shortly after his death was admitted to probate before the Orphans' Court of this county. a copy of this will is "Exhibit No,1" of this cause,
- (3) Administration on the personal estate of the testator was granted by said Orphans' Court unto certain persons who according to the bill of complaint have fully administered his personal estate. A copy of their administration is "Exhibit No. 2" of this cause.
- (4) The Testator died possessed of a large number of parcels of real estate and this real estate (save one parcel thereof which he gave unto a church) he devised unto certain persons named in his will and is hereinafter called or referred to as his "Residuary Real Estate".
- (5) By his will the testator gave unto Walter P. Carrion, Michael Holland (whose true name/Michael Hyland according to the testimony, answer 7 of witness Samuel T. Rhodes, junior) and William Nigrin (called Nigran in will) pecuniary legacies of \$1000.00 each and unto Howard Rhodes a pecuniary legacy of \$500.00.
- (6) The bill of complaint states the personal estate left by the testator was indufficient to pay the above mentioned legacies in full but it states that these legatees have claims against the residuary real estate of the testator for their unpaid portions of their respective pecuniary legacies, but not stating amounts of un paid portions.
- (7) The bill of complaint was filed for a sale of the said residuary real estate for division of the money arising from sale among the parties entitled thereto according to their respective rights there in but it does not state who the parties are nor does it state the respectibe shares in the real estate of the parties. The auditor therefor must construe the will and testimony filed in order to ascertain these parties and their respective shares before he can state the distribution account annexed.
- (8) The testator gives a share of his residuary real estate unto his brother Joseph Rhodes. According to the Bill and the testimony filed (see answer 10 of testimony of Samuel T. Rhodes, Jr) the true name of this devisee was Josiah Rhodes and Not Joseph

Rhodes and he will be called in this audit by the name of Josiah Rhodes. He died in the lifetime of the testator.

(9) The auditor construes the will to mean that the testator divides his residuary real estate into seven parts and these parts he devises as follows:

- 1. Unto Charles Rhodes, his brother, one part-
- 2. Unto Edward Rhodes, his brother, one part-
- 3. Unto Mary Ann Rhodes, his sister, one part-
- 4. Unto Martha Magalene Durney, his sister, one part-
- 5. Unto the children of Josiah Rhodes, his aforesaid brother, one part-
- 6. Unto the children of Henry Rhodes, his brother, who predeceased him, one part-
- 7. Unto the children of Samuel Rhodes, his brother, who predeceased him, one part.

(10) The auditor concludes that while parts of this real estate are given by the will "To the children and grandchildren..... of Henry Rhodes and Samuel Rhodes", the testator did not intend the grandchildren to take with the children of Henry Rhodes and Samuel Rhodes if either of these brothers had children living at death of the testator.

According to the testimony both of these named brothers had children living at death of the testator.

(11) In the annexed account the auditor has charged the trustees of his cause. 1. WITH the proceeds of the sales of the parcels of the residuary real estate reported as sold by the first report of sales filed by the trustees, 2. WITH the proceeds of the sales of the parcels of said real estate reported as sold by the second report of sales filed by the trustees, and 3. WITH the proceeds of the sales of the parcels said real estate reported as sold by the third report of sales filed by the trustees save and except the proceeds of the sale of that parcel of real estate described therein as "Parcel Number 12".

Exceptions were filed to the sale of Parcel Number 12 reported as sold in the third report of sales by the reported purchaser therein and these exceptions were sustained by the order of this court filed October 13, 1939. This parcel has not as yet been sold.

(12) The auditor in the annexed account has at the direction of the trustees also charged them with the sum of \$72.83 as net amount of the rents received by them from "ground rents" sold and the trustees have asked the auditor to set out the following statement with regards thereto so that there may be a record for the basis of the charge:- Rents received by the trustees from real estate described as "ground rents":

From 1413 Union Avenue .....	\$35.50	
From 5312 St. George Avenue .....	21.00	
From 2363 Annapolis Road .....	20.34	
From 4109 Norfolk Avenue .....	5.25	
From 4109 Norfolk Avenue .....	5.25	
From 734 North Patterson Park Avenue .....	2.16	
From 812 North Patterson Park Avenue.....	2.25	
		Total \$91.75

From this total sum the following amounts are to be deducted as proportionate amounts of ground rents due to purchasers of ground rents and allowed them in settlement:

On ground rent called 3310 Bayonne Avenue	\$1.30	
on ground rent-4608 Pall Mall Road	\$16.25	
on ground rent -906 E. Eager Street	1.35	
a total of .....		\$18.90
leaving them to account for .....		72.85

(13) As to Distribution to Pecuniary Legatees.

Each legatee to whom will gave received from personal estate	\$1000.00	
leaving due to him	725.41	
so that there remains unpaid to all Howard Rhodes was given legacy of	274.59	
and he received from personal estate	274.59 X 3 or	823.77
leaving due to him	500.00	
	<u>362.70</u>	
	137.30	137.30

so that the unpaid portions of the 4 legacies amount to 961.07 and the amount is allowed them; less the collateral inheritance due thereon in the annexed account and in same account this tax is allowed for payment to the State. See copy of the administration account (Exhibit No. 2)

(14) Re: Collateral Inheritance Tax due by Residuary Legatees.

The trustees are charged in this account with the proceeds of the sales of those parcels of the residuary real estate described in Paragraph 11 (supra) of this report.

These parcels are appraised by appraisers appointed by the Orphans' Court for purpose of ascertaining the collateral inheritance tax to be paid thereon by the devisees thereof at \$13,445.67

The amount of this appraisal does not include the estate mentioned in the 4th Report of Sale not yet ratified nor the real estate not as yet sold nor appraisal of the church lot. The Auditor has been informed that the tax on the parcels of real estate included in above figures has not been paid and therefore he must make allowance therefor out of sales of this cause. The tax is payable only on the clear value of the real estate mentioned and to ascertain this clear value there must be deducted the gross amount due the pecuniary legatees as unpaid on their legacies (see paragraph 13 supra).

Deducting from the above mentioned sum of	\$13,445.67	
the amount due to the pecuniary legatees of	<u>961.07</u>	
leaves said clear value to be .....		12,484.60

The auditor has allowed the trustees in the within account, .07 1/2 per cent, thereof as the collateral inheritance due by the residuary legatees to be paid by the trustees in settlement thereof.

The inventory of testator's real estate showing the appraisement of his real estate has been copied by the Register of Wills and the copy so made has been filed in this cause, See same for further explanation of this tax.

(15) Re: Share of Martha Magadlene Durney:

She was a sister of the testator, is given in his will a share of his residuary real estate, she died after testator and it appears at the time of her death she owned said share.

The bill states that she died after the testator, that she left a will, that a copy of her will is "Exhibit No.3" of this cause; her executors are defendants to the bill.

But the bill does not state to whom her share of the sales of this cause should be paid under her will.

The executors in their answer filed herein state that her share of the sales of this cause "is distributable to the persons entitled thereto under.....her will" but they do not state the names of these persons nor do they state to whom her share should be distributed.

It appears to the auditor that the persons entitled to her share of the sales of this cause depend to this time upon the construction of her will and the present state of the entire estate or porpion of her will and the present state of the entire estate or property which she owned when she died. The auditor feels that the court alone can determine these persons and that all he can do now is to ascertain the amount of her share of the sales of this cause which he has done by the within account and them to let this share remain as to the disbursement thereof subject to the furure order of this court whidhe has done.

Which is respectfully submitted,

Madison Brown  
Auditor

January 3rd 1940

Cause No. 3191

The proceeds of the sales of the real estate of Charles Rhodes, Edward W. Rhodes and other devisees under will of John A. Rhodes, testator of this cause in account with G. Elbert Marshall and Thomas J. Keating, jr., trustees appointed by the decree of this cause to sell said estate.

CR.

1939	July 11	By amount of the sales of the real estate described in First Report of Sales filed as Parcel No. 1, to wit:	\$1130.00	
		as Parcel No. 2, to wit:	525.00	
		Total amount of sales of First Report:	1655.00	\$1655.00

1939	Aug. 1	By amount of the sales of the real estate described in sSecond Report of Sales as Parcel No. 7, to wit:	1300.00	
		as Parcel No. 11, to wit:	1500.00	
		as Parcel No. 13, to wit:	1500.00	
		as Parcel No. 16, to wit;	1500.00	
		Total amount of sales of Second Report	5800.00	5800.00

1939	Aug	By amount of the sales of the real estate described in Third Report of Sales as Parcel No. 3, to wit:	1466.00	
		as Parcel No. 4, to wit:	620.00	
		as Parcel No. 45, to wit:	642.00	
		as Parcel No. 6, to wit:	1466.00	
		as Parcel No. 9, to wit:	611.00	
		as Parcel No. 14, to wit:	1040.00	
		Total amount of Sales of Third Report	5845.00	5845.00

(Note: trustees not charged with amount of proceeds of the sale Parcel No. 12 of this report: see the report of auditor attached to this audit)  
 (Sale described in 4th. Report not ratified therefore proceeds not charged)  
 To amount of saled of Real Estate herein Charged: \$13300.00

Cr.

By net amount of rents received by the trustees for parcels of Real Estate called "Ground Reports" in Report s filed : 72.85  
 ( See Auditor's Report attached)

Total proceeds charged hereinto trustees: \$ 13,372.85

## Cause No. 3191

The proceeds of the sales of the real estate of Charles Rhodes and other devisees under will of John A. Rhodes the testator of this cause in account with G. Elbert Marshall and Thomas J. Keating, junior, trustees of this cause.

DR  
Disbursements.

1939 Dec. 30,	TO G. Elbert Marshall and Thomas J. Keating, Junior, trustees for their commi ssions for making the sales herein charged to them per rule of court, to wit: the sum of		\$579.92
	To same, trustees, to be expended by them in payment of the court costs of this cause in accordance with the statement of costs made by the clerk, exhibited, to wit:		
	For the costs of the clerk of this court,	\$189.40	
	For appear, fee of complainants' solicitor	10.00	
	For appear, fee of defendants' solicitors	10.00	
	For costs of N. S. Dudley, Register of Wills	8.50	
	For costs of J. Scott, Sherriff Talbot County	3.75	
	For cost of H. B. W. Mitchell, examiner,	20.00	
	For costs of Sarah Scher, stenographer,	3.00	
	For costs of Verna Crowl, do	2.50	
	For the fees of 4 witnesses before examiner,	3.00	
	For costs of Chas. McNab, clerk City court,	60.00	
	For costs of J. Deegan, Sheriff Balto. City	3.00	
		<u>313.95</u>	313.95
	To same trustee for the cost of their bond with corporate surety thereon filed in cause to be paid said surety per statement of same exhibited, to wit:		100.00
	To same trustees for their part as vendors of taxes assessed John A. Rhodes, testator on his land sold in this cause paid by them to tax collector per 3 receipted tax statements exhibited to the auditor for years 1939, one receipt for	6.21	
	one receipt for	9.06	
	one receipt for	2.21	
	Total amount of these taxes	<u>17.48</u>	17.48
	To same trustees for the charges of J. H. Richardson for appearing before examiner to testify as an expert of ground rent value per his account for same exhibited to the auditor to wit: sum of		20.00

## Cause No. 3191

## Disbursements

To same trustees for the charge of J. E. Anthony for crying the sales of the land at Love Point, per his account for same exhibited to the auditor, the sum of .....	15.00
To same trustees for the costs of advertising the notices of their ground rents sales in the Baltimore Sun, per account for same exhibited to the auditor, the sum of.....	9.45
To the same trustees for the costs of advertising in county newspaper notices of the sales of real estate sold by them, per account for the same exhibited to the auditor, the sum of.....	35.00
To same trustees for the costs of advertising three orders nisi on reported sales, per account for same e xhibited to the auditor, the sum of .....	15.00
To same trustees for the costs of insurance against loss by fire on house in Baltimore City of trust estate obtained through Riggs, Rossman, & Hunter, Inc., per account for same exhibited to auditor the sum of .....	5.00
To same trustees to be paid Thomas J. Keating, jr., for the costs of copy of will of Martha Durney obtained by him for an exhibit of this cause and filed herein. per his receipted account for same exhibited to auditor, the sum of .....	2.75
To same trustee for the amount of the charge for examination of title to a ground rent which was lost to the estate on sustained exceptions paid to Wm. Edgar Bird, attorney, per acourt order of passed Oct. 12, 1939, filed herein Oct. 13, the sum of .....	25.00
To same trustees for the amount allowed Norfolk Realty Corporation in Trustees' settlement with them as title fee for 6 ground rents of \$25.00 per rent,	



per decree filed June 19, 1939, and 3rd. Report of Sales, to wit: the sum of ..... 150.00

To the same trustees for the amount allowed in settlement with Edward W. Wells as title fee on 4 ground rents at \$25.00 per title per decree filed June 19, 1939 and 2nd Report of Sales, to wit: the sum of ..... 100.00

To same trustees for the costs of advertising in county paper the order nisi to be passed as to this audit, the sum of ..... 3.50

Cause No. 3191

Disbursements

To the same Trustees for the cost due N. S. Dudley, Register of Wills for the certified copy of the inventory and appraisalment of testators' real estate as returned to the Orphans' Court made for the use of the auditor in stating this audit in the matter of the collateral inheritance tax due the state on land sold in this cause, per said copy to be returned with this audit as part of same. to wit: the sum of..... 2.50

To the same trustees for the taxes due by John H. Rhodes, testator on his Love Point Property for year 1938 and paid by the trustees per two tax statements receipted and exhibited by them, one for \$27.50 and other for \$3.75, a total of .....31.25

-----14-----

Total amount of the disbursements allowed above ..... 1425.80

RECAPITULATION.

CR: By amount of the charges made against said trustees brought forward from page 1 of this account , to wit sum of ..... 13,372.85

DR: To amount of the disbursements allowed by this account brought from above, to wit: the sum of ..... 1,425.80

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CR: By this balance which will be carried forward, to wit: sum of \$11,947.05

Cause No. 3191

CR.

By balance brought forward from page to wit; sum of ..... \$11,947.05

DR.

Distribution to Specific Pecuniary Legatees of Testator in settlement of balances due them on their legacies.

To Stanley Trust, Inc., corporation assignee of William T. Nigrin per assignment from him filed June 28, 1939, as net balance due him on legacy given him by testator, the sum of .....\$253.99

To Walter Carrion as net balance due him on legacy given him by testator, the sum of ..... \$253.99

To William Holland called Michael Holland in the will as the net balance due him on legacy given him by testator, the sum of ..... 253.99

To Howard Rhodes as net balance due him on legacy given him by will of testator, the sum of ..... 127.00

\$ 888.97

To G. Elbert Marshall and Thomas J. Keating Jr., the trustees to be paid by them to the Register of Wills of Queen Anne's County for the use of the State of Maryland, as the amount of the collateral inheritance tax due to said State by

William Nigrin on	\$274.59	\$20.60
Walter Carrion on	274.59	20.60
William Holland on	274.59	20.60
Howard Rhodes on	137.30	10.30

	691.05	72.10	
A Total allowance as said tax of			72.10
Total shortage of Personal Estate to pay legacies			961.07
To balance carried forward .....			10,985.98
			\$11,947.05
			11,947.05

Cause 3191.

CR.  
By balance brought forward from Page to wit: sum of .....\$10,985.98

Dr.

Re: Collateral Inheritance Tax  
due by Residuary Devisees.

To G. Elbert Marshall and Thomas J. Keating, Jr.,  
Trustees, to be paid by them to the Register of  
Wills of Queen Anne's County for the use of the State  
of Maryland as the collateral inheritance tax due by  
the Residuary Devisees named in testator's will ( and/  
or their assignees) on clear value of the real estate devised  
by testator to them sold in this cause , 7 1/2 per cent of  
\$12,483,60, to wit: the sum of.....\$936.35

(See auditor's report attached)

To Madison Brown, auditor, for stating the account, the sum of .....  
75.00

To balance carried forward,.....  
1,011.35  
9,974.63  
10,985.98      10,985.98

Cause 3191

CR.  
By balance brought forward from Page to wit: sum of .....\$10,985.98

DR.

Re: Collateral Inheritance Tax  
due by Residuary Devisees,

To G. Elbert Marshall and Thomas J. Keating, jr.,  
trustees, to be paid by them to the Register of Willz of  
Queen Anne's County for the use of the State of Maryland  
as the collateral inheritance tax due by the Residuary Devisees  
named in testator's will(and/or their assignees) on clear value of the  
real estate devised by testator to them sold in this cause, 7 1/2 per  
cent of \$12,483.60 , to wit the sum of.....\$936.35...

(See auditor's report attached)

To Madison Brown, auditor, for stating the account,  
the sum of ..... 75.00

To balance carried forward.....  
1,011.35  
9,974.63  
10,985.98      \$10,985.98

Cause No. 3191

CR.  
By balance brought forward from page to wit: sum of ..... 9,974,63

DR

Distribution to Residuary Devisees  
and/or to their assigns.  
Living Brothers and Sisters of Testabr:

To Charles Rhodes, brother,  
1/7 of said balance, to wit: sum of .....\$1424.95

To Edward W. Rhodes, brother,  
1/7 of said balance, to wit: sum of , ..... 1424.95

To Mary Ann Rhodes, sister 1/7 of said  
balance, to wit: sum of ..... 1424.95

CHILREN OF Henry Rhodes, brother of  
Testator who predeceased latter.

To George W. Rhodes,  
1/14 of said balance, to wit: sum of 712.47..... 712.47

To Edna Connolly,  
1/14 of said balance, to wit: sum of 712.47 ..... 712.47  
(1,424.94)

Children of Samuel T. Rhodes, brother of  
testator who predeceased latter.

To Gertrude Rhodes  
1/35 of said balance, to wit: sum of 284.98..... 284.98

To Helen R. Goldsborough,  
1/35 of said balance, to wit: sum of 284.99 ..... 284.99

To Virginia R. Trageser, 1/35 of said balance, to wit: sum of	284.99.....	284.99
To Samuel T. Rhodes, jr., 1/35 of said balance, to wit: sum of	284.99 .....	284.99
	(	<u>1,424.94</u>

Cause No. 3191

DR.

Distribution to Residuary Devisees  
brought forward:

Children of Josiah Rhodes, brother  
of testator who predeceased latter.

To Nora Appleford, 1/63 of said balance, to wit: sum of	\$158.33 .....	\$158.33
To Milton Rhodes, 1/63 of said balance, to wit: sum of	158.33 .....	158.33
To Tilghman Rhodes, 1/63 of said balance, to wit: sum of	158.33 .....	158.33
To Lillian Dickerson, 1/63 of said balance, to wit: sum of	158.33 .....	158.33
To Stella Rhodes, 1/63 of said balance, to wit: sum of	158.33 .....	158.33
To Avis Rhodes, 1/63 of said balance, to wit: sum of	158.33 .....	158.33
To Blanche Bradley, 1/63 of said balance, to wit: sum of	158.33.....	158.33
To Harry Rhodes, 1/63 of said Balance, to wit: sum of	158.33 ,.....	158.32
To Arthur Rhodes, 1/63 of said balance, to wit: sum of	158.32.....	158.32
		<u>(\$1,424.95</u>

Martha Magdelene Durney,  
testator's sister who died after him.

To her share of said balance, 1/7 thereof, to wit: sum of the same to remain subject to the future order of this court.	1,424.95
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Total amount distributed to Residuary Devisees	9,974.63	
Amount of balance brought forward, to wit:	9,974.63	9,974.63

December 30, 1939

Madison Brown, Auditor

Filed Jan. 3, 1940

.....  
NISI AUDIT #1.  
Filed Jan. 3, 1940

N I S I R A T I F I C A T I O N O F A U D I T

Charles Rhodes, et al	§	IN THE CIRCUIT COURT FOR
vs.	§	QUEEN ANNE'S COUNTY,
Edward W. Rhodes, et al	§	IN EQUITY
		CASE NO. 3191
		Audit No.1,

ORDERED, This 3rd day of January in the year nineteen hundred and forty, that the Report and Account filed in these proceedings by Madison Brown, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 26th day of January 1940, provided a copy of this order be published on e a week in each of two successive weeks before the 19th day of January, 1940, in some newspaper printed and published in Queen Anne's County.

Filed January 3, 1940.

A. Sydney Gadd Jr. Clerk

.....  
 CERTIFICATE OF ORDER NISI  
 Filed Jan 12, 1940

CHARLES RHODES, et al                    ) ( N I S I  
   ) (           IN The Circuit Court for  
   ) (   Queen Anne's County, In Equity  
 vs.                                       ) (   Chancery Nol 3191  
 EDWARD W. RHODES, et al               ) (   Chancery Nol 3191

ORDERED, This 3rd day of November, A. D. , 1939, that the sale of the real estate made and reported in this cause by G. Elbert Marshall and Thomas J. Keating Jr., Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 11th day of January, 1940 next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 11th day of December next.

The Report states the amount of sales to be \$1380.00.

A. Sydney Gadd Jr. Clerk.

True Copy  
 Test: A. Sydney Gadd Jr. Clerk

Filed November 3rd 1939.

QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. January 12, 1940

The Queen Anne's Record and Observer Publishing Co, hereby certifies that the Order Nisi in the case of Charles Rhodes, et al vs Edward W. Rhodes, et al a true copy of which is hereto annexed, was inserted in the Queen Anne's Record-Observer, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week for four successive weeks the first publication thereof having been made in said newspaper on the 9th day of November 1939, being more than four weeks before the 11th day of December 1939.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO.

BY: Cleo C. Green

Filed Jan. 12, 1940

.....  
 FINAL ORDER OF RATIFICATION  
 Filed Jan. 22, 1940

Final Order of Ratification

ORDERED, This 20th day of January 1940, that the sales of the real estate made and reported in this Fourth Report of sale of G. Elbert Marshall and Thomas J. Keating Jr., Trustees, be and the same is hereby finally ratified and confirmed, no cause to the contrary thereof having been shown although notice appears to have been given as required by the preceding order nisi; and the Trustees are allowed the usual commissions and such proper expenses, not personal, as they shall produce vouchers for the auditor.

Thos, J. Keating

Filed Jan. 22, 1940

.....  
 CERTIFICATE OF NISI RATIFICATION  
 OF AUDIT  
 Filed Jan. 23, 1940

NISI RATIFICATION OF AUDIT

CHARLES RHODES, et al                    ) In the Circuit Court for  
   ) Queen Anne's County, In Equity  
   )   Case No. 3191  
 vs.                                       )   Case No. 3191  
 EDWARD W. RHODES, et al               )   Case No. 3191

Audit No.1

ORDERED, This 3rd day of January in the year nineteen hundred and forty that the Report and Account filed in these proceedings by Madison Brown, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 26th day of January, 1940; provided a copy of this order be published once a week in each of two successive weeks before the 19th day of January, 1940, in some newspaper printed and published in Queen Anne's County.

A. SYDNEY GADD JR, Clerk

True Copy  
 Test: A. SYDNEY GADD JR. Clerk

Filed January 3, 1940

QUEEN ANNE'S RECORD \* OBSERVER

Centreville, Md. January 23, 1940

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO, hereby certifies that the Nisi Ratification of Audit in the case of Charles Rhodes, et al vs Edward W. Rhodes, et al

a true copy of which is hereto annexed, was inserted in the QUEEN ANNE'S RECORD-OBSERVER, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a weeks for two successive weeks the first publication thereof having been made in said newspaper on the 4th day of January 1940., being more than two successive weeks before the 19th day of January 1940.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO.

By.Cleo.C..Green.....

Filed Jan. 23, 1940

.....  
CERTIFICATE AS TO COSTS EXCEPTIONS TO  
AUDIT  
Filed Feb. 1, 1940

CLERKS CERTIFICATE

Charles Rhodes, et al                    |            In the Circuit Court  
  |            for Queen Anne's County,  
vs.                                        |            in Equity.  
Edward W. Rhodes, et al                |            Chy. No. 3191

I hereby certify that no objections to the ratification of the audit have been filed in the above entitled proceedings, and that all taxed costs as stated in the Auditor's Account filed in this cause on the 1st day of Feb. 1940, have been paid in accordance with the requirements of Section 26 of Article 17 of the Code of Public General Laws.

In testimony whereof, I have hereunto set my hand and the seal of the Circuit Court for Queen Anne's County affixed this 1st day of Feb. 1940

A. Sydney Gadd Jr. Clerk

Filed Feb. 1, 1940

.....  
ORDER OF COURT  
Filed February 6, 1940

ORDERED, This 5th day of February, in the year one thousand nine hundred and forty, by the Circuit Court for Queen Anne's County, In Equity, that the report and account No.1 filed in these proceedings, by Madison Brown, Auditor, be, and the same is hereby, finally ratified and confirmed, no cause to the contrary thereof having been shown although notice appears to have been given as required by the preceding order nisi; and the Trustees are directed to apply the proceeds of sale accordingly with a due proportion of interest as the same has been or may be received; and the shared of said proceeds distributed by said Auditor to the Estate of Martha M. Durney, deceased shall be by said Trustees paid over unto the Executors of the Last Will and Testament of said Martha M. Durney, deceased for distribution in accordance with the terms of the said Last Will and Testament of Martha M. Durney, deceased.

James F. Evans

Thos. J. Keating

Filed February 6, 1940.

.....  
FIFTH REPORT OF SALE OF REAL ESTATE  
Filed Nov. 7th 1941

CHARLES RHODES, et al                    |            IN THE CIRCUIT COURT FOR  
  |            QUEEN ANNE'S COUNTY, IN EQUITY  
  |            CHANCERY #3191  
  |            

FIFTH REPORT OF SALE OF REAL ESTATE.

TO THE HONORABLE, the judges of said Court:

THE FIFTH REPORT OF SALE of real estate made by G. Elbert Marshall and Thomas J. Keating, Jr., Trustees in this Cause, respectfully shows unto your Honors:

THAT. pursuant to the Decree of this Honorable Court heretofore passed in this cause, and after having filed the requisite Bond herein as will appear by reference to the proceedings heretofore had herein, your Trustees, being unable to make sale of two (2) of the Ground Rent properties in Baltimore City at private sale for a price equal to the value of the said two (2) Ground Rents, as disclosed by the testimony, proceeded to make public sale of said real estate in the manner following:

THEY did first advertise said real estate, consisting of the two (2) Ground Rents hereinafter more particularly mentioned, in the Baltimore Sun-paper for more than three (3) weeks prior to the day of sale, as will appear by re-

ference to the Certificate of the Publication of said advertisement hereto attached, and did also advertise same in the Daily Record, both being newspapers printed and published in Baltimore City, Maryland, where the property is located. Your Trustees did thereupon, on Wednesday, October 22nd. 1941, attend at the office of the Real Estate Board of Baltimore City, 7 St. Paul Street, at 12o'clock, Noon, and did then and there, after having the Auctiomeers cry said sales for a considerable time, sell one of said Ground Rents, being the Ninety Dollar (\$90.00) annual rent issuing out of 1941 Braddish Avenue, unto the Mount Vernon Realty Company, it being then and their the highest bidder thereofr at and for the sum of Twelve Hundred and Sixty-five Dollars (\$1265.00), the real estate out of which said rent issues being described as follows:

ALL that lot or parcel of land described in the Bill of Complaint and Testimony in the aforesaid Chancery proceedings as "Parcel #10) and being the reversion and Ground Rent of Ninety Dollars (90.00) issuing therefrom which was conveyed unto JOHN A. Rhodes by the Monumental Realty Company, by Deed dated November 3, 1932, recorded in Liber S. C. L. No. 5332, folio 224, etc., a Land Record Book for Baltimore City.

THE second of said Ground Rents, being the Ninety-six Dollar (\$96.00) a nnuual rent issuing out of 2939 Frederick Road, was sold unto the Norfolk Realty Corporation, it being then and there the highest bidder therefor, at and for the sum of Thirteen Hundred and Seventy-five Dollars (\$1374.00) same being described as follows:

ALL that lot or parcel of land described in the Bill of Complaint and Testimony filed in these proceedings as "Parcel #15", and being the reversion and Ground Rent of Ninety-six Dollars (\$96.00) per annum issuing therefrom, same having been conveyed unto John A. Rhodes, by Carol B. Hazazer and wife, by Deed dated September 7, 1927, recorded in Liber S. C. L. No. 4786, folio 111, a Land Record Book for Baltimore City,

THE TERMS OF SALE were as advertised, to wit: Twenty Percent (20%) of the purchase money to be paid ~~at the time of sale and the balance to be paid upon the Ratification of the Sale by this Honorable Court, said balance to drawn interest at the rate of Six Percent (6%) per annum from the day of sale, and the rents to be adjusted as of the day of sale.~~

YOUR Trustees report that the Purchasers have made payment of Twenty Percent (20%) of the purchase monies and your Trustees believe they will make settlement of the balance when the sales are ratified.

THE REPORT states the amount of sales to be Twenty- six Hundred and Forty Dollars (\$2640.00).

Respectfully submitted,

G. Elbert Marshall

Thos. J. Keating Jr.  
TRUSTEES.

STATE OF MARYLAND, TALBOT COUNTY, TO WIT:

THIS IS TO CERTIFY, that on this 4th day of November, 1941, before the subscriber, a Notary Public of the State of Maryland, in and for Talbot County, personally appeared, G. ELbert Marshall, one of the Trustees herein, and made oath in due form of law that the matters and facts set forth in the foregoing Fifth Report of Sales are true to the best of his knowledge and belief and that the sales were fairly made.

IN TESTIMONY WHEREOF, I hereunto set my hand and Notarial seal affix the day and year herein last above written.

(Notary Public)  
( Seal )

Elizabeth W. Lister  
NOTARY PUBLIC

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

THIS IS TO CERTIFY that on this 7th day of Nov. 1941, before the subscriber, Clerk of the Circuit Court for Queen Anne's County, Maryland, personally appeared Thomas J. Keating, Jr., one of the Trustees herein, and made oath in due form of law that the matters and facts set forth in the foregoing Report of Sales are true to the best of his knowledge and belief and that the sales were fairly made.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal the day and year herein last above written.

A. Sydney Gadd Jr.  
CLERK

Filed Nov. 7th 1941.

.....  
NISI SALE  
Filed Nov. 7th 1941/

Charles Rhodes, et al

VS.

Edward W. Rhodes, et al

IN THE CIRCUIT COURT  
FOR QUEEN ANNE'S COUNTY,  
IN EQUITY  
Chancery No. 3191

ORDERED, This 7th day of November A. D. 1941, that the sale of ground rents and/or real estate, made and reported in this cause by G. Elbert Marshall and Thos. J. Keating, Jr., Trustees, under Fifth Report of Sale of Real Estate, be ratified

and confirmed, unless cause to the contrary thereof be shown on or before the 15th day of January next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 13th day of December next.

The Report states the amount of sale to be \$2640.00.

A. Sydney Gadd Jr. Clerk

Filed November 7, 1941.

.....  
CERTIFICATE OF TRUSTEES SALE  
OF VALUABLE GROUND RENTS.  
Filed Nov. 7, 1941.

THE SUN

Oct. 27, 1941.

We HEREBY CERTIFY, that the annexed advertisement of Auction Sale-Ground Rents 1914 Braddish Ave. & E. T. Newell and Co Auctioneers Trustees Sale &c was published in "The Sun" a daily newspaper printed and published in the City of Baltimore Sept 31- Oct 12- Oct 19- 1941 Auctioner three days-first insertion Sep 30- 1941.

THE A. S. ABELL COMAPNY  
Per C. S. Faulkner

Filed Nov. 7, 1941.

TRUSTEES SALE OF VALUABLE REDEEMABLE GROUND RENTS

(Under decree of the Circuit Court for Queen Anne's County, in Equity, Chancery Cause No. 3191)

To Be sold At The Real Estate Board Rooms. 7 St. Paul Street. on Wednesday October 22, 1941, At 12 M. At the Time Set Forth Below At 12o'clock Noon \$90.00 issuing out of No. 1914 Braddish Avenue, Lot 15'X 60', Improved by a 2- Story Porch-Front Brick Dwelling.

Immediately thereafter \$96.00 issuing out of No. 2939 Frederick Road Lot 15X 73'. Improved by a 2 Story Brick Store and Dwelling

Terms of Sale: 20% to be paid at the time of sale. Balance of the purchase money upon ratification of the sale by the Court 6% interest charged on balance of unpaid purchase money from day of sale. Rents to be adjusted to day of sale.

G. ELBERT MARSHALL,

THOMAS J. KEATING, JR. Trustees.

E. T. NEWELL & Co. INC. AUCTIONEERS

.....  
CERTIFICATE OF NISI  
Filed Jan 21, 1942

CHARLES RHODES, et al

vs

EDWARD RHODES, et al

∅ In the Circuit Court for Queen  
∅  
∅ Anne's County in Equity.  
∅  
∅ Chancery No 3191

ORDERED, This 7th day of November A. D. 1941, that the sale of ground rents and or real estate made and reported in this cause by G. Elbert Marshall and Thos. J. Keating, Jr., Trustee, under Fifth Report of Sale of Real Estate, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 15th day of January next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 13th day of December next.

The Report states the amount of sales to be \$2640.00.

A. SYDNEY GADD JR. Clerk

True Copy

Test: A. SYDNEY GADD JR. Clerk

Filed November 7, 1941.

QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. January 21, 1942.

THE QUEEN ANNES' RECORD and OBSERVER PUBLISHING CO. hereby certifies that the Nisi in the case of Charles Rhodes, et al vs, Edward Rhodes, et al a true copy of which is hereto annexed, was inserted in the QUEEN ANNE'S RECORD \*OBSERVER, a weekly newspaper printed and published at Centreville Queen Anne's County, Maryland, once a week for four successive weeks the first publication thereof having been made in said newspaper on the 13 day of November, 1941, being more that four successive weeks before the 13th day of September 1941.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO.

By Helen M. Booker

Filed Jan 21, 1942.

ORDER OF COURT  
Filed Jan 21, 1942.

FINAL ORDER OF RATIFICATION OF SALE

ORDERED, this twenty first day of January 1942, by the Circuit Court for Queen Anne's County, in Equity, that the sale of the real estate made and reported in this Cause as the fifth Report of Sale by G. Elbert Marshall and Thomas J. Keating, Jr., Trustees, be and the same is hereby finally ratified and confirmed, no cause to the contrary thereof having been shown, although notice appears to have been given as required by the preceding Order Nisi and the Trustees, Vendors, are allowed the usual commissions and such proper expenses, not personal, as they shall produce vouchers for to the Auditor.

Thomas J. Keating  
Filed Jan 21, 1942.

AUDIT NO. 2.  
Filed June 10th 1942.

In the Circuit Court for Queen Anne's County, in Equity.

Charles Rhodes, et al	o	
	o	Chancery Docket
versus	o	Cause
	o	Number 3191
Edward W. Rhodes, et al	o	

To the Honorable, the Judges of said Court:-

The Report of Madison Brown, your auditor, unto Your Honrs respectfully sets forth:-

This is the second audit of this Cause and is intended to deal with the assets of the cause received by the Trustees since the first audit and not therein accounted for.

In this audit the trustees have been charged with the amounts of the gross sales of three several parcels of land which the testator of this cause, John A. Rhodes, owned at the time of his death and which under his will, inter alia, passed to his Residuary Devisees; parties of this cause and for whom these parcels have been sold for purpose of partition.

These three mentioned parcels were included in the appraisal set out in the Inventory of the real estate caused to be made by his executors for the purpose of ascertaining the amount of the collateral Inheritance taxes due by these devisees on the real estate so devised unto them. A copy of this Inventory has been filed in this cause.

The properties mentioned are described in said Inventory and have been appraised therein as follows, to wit:

Property at 4118 Norfolk Avenue, Baltimore, Maryland, appraised at \$1,400.00:  
property at 1914 Braddish Avenue, Baltimore Maryland, appraised at \$1,500.00; and  
property at 2939 Frederick Road, Baltimore Maryland appraised at \$1,600.00.

The total appraisal amounts to \$4,500.00 and this is the amount upon which the collateral Inheritance Tax must be paid.

It appears from an examination of the records of the Orphans' Court of this County in the Matter of the Estate of John A. Rhodes that this tax has not been paid, that some became payable February 21, 1939 and bears interest from that date.

The Trustees of this Cause desire that the amount of this tax and interest thereon be allowed them in this audit as it is their duty to see that the same is paid.

In the within account the trustees are charged with the proceeds of the sales of these properties according to their 4th and 5th Reports of Sales filed together with some small amounts of interest and ground rents received by them.

Then thereout they are allowed as follows:

Their commissions, the clerk's costs, costs incident to the sales made, the costs due and to become due on their bond filed as trustees, the amount of said Inheritance Tax and the interest thereon mentioned above, and the fee of the auditor.

The balance of the charges made as above set forth against the trustees remaining after these allowances is the net amount for distribution among the Residuary Devisees and is in the annexed account distributed among these Devisees according to their respective rights.

The vouchers relating to these allowances to the trustees and submitted by them to the auditor will be attached to and returned with this audit.

Which is respectfully submitted.

June 8, 1942.

Madison Brown

AUDITOR.

Filed June 10th 1942.

CAUSE NUMBER 3191

The proceeds of the sales of the real estate of Charles Rhodes, Edward W. Rhodes, and other devisees under the will of John A. Rhodes, testator of this cause, in account with G. Elbert Marshall and Thomas J. Keating, junior, trustees appointed by the decree of this cause to sell said real estate.



CR.  
SALES OF REAL ESTATE

1939 Nov. 3	By amount of the sale of the real estate described as parcel No. 8 in Bill of Complaint per 4th Report of Sales filed this date, to wit:.....	1,380.00	
1941	By amount of the sale of the real estate described in Bill of Complaint as "Parcel No. 10".....	1,265.00	
	as "Parcel No. 15" .....	1,375.00	
	Per 5th Report of Sales filed this date,.....	1,375.00	
	Total sales of Real Estate.....	\$4,020.00	\$4,020.00

INTEREST COLLECTED ON CREDIT SALES:

By amount of interest collected on credit sales of		
Parcel No. 8 .....	13.50	
Parcel No. 10 .....	23.27	
Parcel No. 15 .....	24.75	
Total interest collected .....	61.52	61.52

GROUND RENTS COLLECTED:

By amount of Ground Rents collected from		
Parcel No. 8 mentioned above .....	21.00	
Parcel No. 10 mentioned above .....	15.80	
Parcel No. 15 mentioned above .....	1.82	
Total Ground Rents collected.....	38.62	38.62
Total amount charged to these trustees, .....		\$4,120.14

CAUSE NUMBER 3191

The proceeds of the sales of the real estate of Charles Rhodes, Edward W. Rhodes and other devisees under will of John A. Rhodes, testator of this cause, in account with G. Elbert Marshall and Thomas J. Keating, junior, trustees appointed by the decree of this cause to sell said real estate.

1942  
June  
8

DR.  
DISBURSEMENTS:

To G. Elbert Marshall and Thomas J. Keating, junior, the trustees, for their commissions on account of the sales and other items charged above to the, per rule of Court, relating to commissions of trustees on sales of land, to wit: \$322.21		
To do., for the Court costs of these proceedings since last audit, per clerk's bill of costs, to wit:		
Costs of A. S. Gadd, Clerk, to wit: .....	39.20	
To do., for that part (one-half) of cost of Revenue Stamps for two deeds of properties sold by them to be paid by them under contracts of sale ( see Report of Sale NO. 5), \$1.35 and \$1.47, total costs of stamps. ....	2.82	
To do., for amounts paid to E. T. Newell and Co., inc., for commissions of .....	\$66.01	
for costs of advertising bill .....	35.00	
in the matters of sales of two properties conducted by them and charged herein to the trustees per receipted statement exhibited, to wit: the sum of .....	101.01	
To do., for the costs of advertising in newspaper published at Centreville, order nisi on 4th report of sale.....	5.00	
5th report of sale.....	5.00	
per receipted accounts for same exhibited, to wit: .....	10.00	
To do., for the charges of Register of Wills of Baltimore City for recording certified copy of Will of Martha Durney, per receipted statement for same exhibited, to wit: .....	1.50	
To do., for the cost of their bond as trustees filed in this cause for three years, one year beginning June 22, 1940 \$100.00		
one year beginning June 22, 1941 .....	100.00	
one year beginning June 22, 1942 .....	100.00	
to be paid the Corporate Surety on said bond,		
total of .....	\$300.00	\$ 300.00
To do., for the amount agreed by them to be allowed a purchaser of property sold by them herein charged to them out of proceeds of sale as a title fee for examination of title of property/sold per 4th Report of Sale filed, to wit: the sum of .....		25.00
Amount carried forward .....		801.74

CAUSE NUMBER 3191

DISBURSEMENTS:-

Amount brought forward: to wit: .....801.74

To G. Elbert Marshall and Thomas J. Keating junior, as trustees, to be paid by them to the Register of Wills of Queen Anne's County for the use of the State of Maryland as the amount of the collateral Inheritance Tax due by the Residuary Legatees of said Testator on the appraised value of the three several parcels of real estate mentioned on first page of this account devised to them by the testator, 7 1/2 per cent. of \$4,500.00, appraised value, to wit: the sum of..... \$337.50

To do., to be paid by them to the Register of Wills of Queen Anne's County for the use of the State of Maryland as the amount of the interest due by above mentioned Residuary Legatees on the amount of the Collateral Inheritance Tax mentioned above from February 21, 1939 to June 21, 1942, to wit: the sum of ..... \$ 67.50

To do., for the cost of advertising the order nisi to be passed as to this audit, the sum of ..... # 3.50

To Madison Brow, Auditor, for stating this account, the sum of ..... # 40.50

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Amount of Disbursements,..... 1250.74

\*\*\*\*\*  
 RECAPITULATION

Cr: By amount of the charges made against said trustees brought forward from Page 1 of this account, to wit: .....4,120.14

DR: To amount of the disbursements allowed by this account brought from above, to wit: ..... 1,250.74

CR: By this balance which will be carried forward, to wit: ..... 2,869.40

CAUSE NUMBER 3191

CR

By balance brought forward from Page 3 of this account .....\$2,869.40

DR

Distribution among Residuary Devisees of John A. Rhodes, Testator:

Living Brothers and Sisters of Testator:

To Charles Rhodes, brother, is distributed 1/7 of said balance, to wit: the sum of ..... 409.92

To Edward W. Rhodes, brother, is distributed 1/7 of said balance, to wit: the sum of ..... 409.92

To Mary Ann Rhodes, sister, is distributed 1/7 of said balance, to wit: the sum of ..... 409.92

Children of Henry Rhodes, brother of Testator who predeceased latter:

To George W. Rhodes, is distributed 1/14 of said balance, to wit: the sum of .....\$204.95 204.95

To Edna Connolly, is distributed 1/14 of said balance, to wit: the sum of ..... 204.96 204.95

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409.91

Children of Samuel T. Rhodes, brother of Testator who predeceased latter:

To Gertrude Rhodes, is distributed 1/35 of said balance, to wit: the sum of ..... 81.99 81.99

To Helen R. Goldsborough, is distributed 1/35 of said balance, to wit: the sum of ..... 81.98 81.98

To Catherine Harrison, is distributed 1/35 of said balance, to wit: the sum of ..... 81.98 81.98

To Virginia R. Trageser, is distributed 1/35 of said balance, to wit: the sum of ..... 81.98 81.98

To Samuel T. Rhodes, junior, is distributed 1/35 of said balance, to wit: the sum of ..... 81.98 81.98

(\$409.91)

CAUSE NUMBER 3191

DISTRIBUTION to Residuary Devisees brought forward:

Children of Josiah Rhodes, brother of Testator who predeceased latter.

To Nora Appleford is distributed 1/63 of said balance, to wit: the sum of .....	\$45.55	\$45.55
To Milton Rhodes, is distributed 1/63 of said balance, to wit; the sum of .....	45.55	45.55
To Tilghman Rhodes, is distributed 1/ 63 of said balance, to wit: the sum of .....	45.55	45.55
To Lillian Diskerson is distributed 1/63 of said balance, to wit: the sum of .....	45.55	45.55
To Stella Rhodes is distributed 1/63 of said balance, to wit: the sum of .....	45.55	45.55
To Avis Rhodes is distributed 1/ 63 of said balance, to wit: the sum of .....	45.54	45.54
To Blanche Bradley is distributed 1/63 of said balance, to wit: the sum of .....	45.54	45.54
To Harry Rhodes, is distributed 1/63 of said balance, to wit: the sum of .....	45.54	45.54
To Arthur Rhodes is distributed 1/63 of said balance, to wit: the sum of .....	45.54	45.54
	<u>\$409.91</u>	

Martha Magdelene Burney  
Testator's sister who died after him;

To the executors of the last will and testament of Martha Magdelene Durney id distributed 1/ 7 of said balance, to wit: the sum of .....	\$409.91
Total amount distributed .....	<u>2869.40</u>
Amount brought forward for distribution .....	2869.40

June 8, 1942.

Madison Brown  
AUDITOR

Filed June 10th 1942.

.....  
NISI AUDIT  
Filed June 10th 1942.

NISI RATIFICATION OF AUDIT

Charles Rhodes, et al	@	In The Circuit Court for
vs		Queen Anne's County
Edward W. Rhodes, et al	@	In Equity
		Cause No. 3191

ORDERED, This tenth day of June in the year nineteen hundred and 42 that the Report and Acc unt filed in these proceedings by Madison Brown, Auditor be ratified and confirmed, unless cause to the contrary thereof be shown on or before the second day of July, 1942, provided a copy of this order be published once a week in each of two successive weeks before the twenty sixth day of June, 1942, in some newspaper printed and published in Queen Anne's County .

A. Sydney Gadd Jr. Clerk

Filed June 10th 1942.

.....  
CERTIFICATE OF NISI RATIFICATION  
OF AUDIT  
Filed August 3, 1942.

NISI RATIFICATION OF AUDIT

Charles Rhodes, et al	)	In the Circuit Court for Queen Anne's
vs	)	County in Equity
Edward W. Rhodes, et al	)	Cause No. 3191

ORDERED, This tenth day of June in the year nineteen hundred and forty two. that the Report and Account filed in these proceedings by Madison Brown, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the second day of July, 1942, provided a copy of this order be published once a week in each of two successive weeks before the twenty sixth day of June, 1942, in some newspaper printed and published in Queen Anne's County.

A. Sidney Gadd Jr.  
Clerk

True Copy  
Test:

A. Sidney Gadd Jr.  
Clerk

Filed June 10. 1942.

QUEEN ANNE'S RECORD- OBSERVER  
Centreville, Md Aug 3, 1942

THE QUEEN ANNE'S RECOR and OBSERVER PUBLISHING CO. hereby certifies that the Nisi Ratification of Audit in the case of Charles Rhodes, et al vs Edward W. Rhodes et al a true copy of which is hereto annexed, was inserted in the QUEEN ANNE'S RECORD - OBSERVER , a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week for two(2) successive weeks the first publication thereof having been made in said newspaper on the 11th day of June, 1942. being more that two weeks before the 26th day of June 1942.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO

By Myrtle M. Lewis

Filed August 3, 1942.

.....  
ORDER OF COURT  
Filed August 3, 1942,

ORDER

ORDERED, this 3rd day of August, in the year 1942, by the Circuit Court for Queen Anne's County, in Equity, that the REPORT AND Account No. 2 filed in these proceeding by Madison Brown, Auditor, be, and the same is hereby finally ratified and confirmed, no cause to the contrary thereof having been shown, although notice appears to have been given as required by the preceding Order Nisi; and the Trustees are directed to apply the proceeds of sales accordingly with a due proportion of interest as the same has been or may be received; and the shares of said proceeds distributed by said Auditor to the Estate of Martha M. Durney, shall be by said Trustees paid over unto the Executors of the Last Will and Testament of said Martha M. Durney, deceased, for distribution in accordance with the terms of the said Last Will and Testament of Martha M. Durney, deceased.

Wm. R. Horney

JUDGE

Filed August 3, 1942.

.....  
SIXTH REPORT OF SALE  
Filed Feb. 6, 1943.

CHARLES RHODES, ET AL.

IN THE CIRCUIT COURT FOR

VS

EDWARD W. RHODES, ET AL.

QUEEN ANNE'S COUNTY, IN EQUITY.

No. 3191 Chy.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of G. Elbert Marshall and Thomas J. Keating, Jr., Trustees named in a Decree of this Honorable Court passed on June 17, 1939, in a proceeding in this Honorable Court in which said Charles Rhodes, and others, are Complainants, and Edward W. Rhodes, and others, are Defendants, being Chancery Proceedings No. 3191, said Trustees having duly qualified by filing the requisite bond which has been approved, respectfully show:

1. That said Trustees have heretofore sold the several items of property comprising the real estate of John A. Rhodes, late of Queen Anne's County, deceased, as mentioned and described in the above entitled proceeding, excepting only one item or parcel of said real estate more particularly described as the reversionary interest or ground rent on No. 5508 Wesley Avenue, in the City of Baltimore and State of Maryland, being the item of real estate and property described as Parcel No. 12 in the Bill of Complaint filed in these proceedings.

2. That said Trustees heretofore reported a sale of said property which sale, however, was not ratified and confirmed by this Honorable Court, and said Trustees thereupon make further efforts to effect a sale of said property but were unable to sell the same until recently, and by thereason of the difficulties in disposing of said property said Trustees, as Sellers, on January 25, 1943, entered into an agreement with William Edgar Byrd and Bertha G. Byrd, his wife, as Purchasers, to sell the property unto said purchasers at and for the sum of One Thousand Dollars (\$1,000.00) under the terms of a written agreement bearing date of January 25, 1943, filed herewith as part hereof marked " Report of Sale Exhibit No. 1", and said agreement having been made subject to ratification by the Court.

3. And the said Trustees have, as evidenced in said agreement filed herewith, proceeded to sell the aforementioned property which is described as follows:

"Parcel No. 2: 5508 Wesley Avenue; annual ground rent \$90.00, conveyed to John A. Rhodes, deceased, by deed from John A. Rhodes and M. Loretta Clark, Administrators, dated November 3, 1943, and recorded among the Land Records of Baltimore City in Liber S. C. L. No. 5490 , folio 285."

4. The said Trustees having sold the same to William Edgar Byrd and Bertha G. Byrd, his wife, for the sum of One Thousand Dollars, pursuant to the terms of said written agreement filed herewith as part hereof, as above recited, and said purchasers having complied with the terms of said sale by payment of the sum of One Hundred Dollars on account of said purchase price and tendering payment of the balance of said purchase price upon ratification of said sale by the Court.

And said Trustees believing it to be to the benefit and advantage of all the parties interested in these proceedings to effect the sale of said property as herein reported, prays that this Honorable Court will ratify and confirm said sale.

RESPECTFULLY SUBMITTED,

G. ELBERT MARSHALL

THOMAS J. KEATING JR.

Trustees

Proceeding forwarded in this Liber on folio 610.

C A U S E No. 1522

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the eight day of June in the year nineteen hundred the following Bill was brought to be recorded to wit:

Hampton E. Brown,	§	Plaintiff,
	§	
Vs	§	
	§	
Howard McL. Brown, Edith C. Brown,	§	
Joel Brown, Jr., and Adelaide Brown, his	§	
wife, and Marian W. Wright and William	§	
T. Wright, her husband.	§	Defendants.

In the Circuit Court for Queen Anne's County, in Equity.

To the Honorable the Judges of said Court:

Your orator, Hampton E. Brown, complaininf says:

1. That your orator, the said Hampton W. Brown, of Baltimore City, Md., the said Edith C. Brown, of Centreville, Md., Joel Brown, Jr and Adelaide Brown, his wife, who live and reside at Haverford, in the State of Pennsylvania, Marian W. Wright and William T. Wright, her husband, and Howard McL. Brown who live and reside in the Republic of Brazil, all of which said parties, with the exception of your orator and the said Edith C. Brown, being non residents of the State of Maryland, are seized in fee in equal shares, as tenants in common, of a farm or tract of land situate in the sixth election District of Queen Anne's County, Md. commonly known as the "Birch Farm" on the public road leading from Ruthsburg to Hope, and containing three hundred and sixth nine acres and three quarters of an acre of land, which said farm the aforesaid parties acquired, after the death of the late Catherine P. Emory, who was seized of a life estate in said property, under and by virtue of the last will and testament of Pere Wilmer late of Queen Anne's County, aforesaid, which said will and the codicil thereto, both duly executed to pass real estate, have been duly admitted to probate and are now of record in the Orphans Court for said County, which said tract or parcel of land was allotted to the said Marian W. Wright nee Brown, Joel Brown, Jr., Howard Mc. L. Brown, Hampton E. Brown and Edith C. Brown by William McKenney and others, commissioners, appointed by the Circuit Court for Queen Anne's County, in Equity, in a cause therein wherein S. Collins Wright et al are plaintiffs and C. J. B. Mitchell et al are defendants, said cause being 1093 on the Chancery Docket which said return of commissioners was finally ratified and confirmed by this Court on the 26th day of January, 1893, the said tract or parcel of land aforesaid being fully described in the return of the aforesaid commissioners and in the plat and certificate of the surveyor (marked "E") as lot No. 4. The Return of the said commissioners, order of Court ratifying the same and certificate of Benj. S. Elliot who surveyed the aforesaid property being herewith filed as part hereof and marked "Exhibit A.B.andC" respectively:

2. That the said real estate is not susceptible of partition without material loss and injury to the parties entitled to interests therein as above stated, and that, in order to make division of said interests, it will be necessary that said real estate be sold, and the proceeds thereof divided amongst the parties according to their several interests. To the end therefore.

- (1) That a decree may be passed for the sale of the said real estate.
- (2) That the proceeds of said sale may be distributed between your orator and the said parties defendant according to their respective rights and interests.
- (3) That your orator may have such other and further relieg as his case may require.

May it please your Honor to grant unto your orator the writ of subpoena, directed to the said Edith C. Brown, adult, and who resides in Queen Anne's County, aforesaid, and the order of publication giving notice to the said Marian W. Wright and William T. Wright, his wife, who reside at Ribeirao Preto, Brazil, Howard McL. Brwon, who resides at Santos, Brazil and Joel Brown, Jr. and Adelaide Brown, his wife, who reside at Haverford, in the State of Pennsylvania, who are non residents of this State, of the object and substance of this bill, and warning them to appear in this Court, in person or by solicitor, on or before a certain day to be named therein, to show cause, if any they have why a decree ought not to be passed as prayed.

And as in duty bound Etc.,

H. B. W. Mitchell  
Solicitor for complainants

.....  
CERTIFIED COPY OF RETURN OF  
COMMISSIONERS  
Filed July 3, 1907

S. Callius Wright and others	§	In the Circuit Court
Plaintiffs	§	for
vs	§	Queen Anne's County,
Charles H. B. Mitchell and others	§	in Equity.
Defendants.	§	Cause No. 1093

To the Honorable the Judges of said Court.

The undersigned, being four of the Commissioners appointed by a commission issued of your Honorable Court in a cause in which S. Collins Wright and others are plaintiffs and Charles H. B. Mitchell and others, are defedants ( being the above wntitled cause,) and which commission is herewith returned, do hereby certify that we took the oath annexed to said commission, and having given notice of the

twice and place of our meeting, that we met pursuant to said notice and thereafter agreeable to adjournment, and having, walked, ridden over and examined said several parcels of land and having caused the same to be surveyed by Benjamin S Elliott, a competent surveyor and platted and divided by him, do herewith return said Plats and Divisions with the certificate of said surveyor accompanying the same as a part of this Report.

And we further certify.

First, that all those tracts, parts of tracts, or parcels of land called "Kinderhook" of by what soever other name the same be called or known, situate in the sixth Election District of Queen Anne's County, aforesaid, containing two hundred and seventy three acres, two roods, and six perches of land, fully described on Plat and Certificate marked A. as Lot No.1, together with all that lot or parcel of woodland also situate in said district, containing thirty one acres and twenty six perches of land, and fully described in Plat and certificate marked "B" as Lot No.1, we valued at ten thousand nine hundred and twenty one dollars and allotted the same to Wilmer Emory, one of the Plaintiffs, as his part of the lands named in said commission charged with the payment to be made by him of the sum Twelve hundred and seventy four dollars and ninety cents, in equal parts to the Defendants Charles H. B. Mitchell, Edith Catherine Mitchell, M. Ella Mitchell, R. Mildred Mitchell, M. Madeline Mitchell, Frances D. Lee, Mitchell Harry B. H. Mitchell, share and share alike, and of the further sum of nine hundred and ninety dollars, and ten cents in equal parts to the Defendants, Marion W. Brown, Joel Brown Jr., Howard M. Lean Brown Hampton E. Brown, and Edith Catherine Brown, share and share alike, as hereinafter also set forth, to equalize divisions, thus giving to the said Wilmer Emory, in defendant of the aforesaid sums and charged in value eight thousand six hundred and forty eight dollars in land; and which in our judgement and opinion is equal in quantity and quality to one fourth of all the land named in said commission; Second, that all those farms, tracts, parts of tracts or parcels of land, by what soever name or names the same may be called or known, situate in said Sixth Election District of said County, containing five hundred and fiftyseven acres, two roods and thirteen perches of land and fully described in Plot and Certificate marked "C" as Lot No.2, we valued at nine thousand two hundred and twenty four dollars, and allotted the same to Margaret W. Wright, of the Plaintiff, as her part of the lands named in said commission charged with the payment to be made by her of the sum of Three hundred and twenty three dollars and ten cents in equal parts to the said Defendants Charles I. B. Mitchell, Edith Catherine Mitchell, M. Ella Mitchell, R. Mildred Mitchell, M. Madeline Mitchell, Frances Lee Mitchell and Harry B. W. Mitchell, share and share alike as hereinafter also set forth and of the further sum of two Hundred and fifty two dollars and ninety cents in equal parts to the said Defendants, Marian W. Brown, Joel Brown, Jr. Howard M. Lean Brown, Hampton E. Brown and Edith Catherine Brown, as hereinafter also set forth, to equalize divisions, thus giving to the said Margaret W. Wright, undependants of the aforesaid sums and charges, in value eight, thousand six hundred and forty eight dollars in land, and which in our judgement and opinion is equal in quantity and quality to one fourth of all the land named in said commission. Third, that all those farms tracts parts of tracts or parcels of land by whatsoever name or names the same may be called or known, situate in said Sixth Election District of said County, containing five hundred and ninety six acres, one rood, and thirteen perches of land, and fully described in Plat and Certificate marked "D" as Lot No. 3, er valued at Seven Thousand and fifty dollars and allotted the same to the said Defendants, Charles I. B. Mitchell Edith Catherine Mitchell, M. Ella Mitchell, R. Mildred Mitchell M. Madeline Mitchell, Frances D. Lee Mitchell and Harry B. W. Mitchell, as tenants in common, as their part of the lands named in said Commission, which with the sum of Twelve hundred and seventy four dollars and ninety cents, which we award to be paid to them by said Wilmer Emory as aforesaid and the further sum of three hundred and twenty three dollars and ten cents, which we award to be paid to them by said Margaret W. Wright, as aforesaid, share and share alike in order equal divisions, will make in value eight thousand six hundred and forty eight dollars allotted and awarded to the said Charles I.B. Mitchell, Edith Catherine Mitchell, M. Ella Mitchell, R. Mildred Mitchell M. Madeline Mitchell, Frances Lee Mitchell and Harry B. W. Mitchell as tenants in common, and which in our judgement and opinion is equal in quantity and quality and value to one fourth of all the lands named in said commission; and Fourth, that all that farm tracts, parts of tracts or parcels of land commonly known as "The Birch Farm" or by whatsoever other name or names the same may be called or known, situate in the said sixth Election District of said County, containing three hundred and sixty nine acres and three quarters of an acre of land, and fully described in Plat and Certificate marked "E" as Lot No. 4, we valued at seven Thousand three hundred and ninety seven dollars, and allotted the same to the said Marion W. Brown, Joel Brown Jr., Howard McLean Brown, Hampton E. Brown and Edith Catherine Brown, as tenants in common as their part of the lands named in said commission which with the sum of Nine hundred and ninty eight dollars and ten cents, which are award to be paid them by said Wilmer Emory, as aforesaid, and the further sum of Two Hundred and fifty two dollars and ninety cents which we award to be paid to them by said Margaret W. Wright as aforesaid, share and share alike, in order to equalize divisions will make in value eight thousand six hundred and forty eight dollars, allotted and awarded to the said Marian W. Brown, Foel Brown Jr. Howard McLean Brown, Hampton E. Brown and Edith Catherine Brown, as tenants in common and which in our judgement and opinion is equal in quantity and quality and value to one fourth of all the lands named in said commission.

And we further certify that in making the aforesaid division and allotments any right of way for the lands or the owners thereof across or through the aforesaid lands called "Kinderhook" is no longer to exist, as same is not necessary by reason of the public roads, which have been opened and which furnish the necessary outlets and ways to said land. And we further make known to your Honors, that we were a majority of the commissioners who made the divisions and abatements in the previous cause, which has now been dismissed by reason of the loss of the papers as will appear from the proceedings in this cause, of the same lands among the same parties, and we are advised that the parties in the last of 1890, in the belief that said divisions, abatements and awards which were identical with those hereinbefore made, would be final ratified by the Court entered unto the possession of said lands in accordance therewith and have renewed and enjoyed the rents and profits, it would be but just and right that the several sums of money awarded as aforesaid to equalize said divisions should bear interest from the first day of January in the year eighteen hundred and ninety one, and we would suggest that the said principal sums should be required to be paid in two equal instalments from the first day of January in the year eighteen hundred and ninety three.

All of which proceedings with Plats of said lands and the divisions thereof by

courses and distance and the aforesaid Commission we return closed under our hands and seals this fifth day of November/the year eighteen hundred and ninety two.

Wm. M. Kenney (SEAL)  
Jas. W. Watson (SEAL)  
W. L. Lowe (SEAL)  
John W. Perry (SEAL)  
Commissioners

Expenses	
Wm. McKenney Commis 7 days & for postage & telegram .75	\$14.75
Jas. W. Watson 5 days	10:00
John W. Perry 5 days	10:00
Wrightson L. Lowe 5 days	10:00
Benjamin S. Elliott Surveyor	89:00
Lem L. P. Wright, Chain Carrier	5:00
A. J. Collins " "	5:00
	<hr/>
	143.75

STATE OF MARYLAND,  
QUEEN ANNE'S COUNTY, TO WIT:

I hereby certify that the foregoing is truly taken and copied from the "Original Return of the Commissioners" filed in No. 1093 chy., and now remaining in my office.

Corp. In Testimony Whereof I hereto subscribe my name  
Seals and affix the seal of the Circuit Court for Queen  
Place. Anne's County, this Eight day of June A. D. 1900/

John E. George Clerk.

.....  
COPY OF DECREE FINALLY RATIFYING THE COMM\*  
ISONERS RETURN & CONTAING OTHER  
PROVISIONS &c/

S. Collins Wright and others            |    In the Circuit Court  
  |    Plaintiff                            |  
  |    for  
vs   |    Queen Anne's County  
  |    In Equity  
Charles J B. Mitchell and others       |

This cause standing ready for hearing and being submitted without argum-  
ent, the proceedings were read, and considered.  
It is thereupon this 26th day of January in the year eighteen hundred  
and ninety three by the Circuit Court for Queen Anne's in Equity and by the  
authority of said Court adjudged. ordered and decreed that the return of Four of  
the Commissioners appointed to make partition of the Real Estate in the proceedings  
in this cause mentioned and the Partition thereof by them made, be and the same are  
hereby finally ratified and confirmed. And it is further adjudged, ordered and  
decreed that from and after the passing, of this decree the complainants Margaret  
W. Wright and Wilmer Emory shall each hold in severalty and not jointly or in common  
with themselves or the defendants in this cause, except as may hereinafter be provided  
the several parcels or tracts of land described in the said Return of the aforesaid  
Commissioners and the Plats accompanying the same as being allotted to said Margaret  
W. Wright and Wilmer Emory, respectively, and Charles I. B. Mitchell, Edith Catherine  
Mitchell, M. Ella Mitchell, R. Mildred Mitchell, M. Madeline Mitchell, Frances S. Lee  
Mitchell and Harry B. W. Mitchell, shall hold in common among themselves, but not  
jointly or in common with the Plaintiffs and the other defendants in this cause, the  
several parcels or tracts of land described in the said Return of the aforesaid  
Commissioners and the Plats accompanying the same as being allotted to them in common  
as aforesaid and that Marion W. Brown, Edith Catherine Brown, Joel Brown Jr. Howard  
McLean Brown and Hampton E. Brown shall hold in common among themselves, but not  
jointly or in common with the Plaintiffs and the other Defendants in this cause, the  
several parcels or tracts of land described in the said Return of the aforesaid Comm-  
issioners and the Plats accompanying the same as being allotted to them in common  
as aforesaid. And it is further adjudged, ordered and decreed that the said Wilmer  
Emory pay unto the Defendants Charles I. B. Mitchell, Edith Catherine Mitchell, M.  
Ella Mitchell, R. Mildred Mitchell, M. Madaline Mitchell, Francis D. Lee Mitchell and  
Harry B. W. Mitchell in equal parts the sum of Twelve hundred and seventy four dollars  
and ninety cents, in two equal annual instalments from the 1st day of January, 1893,  
with interest on same from January 1st 1891 to be due and payable on January 1st 1893,  
and annually thereafter and unto the Defendants Marion W. Brown, Edith Catherine Brown,  
Joel Brown Jr., Howard McLean Brown, and Hampton E. Brown in equal parts the sum of  
nine hundred and ninety eight dollars and ten cents in two equal instalments from  
the 1st day of January 1893; with interest on same from 1st 1891, to be due and  
payable on January 1st 1893 and annually thereafter. And it is further adjudged,  
ordered and decreed that the said Margaret W. Wright pay unto the Defendants, Charles  
I. B. Mitchell, Edith Catherine Mitchell, M. Ella Mitchell, R. Mildred Mitchell, M.  
Madaline Mitchell, Frances S. Lee Mitchell and Harry B. W. Mitchell in equal parts  
the sums of Three hundred and twenty three dollars and ten cents in two equal instal-  
ments from January 1st 1893, with interest on same from January 1st 1891, to be due  
and payable on January, 1st 1893 and annually thereafter, and unto the Defendants  
Marion W. Brown, Edith Catherine Brown, Joel Brown, Jr., Howard McLean Brown and  
Hampton E. Brown in equal parts the sum of Two hundred and fifty two dollars and  
ninety cents in two equal annual instalments from January 1st 1893, with interest on  
same from Jany 1st 1891 to be due and payable on January 1st 1893 and annually thereafter.

And it is further, adjudged, ordered and decreed that each and every of the aforesaid sums of money and the interest there on until fully paid, be and the same are hereby declared to be a lien and charge on those pars of said lands allotted to the aforesaid parties hereinbefore directed and required to pay the same respectively. And it is further adjudged, ordered and decreed that the mortgage from Wilmer Emory and wife, now held by Charles F. Nolan, a Defendant; by assignment and of which Exhibit "B" is a certified copy and the lien and operation thereof, be and the same are hereby restricted and confined and alone operative upon the lands allotted to said Wilmer Emory and hereby decreed to be had and held by him in severalty subject however to the aforesaid liens and charges created by this decree for the aforesaid sums and interests to be paid by him as aforesaid, as though only said lands and the fee therein, subject to said liens and charges, has been conveyed by said Mortgage. and that the residue of said lands not allotted to said Wilmer Emory, as aforesaid shall in no wise be bound by or subject to the operation or lien said mortgage or the money secured thereby, but are hereby fully released therefrom. And it is further adjudged, ordered and decreed that the costs of the aforesaid Partition and other costs of this suit, including a fee of three hundred dollars to the Complainants' solicitor, to be taxed by the Clerk of this Court be paid as follows: onw four by Wilmer Emory, one fourth by Margaret W. Wright, one fourth by said Charles I. B. Mitchell and his cotenants and one fourth by said Marion W. Brown and her cotenants. And it is further adjudged, ordered and decreed that the rents accrining from the aforesaid lands, being the corn rents of 1890 and all rents thereafter for reasons set forth in said Return and this Decree shall belong to parties respectively to whom said lands are hereby decreed and which produced the same.

Frederick Stump

State of Maryland, Queen Anne's County, to wit:

I hereby Certify that the foregoing is truly taken and copied from the Original Decree &c filed in No. 1093 chy and now remaining in my office.

Corporate  
Seals  
Place.

In Testimony Whereof I hereto subscribe my name and affix the seal of the Circuit Court for Queen Anne's County this Eighth day of June A. D. 1900.

John E. George, Clerk

.....  
COPY OF SURVEYORS CERTIFICATE.  
Filed June 8th 1900.

I hereby certify that I have surveyed for William McKenney and others, Commissioners to divided the real estate in the cause Chancery No. 1093, of S. Collins Wright and others vs C. I. B. Mitchell and others the farm on which <sup>Wm</sup> McKenney lives situate in the 6th District of Queen Anne's County, on the road from Ruthsburg to Hope. Beginning at a stone a corner for the Mullikin farm and runs with said road south 1° west 10 rods, then south 31° east 54 rods, then south 20½° east 60 rods, then south 2° west 42 rods to Wm Meeds land, then with said land south 88° WEST 62 rods, then North 86° west 32 rods, thence north sixty four degs west 27 rods, then south 29½° west 7 rods to the farm belonging to said estate known as the George farm then north 63° west 14 rods, then north 73¾° west 16 rods, then south 88° West 12 rods, then south 84° west 14 rods, then north 87° west 46 rods then north 46° west 13 rods, then north 52¼° west 17 8/10 rods, then north 76° west 30 rods, then north 72° west 9½ rods, then north 34° west 7 rods to Mr Cahall farm, then with said farm north 3° west 102½ rods, then north 89° west 66 7/10 rods to a stone a corner for a lot, then with said lot, north 1° east 98 ¼ rods, then east 19¼ rods, then north 8° west, 5 rods, then east 49¼ rods, then north 58° east 10½ rods, then north one degree east 38 rods, then south 87° east 22¼ rods to stone D.V., then north 36¾ east 18 rods then north 46° east 14 rods, then north 63° east 14 4/10 rods then south 89° east 19 1/10 rods to the Mullikin in land, then with said land south 15° east 186 rods, then south 38° east 25 rods, then south 45° east 34 rods, then north 55¾ east 14 ½ rods, then south 81° east 24 rods, then north 79° east 11 rods then north 31° east 22 rods, then north 330° east 24 ¾ rods to to the beginning, containing three hundred and sixty nine and three quarters acres of land.

Benjamin S. Elliott  
Surveyor,

State of Maryland, Queen Anne's County, to wit:

I hereby Certify that the foregoing is truly taken and copied from the Original Certificate of the Surveyor, filed in No. 1093 Chy. and now remaining in my office.

Corporate Seals  
Place.

In Testimony Whereof I hereto subscribe my name and affix the seal of the Circuit Court for Queen Anne's County this 8th day of June A. D. 1900

John E. George Clerk

.....  
ORDER OF PUBLICATION  
Filed April 26th 1901

ORDER OF PUBLICATION

The object of this suit is to preure a decree for the sale of certain property in Queen Anne's County, in this State, for the purpose of partition. The bill states that Marian W. Wright, and William T. Wright, her husband, and Howard McL. Brown, who live and reside in Brazil, Joel Brown, Jr, and Adelaide Brown, his wife, who live and reside in the State of Pennsylvania, Hampton E. Brown who lives and resides in the City of Baltimore, State of Maryland and Edith C. Brown who lives and resides at Centreville, Maryland, are seized and possessed as Tenants in common of of attract of



land situate in the sixth election district of Queen Anne's County, aforesaid, on the public road leading from Ruthsburg to Hope; that the said real estate is not susceptible of partition without material loss and injury to the parties entitled to interests therein, and that, in order to make division of said interest it will be necessary that said real estate be sold; that the said Marian W. Wright and William T. Wright, her husband, Howard McLean Brown and Joel Brown Jr., and Adelaide Brown, his wife, are non residents of the State of Maryland, It is thereupon this 26th day of April in the year nineteen hundred and one, ordered by the Circuit Court for Queen Anne's County in Equity and by the authority of said Court, that the Plaintiff, by causing a copy of this order to be inserted in some newspaper published in said Queen Anne's County once in each of four successive weeks before the 27 day of May nineteen hundred and one, give notice to the said absent defendants of the object and substances of this bill warning them to appear in this court in person or by solicitor on or before the 12th day of June nineteen hundred and one, to show cause, if any there be, why a decree should not be passed as prayed.

John E. George Clerk

ANSWER OF EDITH C. BROWN  
Filed June 18th 1901.

1522

Hampton E. Brown )  
vs )  
Howard McL. Brown, et al )  
In the Circuit Court of Queen Anne's  
County, in Equity.  
No. 1522

The answer of Edith C. Brown, one of the defendants to the aforesaid, cause, to the Bill of Complaint in this cause exhibited against her, this defendant admits the allegation and averments of the said Bill of Complaint and consents to such decree as may be passed in said cause;

Edith C. Brown

James T. Bright  
Atty

CERTIFICATE OF PUBLICATION OF  
ORDER OF PUBLICATION  
Filed June 18, 1901.

WE HEREBY CERTIFY, That the annexed advertisement was inserted in THE CENTREVILLE RECORD, a newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week in each of 4 successive weeks before the 27th day of May 1901.

Robert F. Coursey  
Editors and Publishers of the Centreville  
Record.

ORDER OF PUBLICATION

THE OBJECT OF THIS SUIT is to procure a decree for the sale of certain property in Queen Anne's County, in this State, for the purpose of partition.

THE BILL STATES

The Marian W. Wright and Wm. T. Wright, her husband, and Howard McL. Brown, who live and reside in Brazil, Joel Brown, Jr., and Adelaide Brown, his wife, who live and reside in the State of Pennsylvania, Hampton E. Brown, who lives and resides in Baltimore City, Maryland, and Edith C. Brown, who lives and resides at Centreville, Maryland, are seized and possessed as tenants in common of a tract of land situate in the Sixth Election District of QUEEN Anne's County, aforesaid, on the public road leading from Ruthsburg to Hope; that the said real estate is not susceptible of partition without material loss and injury to the parties entitled to interests therein, and that, in order to make division of said interests if will be necessary that said real estate be sold; that the said Marian W. Wright and William T. Wright, her husband, Howard McL. Brown, and Joel Brown, Jr., and Adelaide Brown, his wife, are non residents of the State of Maryland.

It is thereupon this 26th day of April, 1901, ordered by the Circuit Court for Queen Anne's County in Equity, and by the authority of said Court, that the plaintiff by causing a copy of this order to be inserted in some newspaper published in Queen Anne's County once a week for four successive weeks before the 27th day of May, 1901, give notice to the said absent defendants of the object to the said absent defendant of the object defendant of the object and substance of this bill, warning him to be, and appear in this Court, in person or by solicitor on or before the 12th day of June, 1901, to show cause, if any he may have, why a decree should not be ased as prayed.

TRUE COPY Jno E. George Clerk  
Test: Jno E. George Clerk

GENERAL REPULICATION  
Filed June 18, 1901.

Hampton E. Brown )  
vs )  
Howard McL. Brown, et al )  
In the Circuit Court for  
Queen Anne's County,  
in Equity No. 1522.

To the Honorable the Judges of said Court

The Plaintiff Hampton E. Brown, by H. B. W. Mitchell, his attorney

by way of general replication to the answer of Edith C. Brown, in this course filed, says:

The plaintiff joins issue on the matters alleged in the answer of Edith C. Brown, so far as the same may be taken to deny or avoid the allegations of the bill.

H. B. W. Mitchell  
Soliditor for Plaintiff.

.....  
INTERTOCUTORY DECREE  
Filed June 24, 1901

Hampton E. Brown	¶	In the Circuit Court
vs	¶	for Queen Anne's County,
Joel Brown Jr. Adelaide Brown	¶	in Equity No.
Marian W. Wright, William T.	¶	
Wright and Edith C. Brown	¶	

Edith C. Brown, the only one of the defendants residing in this State, having filed her answer to the bill of complaint in this cause exhibited against her, admitting the allegations of said bill and all the other defendants being non residents of this State having failed to appear although the order of publication hereto before passed in this cause has been duly published all of which will appear by reference to the papers on file in this case.

It is thereupon this 19th day of June nineteen hundred and one, by the Circuit Court for Queen Anne's County, in equity, and by the authority of said Court, adjudged ordered and decreed that the plaintiff is entitled to relief in the premises, but because it does not certainly appear to what relief he is entitled, it is further adjudged, ordered and decreed that the papers and proceedings in this cause be, and the same are hereby referred to one of the standing examiners of this Court to take such testimony and proof as the plaintiff shall offer or produce before him to establish and support his case.

William R. Martin

.....  
DEPOSITIONS  
Filed July 3, 1901

Hampton E. Brown	¶	In the Circuit Court
vs	¶	for Queen Anne's County in
Howard McL. Brown, Edith C. Brown, Joel	¶	Equity.
Brown, Jr and Adelaide Brown, his wife,	¶	Chancery Docket Cause # 1522.
and Marian W. Wright and William	¶	
T. Wright, her husband	¶	

To the Honorable the Judges of said Court;

The Subscriber one of the regular examiners for this Court, by virtue of the power and authority vested in him, through, by and under an interlocutory decree, passed in this cause on the 19th day of June, 1901, did attend at the office of H. B. W. Mitchell, in the town of Centreville, Queen Anne's County, Maryland, on the second day of July 1901, at the hour of two o'clock P. M. and proceeded to take the following testimony for the Plaintiff, ex parte, to wit:

T. Frank Seward, a witness of lawful age, produced upon the part of the complainant being duly sworn deposes and says:

- Int No. 1 What is your name, where do you live and how long have you lived there?
- Ans No. 1 My name is T. Frank Seward, I live in Queen Anne's County and have lived there for forty eight years.
- Int 2nd Examiner this paper and say what it is?
- Ans 2nd A duly certified copy of the will of the late Pere Wilmer deceased of Queen Anne's County.
- Int. 3rd Did you or not know Mr. Pere Wilmer, the testator, and Mrs Katherine P. Emory? Are they living or dead, if dead when and where did they die?
- Ans 3rd. I did sir, they are both dead, Mr. Pere Wilmer died in the sixth Election District of Queen Anne's County, Maryland, some where about 18%, and Mrs Katherine P. Emory died at Queenstown, Queen Anne's County, Md. January 16th 1890.
- Int 4th Examiner plaintiffs Exhibit "A" and state what it is and what real estate is allotted therein to the parties to this suit and describe it and give its value ?
- Ans 4th It is a duly certified copy of the return of the commissioners appointed by the Circuit Court for Queen Anne's County, in Equity to divide the land of the late Mrs. Katherine P. Emory deceased and filed in said cause, being cause #1093 on the Chancery docket of said Court, The Real Estate allotted to them under this return consists of a farm of 369 3/4 acres of land improved by a story and half frame dwelling house, dairy, barn and stable combined, these constitute the buildings, said farm is situate in the 6th election district of Queen Anne's County on the left hand side of the Public Road from Ruthsburg to Hope, and adjoining the lands of George Mullikin, Eliza Dean and others. It has about 175 acres of clear land, the balance of land consists of a lot of under growth, with no timber and is worth very little. The whole tract is worth not over \$14 per acres.

- Int 5th Can the Real Estate allotted to the parties, as aforesaid, to this suit, be divided between said parties without material loss and injury to those interested, give reasons for your opinions.
- Ans 5th It can not, the land lies in such a manner that it could not be divided into five parts without material loss to some of them because the branch and marsh divided it up, so that it could not be separated into tracts that would be all equally valuable and then some would have buildings and some would not.
- Int 6th Would it or not be for the benefit and advantage of all those interested in said real Estate to have the same sold and the proceeds divided between those entitled thereto according to their respective interests in same.
- Ans 6th Yes, it would have to be divided at some time and the only way to do so would be to sell it.

No Cross Examination

Exam. Special Int.

" " And The only further thing I know is that I know all the parties to this suit and they are as follows: Edith C. Brown, Marian W. Brown, who married William T. Wright and lives in Brazil, Joel Brown Jr. who married Adelaide Friel and lives in the state of Pennsylvania, Howard M. Brown who lives in Brazil, and Hampton E. Brown who lives in Baltimore Maryland, all the parties are over twenty one years of age and are the only children and heirs at law of the late Madison Brown and Priscilla Brown, his wife late of Queen Anne's County, Md.

T. Frank Gererd

- George A. Deven, a witness of lawful age produced upon the part of the Complainant being duly sworn deposes and says;
- Int 1st What is your name, where do you live, and how long have you lived there.
- Ans, 1st George A. Deven, I live in the 6th Election district near Hope, in Queen Anne's County Maryland, I have lived there about 40 years.
- Int 2nd Examiner this paper and say what it is?
- Ans. 2nd It is certified copy of the last will and testament of Mr, Pere Wilmer deceased, late of Queen Anne's County, Md.
- Int 3rd Did you or not know Mr. Pere Wilmer, the testator and Mrs, Katherine P. Emory? Are they living or dead and if dead when and where did they die?
- Ans. 3rd I knew them both, Mr. Pere Wilmer died at his home in the sixth election district of Queen Anne's County, Md. About 30 years ago; Mrs, Katherine P. Emory died at Queenstown, Md. in 1890.
- Int. 4th Examiner plaintiffs Exhibit "A" and state what it is and what real estate is allotted therein to the parties to the suit and describe it and give its value.
- Ans 4th It is the duly certified copy of the return of the commissioners appointed by this Court to divide the land of the late Mrs. Katherine P. Emory and it shows the real estate allotted to the parties to this suit, which consists of a farm known as the Birch Farm, situated in the 6th election district of QUEEN Anne's County, Maryland, on the left of the public road from Ruthsburg to Hope in said county and adjoins the land of Eliza Dean Jr, George Mullikin and others, consists of 369<sup>3</sup>/<sub>4</sub> acres of land about half is cleared and the other half is in brush-wood, with no timber and it is worth about \$15 or \$16 per acre.
- Int 5th Can the real estate allotted as aforesaid to the parties to this suit be divided between said parties without material loss and injury to those interested give reasons for your opinions.
- Ans 5th No, it would be utterly impossible to divide it. Some would get all branch and marsh, some good land, some would have buildings and some none and the parcels would all be too small to be profitable to any one if divided.
- Int 6th Did you or not know the parents of the parties to this suit, if yes, give their names, tell whether they are living or dead and if dead when and where did they die and what relationship if any they bore, or either of them bore to Mrs. Katherine P. Emory.
- Ans 6th Yes, I knew them, his name was Madison Brown and his wife name was Priscilla Brown, they are both dead and have been dead for 20 odd years, Mrs Priscilla Brown was the daughter of Mrs. Katherine P. Emory.
- Int 7th Would it or not be for the benefit and advantage of all those interested in said real Estate, to have the same sold and the proceeds divided amongst those entitled according to their respective interests.
- Ans 7th I believe it would, because it can't be divided.
- No Cross Examination
- Exam Special Int.
- " " Ans/ I do not.

Geo. A. Deven

- H. B. W. Mitchell, as witness of lawful age produced upon the part of the plaintiff being duly sworn deposes and says:
- Int 1st What is your name, where do you live and how long have you lived there.
- Ans 1st My name is H. B. W. Mitchell, I live at Centreville, Maryland, I have lived there about four years and in the County of Queen Anne's County all my life.
- Int 2nd Do you know the parties to this suit if yea, state their names ages and places of residence to the best of your knowledge.
- Ans 2nd I do, Marian W. Wright nee Brown who is 32 years old and her husband William T. Wright who is about 34 years old live at Ribeirs Preto, Brazil, and Howard McLane Brown who is 26 years old lives at Lantos Brazil, Joel Brown, Jr. who is about 29 years old, and his wife Adelaide Brown who is about 25 years old live at Haverford in the state of Pennsylvania, Hampton W. Brown, who is 24 years old lived until last May at Baltimore Maryland, He is now at Haverford Pennsylvania, temporarily, with his brother, Edith C. Brown's residence is at Centreville, Queen Anne's County, Maryland, she is at this time at Millwood, Clark County, Virginia, she is between 23 and 24 years old.
- Int. 3rd Do you or not bear any relationship to the parties to this suit, if yea, what?
- Ans, 3rd Yes, we are first cousins, their mothers and my mother were sisters.

Int. 4th Who are the said Marian W. Wright Howard McLane Brown, Joel Brown Jr. Hampton E. Brown, and Edith C. Brown the children of, and are there parents living or dead.

Ans 4th They are the children of Madison Brown and his wife Priscilla Brown, nee Emory who was the third daughter of Mrs. Katherine P. Emory, late of Queen Anne's County their parents are both dead, I don't know exactly how long they have been dead, but there was I believe only a few months between the time of their deaths, they have both been dead about 22 years.

Int 5th Are any of the parties mentioned in the 4th Answer married, if so, which ones?

Ans 5th Yes, Marian W. Brown married Wm. T. Wright and Joel Brown Jr married Adelaide Friel, none of the other are married.

Int 6th Are those mentioned and made parties to this suit all of the children of the said Madison Brown and Priscilla Brown.

Ans 6th Yes, and there are no descendants of a deceased child or children - they are the only children and heir- at- law of the said Madison Brown and Priscilla Brown deceased.

Int 7th Are there any children or child, or husband or wife of a deceased child or children of the said Madison Brown and Priscilla Brown living.

Ans 7th There or not.  
 No Cross Examination  
 Exam Special Int.  
 Ans. I do not.

W  
 H. B. Mitchell

There being no more witnesses to examine, and the plaintiff not desiring further time for the production of Evidence your examiner herewith closes within testimony together with Plaintiffs Exhibit "A" and "H. B. "; which are to be taken as a part hereof and certifies that he has examined therein witness and was Engaged two days in taking above testimony, making the costs charged to the Plaintiff as follows:

Examiner's fee	\$8.00
3 Witnesses @.75	\$2.25
Total costs before Examiner	\$10.25

As witness my hand and seal this third day of July 1901.

Madison B. Bordley (SEAL)  
 Examiner in Chancery

.....  
 EXHIBIT "A"  
 Filed June 8th 1900

S. Collins Wright and others		In the Circuit Court
Plaintiffs		
		for Queen Anne's County
vs		in Equity.
Charles I. B. Mitchell, and others		
Defendants		Cause No. 1093

To the Honorable the Judges of said Court:

The undersigned, being four of the Commissioners appointed by a Commission issued out of your Honorable Court in a cause in which S. Collins Wright and others are Plaintiffs and Charles I. B. Mitchell and others are Defendants (being the above entitled cause, and which commission is herewith returned do hereby certify that we took the oath annexed to said commission, and having given notice of the time and place of our meeting, that we met pursuant to said notice and thereafter agreeable to adjournment, and having, walked, ridden over and examined said several parcels of land and having caused the same to be surveyed by Benjamin S. Elliott, a competent surveyor and platted and divided by him, do herewith return said Plats and Divisions with the certificates of said surveyors accompanying the same as a part of this Report:

And we further certify,

First, that all those tracts, parts of tracts or parcels of land called "Kinderhook" or by whatsoever other name the same be called or known, situate in the sixth Election District of Queen Anne's County, aforesaid, containing two hundred and seventy three acres, two roods and six perches of land, fully described on Plat and Certificate marked A, as Lot No. 1, together with all that lot or parcel of woodland also situate in said district, containing thirty, one acres and twenty six perches of land, and fully described in Plat and certificate marked "B" as Lot No. 1, wevalued at ten thousand one hundred and twenty one dollars and allotted the same to Wilmer Emory one of the Plaintiffs, as his part of the lands named in said Commission charged with the payment to be made by him of the sum Twelve hundred and seventy four dollars and ninety cents, in equal parts to the Defendants Charles I. B. Mitchell, Edith Catherine Mitchell, M. Ella Mitchell, R. Mildred Mitchell, M. Madeline Mitchell, Frances S. Lee Mitchell, Harry B. W. Mitchell, share and share alike, and of the further sum of nine hundred and ninety eight dollars, and ten cents in equal parts to the Defendants Marion W. Brown, Joel Brown Jr, Howard McLean Brown, Hampton E. Brown and Edith Catherine Brown share and share alike, as hereinafter also set forth, to equalize divisions, thus giving to the said Wilmer Emory, in dependant of the aforesaid sums and charges in value eight thousand six hundred and forty eight dollars in land; and which in over judgement and opinion is equal in quantity and quality to one fourth of all the lands named in said commission; Second; that all those farms, tracts, parts, of tracts or parcels of land, by whatsoever name or names the same may be called or known, situate in said Sixth Election District of said County, containing five hundred and fifty seven acres two roods and thirteen perches of land and fully described in Plat and Certificate

marked "C" as Lot No. 2, we valued at nine thousand two hundred and twenty four dollars, and allotted the same to Margaret W. Wright of the Plaintiffs, as her part of the lands named in said commission charged with the payment to be made by her of the sum of Three hundred and twenty three dollars and ten cents in equal parts to the said Defendant Charles I. B. Mitchell, Edith Catherine Mitchell, M. Ella Mitchell, A. Mildred Mitchell, M. Madeline Mitchell, Francis D. Lee Mitchell and Harry B. W. Mitchell, share and share alike as hereinafter also set forth and of the further sum of Two hundred and fifty two dollars and ninety cents in equal parts to the said Defendants Marian W. Brown, Joel Brown Jr., Howard McLean Brown, Hampton E. Brown, and Edith Catherine Brown, as hereinafter also set forth, to requalize divisions, thus giving to the said Margaret W. Wright, independant of the aforesaid sums and charges, in value Eight thousand six hundred and forty eight dollars, in land, and which in our judgments and opinion is equal in quantity and quality to one fourth of all the lands named in said commission. Third, that all those farms, tracts parts of tracts or parcels of land by whatsoever name or names the same may be called or known, situate in said Sixth Election Districts of said County, containing five hundred and ninety six acres, one rood and thirteen perches of land, and fully described in Plat and Certificate marked "D" as Lot No. 3, we valued at Seven Thousand and fifty dollars and allotted the same to the said Defendants, Charles I. B. Mitchell Edith Catherine Mitchell, M. Ella Mitchell, R. Mildred Mitchell, M. Madeline Mitchell, Francis D. Lee Mitchell and Harry B. W. Mitchell, as tenants in common as their part of the lands named in said Commission, which with the sum of twelve hundred and seventy four dollars and ninety cents, which we award to be paid to them by said Wilmer Emory as aforesaid and the further sum of three hundred and twenty three dollars and ten cents, which we award to be paid to them by said Margaret W. Wright, as aforesaid, share and share alike, in order equal divisions, will make in value eight thousand six hundred and forty eight dollars allotted and awarded to the said Charles I. B. Mitchell, Edith Catherine Mitchell, M. Ella Mitchell, R. Mildred Mitchell M. Madeline Mitchell, Frances Lee Mitchell and Harry B. W. Mitchell as tenants in common and which in our judgement and opinion is equal in quantity and quality and value to one fourth of all the lands named in said commission; and Fourth: that all that farm tracts parts of tracts or parcels of land commonly known as "The Birch Farm" or by whatsoever other name or names the same may be called or known, situate in the said sixth Election District of said Courtym containing three hundred and sixty nine acres and three quarters of an acre of land, and fully described in Plat and Certificate marked "E" as Lot No. 4, we valued at seven thousand three hundred and ninety seven dollars and allotted the same to the said Marian W. Brown, Joel Brown Jr., Howard McLean Brown, Hampton E. Brown and Edith Catherine Brown, as tenants in common as their part of the lands named in said Commission which with the sum of Nine hundred and ninety eight dollars and ten cents, which are ward to be paid them by said Wilmer Emory as aforesaid, and the further sum of Two Hundred and fifty two dollars and ninety cents which we award to be paid to them by said Margaret W. Wright as aforesaid, share and share alike in order to equalize divisions, will make in value eight thousand six hundred and forty eight dollars allotted and awarded to the said Marian W. Brown, Joel Brown Jr., Howard McLean Brown, Hampton E. Brown, and Edith Catherine Brown as tenants in common and which in our judgement and opinion is equal in quantity and quality and value to one fourth of all the lands named in said commission.

And we further certify that in making the aforesaid division and allotments any right of way for the lands or the owners thereof across or through the aforesaid lands called "Kinderhook" is no longer to exist as same is not necessary by reason of the public roads, which have been apened and which furnish the necessary outlets and ways to said land, And we further make known to your Honors, that we were a majority of the commissioners who made the divisions and abatements in the previous cause, which has now been dismissed by reason of the loss of the papers as will appear from the proceedings in this cause, of the same lands among the same parties, and we are advised that the parties in the last of 1890, in the belief that said divisions, abatements and awards which were identical with those hereinbefore made, would be final ratified by the Court entered into the possession of said lands in accordance therewith and have renewed and enjoyed the rents and profits, it would be but just and right that the several sums of money awarded as aforesaid to equalize said divisions should bear interest from the first day of January in the year eighteen hundred and ninety one, and we would suggest that the said principal sums should be required to be paid in two equal instalments from the first day of January in the year eighteen hundred and ninety three.

All of which proceedings with Plats of said lands and the divisions thereof by courses and distance and the aforesaid Commission we return closed under our hands and seals this fifth day of November in the year eighteen hundred and ninety two.

Wm McKenney (SEAL)

Jos, W. Watson (SEAL)

W. L. Lowe (SEAL)

John W. Perry (SEAL)

Commissioners.

Expenses

Wm McKenney Commis	7 days &	
	for postage & telegram .75	\$14.75
Jas W. Watson	5 days	10.00
John W. Perry	5 days	10.00
Wrightson L. Lowe	5 days	10.00
Benjamin S. Elliott	surveyor	89.00
Lem S. P. Wright,	chain carrier	5.00
A. J. Collins	" "	5.00
		<hr/>
		\$143.75

State of Maryland, Queen Anne's County, to wit:

I hereby certify that the foregoing is truly taken and copied from the "Original Return of the Commissioners" filed in No. 1093 chy., and now remaining in my office.

Corporate  
Seals  
Place

In Testimony whereof I hereto subscribe my name and affix  
the seal of the Circuit Court for Queen Anne's County  
this Eighth day of June A. D. 1900/

John E. George, Clerk

.....  
 WILL AND CODICIL OF PERE WILMER  
 DECEASED  
 Filed July 3 , 1901

In the name of God, Amen, I, Pere Wilmer of Queen Anne's County being of sound and disposing mind memory and understanding do make, publish and declares, this to be my last will & testament revoking all former wills by me heretofore made and ratifying ~~and former wills by me heretofore made and ratifying~~ and confirming this as my only last will and testament.

Item.- It is my will and desire that all my rents of my lands and all the hire of my negroes for the year in which I shall die shall go to my Executor as part of my personal estate for the payment of debts and legacies and I also give to my Executor for the same purpose the the hire of my negroes for the payment of debts and legacies until it shall be ascertained that there is a sufficient sum to pay debts and legacies without the sale of my negroes or any part of my real estate.

Item.- I give and devise to my Nephew Pere Wilmer (Junior) his heirs and assigns forever the following lands to wit: my home plantation g generally known by the name of "Lansdown" composed of the following tracts of land viz: "Upper Deal", "Wright Chance", "Nat Adventure" & "Hazard" all my land, which I purchased of Col John Tilghman Trustee for the sale of the real estate of John T. Mires that lies on the north side of the public road leading from Centreville to Colgans X Roads- also all that protion of the property which I purchased of Philemon Starrlying on the north side of the public road also my tract of land called Downes Forest and Roe's Addition, also the land I purchsed of Ben Thomas, also all the land I purchased of Joshua Kennard, also all the land I purchased from Robert Wright and wife and Clinton & Henry Wright also the land I purchased of Clinton Wright being woodland and any other land which I may now have adjoining the lands aforesaid which may lie on the north side of the aforesaid public road to be held by him the said Pere Wilmer in fee simple, and I also give and bequeath to my said Nephew Pere Wilmer the following negroes to wit: Charles Campell, Frisby Furgusson, John Harris, Joe Williams, Jim Anderson, Sharp Woodland, Joe Woodland, Charles Handy, George Handy, Kitty and her children named Jdm, Henry, Perey and Billy, Luvinia's Children, Joshua and Jim Henry, old Julis, Mary Woodland and her daughter Harriet and young Julia grand daughter of old Julia, It is futher my will and desire that my negroes shall none of them be sold in any ement) and be subject to the first Item of this will, and incase of the death of my said Nephew Pere Wilmer without issue that the negroes bequeathed to him be divided between my Nephew Henry Wilmer and my neices Margaret & Catherine and the children of my niece Frances equally, the children to have one fourth part to be divided between them and I wish and direct that the negroes which may be allotted to Henry Wilmer and my neices Margarte McLean and Catharine Emory and the children of my niece Frances Emory be held in trust for their respective uses by S. C. H. Emory (Seni) and that their issue shall not be sold. It is further my will and desire that, incase of the death of the said Pere Wilmer without issue of his body that the lands devised to him be divided between my neices Margaret McLean and Catherine Emory and the children of my Nephew Hnery Wilmer and my deceased Neice Frances A. Wilmer as follows one fourth to Margaret, one fourth to Catharine one fourth to the children of Henry and the other fourth to the children of Frances and their heirs, But it is my will that whatsoever may be divided to my neices Margaret & Catharine or held in trust for their ~~separate~~ benefit by the said D. C. H. Emory during their respective lives for their use and benefit and after their death to their children in fee simple. It is also my will and I hereby direct my Nephew Pere Wilmer to pay to my cousin Horace Ringgold for and during the natural life of the said Horace, Eighty dollars annually and in quarterly payments which I charge upon the lands devised to the said Pere Wilmer and further that that my Nephew Pere shall permit, the said Horace to have the use and benefit of the House & Lot now occupied by the said Horace at Colgans X Roads free of rent & to furnish the said Horace with five cords of wood annually to be delivered at the said House, the use of the House and lot and the supply of wood to continue during the lifetime of the said Horace\* It is futher my will and desire that incase it should so happen that my nephew Pere Wilmer should die before me and I should not make another will that his wife Issabella shall have her regular dower in the lands devised to him for and during her natural life and if he survives me nothing in this will shall operate to deprive her of her right of dower in his estate.

Item.- I give, devise and bequeath to my Nephew Pere Wilmer and his heirs in trust for my Nephew Henry Wilmer all the lands I purchased from Robert C. Baynard, also a lot of land purchased of George F. Mason Trustee for the sale of William Seth's Land, also my fram occupied by G. Mullikin, which embraces all the land I purchased of the Heirs of Samuel T. Pratt- also a lot of woodland purchased of Dr. James R. Harper adjoining the lands I sold to Sameul R. Calyland, also all my intrest in the Granary at the Centreville wharf and also all the land I purchased of George and Washington Finley now occupied by William Holland, and it is my will that my said Nephew Pere Wilmer hold all the said lands in trust for the use and benefit of my Nephew Henry Wilmer during the natural life of the said Henry and that he receive the rents issues and profits thereof and pay the same for the support of the said Henry Wilmer and his family, and upon the death of the said Henry I give and devise the same lands to his children & their heirs equally share and share alike, to be held however by my Nephew Pere in trust for their separate use and benefits as aforesaid, and it is my will that upon the death of my said Nephew Henry Wilmer living his wife Jane Wilmer the she shall have her dower in said lands during widowhood as if the same had not been left in trust, And I also give to my said Nephew Pere Wilmer in trust aforesaid the following negroes to wit: Isaac, Washington and Rebecca and all her children, the said Pere Wilmer to hold the said negroes intrust for the said Henry during his life and afterwards for his ( Henry's children) subject however to the first Item of this my last will and not to be sold at any time or be liable for the debts of the said Henry or of his children Item.- I give and devise to my nephew Pere Wilmer and his heirs in trust for my niece Margaret McLeanmy my Tavern House in Centreville and the lot of Ground attached thereto including the Dwelling House, Offices and stables- also my Dwelling House in the city of Baltimore on the corner of Libert and Lexington Street she the said Margaret to receive the rents issues and profits thereof during her life for the support of herself and children and upon her death it is my will that if her daughter Eugenia shall be living that the said property shall go to her and the heirs of her body, but if she should die with out such heirs or should not be living herself at the death of her morther it is then my will that the said

lands shall belong to her half brother Pere W. Hanson and her half sister Catherine Hanson & their heirs forever. It is further my will and I hereby bequeath to my said Nephew Pere Wilmer in trust for my niece Margaret the following negroes, Minty and all her children and upon the death of the said Margaret in futher trust for the benefit of Pere W. Hanson and Catharine Hanson subject to the first Item of this my will and not to be sold for their or either of their debts, It is my will and I do hereby direct that the above property shall be and continue in the possession, control and management of the said Trustee or such person or persons as he shall appoint during the life of her the said Margaret and during her life that the profits thereof shall be paid to the said Margaret and that any receipts or writings witnessing the payment of such heirs, rents, issues and profits to her the said Margaret and signed by her ( though covert) shall be sufficient discharge for such hire, rents, issues and profits and not otherwise

Item.- I give and devise to Pere Wilmer Hanson and Catherine Hanson children of my niece Margaret aforesaid and their heirs all my right title, and claim to the lands in Kent County Maryland which belonged to their father George Hanson upon condition that they relinquish their claims against me as their Guardian or otherwise:-

Item. I give and devise unto My Nephew Pere Wilmer and his heirs in trust for the use and benefit of my niece Catharine Emory wife of Wm. I. Emory all the following lands to wit:- my farm generally call "the Pickering" composed of the following tracts of land to wit:- Abingdon, Lercester fields, Pleasant Park, Plesant Park Addition, Burks Forest, and Pratt's Chance purchase of Philip Wallis, also a tract of land called Pratts resolve, also a tract called Pratts Chance and Pratts Lot, also the Land I puechased from the commissions for the division of the Heathers Lands and also the lands purchased of Thomas B. Booker, and Sarah Turpin, also the farm I purchased of P. B. Hopper Trustee for the sale of the lands of Samuel Smith, except the thirty acres of woodland being part of Hazard already devised to my Nephew Pere Wilmer- also the land I purchased of I.K. Cook and George C. Palmer with all lands I may own adjoining any of said lands also, the farm I purchased of Dr. Enoch George and wife, also the farm purchased of the heirs of Solomon E. Wright sold by commission and also the lands which i hold contiguous or adjoining the last mentioned tracts included by the road leading from ColhansX roads to Ruthsburg, beginning where my lands intersect the lands of Daniel Newmand and running thence with the public road aforesaid to Ruthsburg cross roads and then by and with the road leading form Ruthsburg to Centreville until it intersects the land of Joseph K. Cook and then with Cooks land until it intersects the lands purchased of Dr. E. George & wife except the lot deeded to the Methodist Protestant Church- also a piece or parc&l of land which I purchased of Daniel Newman adjoining the lands of Solomon E. Wrights heirs- To be held by the said Pere Wilmer and his heirs in trust for the use of my said niece Catharine during her life and upon her death I give and devise the same in futher trust for the use of the children of my said niece Catharine as tenants in common, and I also give and bequeath to my said Nephew Pere Wilmer in trust for my said niece Catharine and her children the children the following negroes viz: John Anderson, Andrew Johnson, Sally Ann, Henry Chew and Eliza his wife and all their children & Teney Pipes, neither thenegroes named nor their issues to be sold for her or their debts but to be subject to the first Item of this my will, and it is my wish and I do hereby direct that all said real and personal property so devise and bequeathed for the use of my said niece Catharine as above shall be and continue under the control and management of my said Nephew Pere or such person or persons as she may appoint during the lifetime of the said Catharine and that during her life the hire, rents, issues and profits thereof shall be paid to the said Catharine in person and that any receipts or writings witnessing the payment of the same to her and signed by her ( though coert) shall be sufficient discharges for such hire, rent &c, and not otherwise and I futher give and bequeath to my said niece Catharine all my household and kitchen furniture for sole and seperate use without being subject to the control of her present or any future husband and without being subject to his debts and also the sum of \_\_\_\_\_ in money to be paid to her in person by me executor for the support of herself and children in equal quartly payments during the first year after my deceased and any receipt or writing signed by her shall be a sufficient discharge.

Item:- I give and devise to William I. Emory the sum of money which he owes me and also to Henry Wilmer the sum of money he owes me.

Item:- I give and deivse unto Lydia, Mary Elizabeth, D. Hopper, Maggie John and Fannie children of my late niece Frances A. Emory wife of D: C. H. Emory and their heris all the following property to wit:-

The Brick Store House in Centreville now in the occupancy of McKenney & CO. on the main Street and near the Court House yard- also the House and lot in Centreville purchased from John Gordon, also my farm adjoining Ruthsburg called Timber Neck purchased of William Kimble and wife, also my farm now occupied by J. W. Sylvester adjoining the lands of John B. Thomas and the Alms Hpuse property, also my farm occupied by Daniel Faulkner being all the lands which I purchased of William Price and I give and bequeath to the said D. C. H. Emory for the use and benefit of his said children being also the children of my said niece Frances, the money which I have advanced to him, and also the sum of seven thousand Dollars out of my estate making the sum of twelve thousand dollars, and it is my will that the lands, devised to the said Lydia, Mary Elizabeth, Hopper, Maggie, John and Fannie, and the said Twelve thousand dollars being first invested in real estate, and the rents issues and profits thereof shall be divided between them, when and as their aforesaid father shall think proper and in case of no such division by him then equally share and share alike, and he is hereby released from any responsibility to them as their agent to make the investment or distribution, I also give and bequeath to the said D. C. H. Emory in trust for hissaid children the following negroes to wit: Joe Rayal, George Brown, Charles & Washington purchased of A. Emory, Ann and her children, and Sarah and her children said negroes not to be liable for the debts of said children or any of them, but to the subject to the first Item in this my will.

Item: I give and devise to my Nephew Pere Wilmer in trust for Henry Driver son of my deceased niece Mary Elizabeth all the landss following to wit: all those tracts and parts of tracts of land, which I hold and own on the south side of the road leading from Ruthsburg to Brüg Town and on the East side of the road leading from Ruthsburg to Hillsborough, adjoining the lands of the late Alumbo Jump, John B. Thomas & Chirstopher Wilkinson, now in the occupancy of James Fricky, Cooper Bush & also a lot of woodland purchased by J. B. Thomas of Edwin W. Pratt and the land of the late James Baynard and a part of E. W. Pratt, Tully's Neck farm also the farm the said

Henry now occupies which embraces all the land on the south side of the road that I purchased of Philemon Starr, also all on the south side of said road ( which leads from Centreville to Cologans X Roads) that I purchased of Col. Tilghman Trustees for the sale of the real estate of John T. Miers called " Robinson Farm" and Guilfrads Addition" to be held in trust by the said Pere Wilmer for my said grand nephew Henry Driver his heirs & Assigns, But if the said Henry Driver should die without issue living at the time of his death it is my wish and desire that the lands so devised to him shall be divided between my nephew Henry Wilmer and Pere Wilmer and my neice Margaret McLean and Catharine Emory and the children of my late neice Frances Emory the last named taking one fifth their heirs and assigns, and in such case the proportion allotted to Henry, Margaret & Catharine to be held in trust for them as is provided for in the lands devised above to them And I also give to my said Nephew Pere Wilmer in trust for the said Henry Driver the following negroes, Ellen and all her children, boy John and his sister Wllen, not to be sold or held liable for the debts of the said Henry or any one claiming under him but to be subject to the first Item of this will. I t is my will that Elizabeth Driver shall receive from the land herein devised to Henry Driver the sum of one hundred dollars annually during her natural life and I hereby charge the same on the land so devised

Item:- I hereby order and direct that my Nephew Pere Wilmer shall pay to his mother Margaret Wilmer annually the sum of two hundred dollars during her natural life out of the rents and profits if the lands devised to him, the further sum of two hundred dollars as aforesaid out of the rents and profits of the land devised to him as Trustee of Henry, the further sum of two hundred dollars as aforesaid out of the rents & profits of the lands devised to Margaret. two hundred dollars out of the lands rents & profits devised to Catharine's use and also one hundred dollars as aforesaid out of the rents and profits of the lands devised in trust for Henry Driver and the D. C. H. Emory; pay the sum of two hundred dollars annually out of the rents and profits of the lands devised to his children so that the said Margaret Wilmer shall receive annually the sum of eleven hundred dollars during her natural life from the several sources named and that the said amounts shall be charged upon the lands respectively, I will that the said Margaret Wilmer shall be entitled to a home at Lansdown in addition so long as she may live.

Item It is my will and desire that in case of the death of either of my neices Margaret and Catharine leaving their husbands, that their said husbands shall receive during their lives out of the lands devised to their wives three hundred dollars annually to be paid to them and no other person and not to be liable for their debts or subjects to attachment and also that the said D. C. H. Emory shall retain annually during his life the sum of three hundred dollars out of the rents and profits of the lands devised to his children and it is my will that Luvenia Driver wife of Henry Driver shall be entitled to dower interest in the lands devised to the use of the said Henry Driver in the same manner as if the same were devised directly to him.

Item. All the rest and residue of my estate real, personal and mixed I give and devise as follows viz: To my nephew Pere Wilmer one fifth part, to said Pere Wilmer in trust for Henry Wilmer, one fifth to said Pere in trust for Margaret McLean, one fifth to said Pere in trust for Catharine Emory, one fifth, and to D. C. H. Emory for his children being also the children of my late neice Frances, one fifth to be held as the property hereinbefore devised for their use respectively, and I futher will and direct that if my grand nephew Henry driver shall die without issue living at the time of his death that the negroes bequeathed to him shall be divided to the same persons and in the same manner as the residue of my estate is directed to be divided and I also, will and direct that the issue of all the above & foregoing named negroes belong to the persons to whom the mother belongs and be held in like manner.

Item: It is my will and I do hereby authorize the said Pere Wilmer Trustee of my neices Margaret and Catharine to sell the whole or , any part of the real estate devised to their use and reinvest the same upon the like uses and trust if they or either of them shall request him so to do and that the said D. C. H. Emory shall alos have power to sell the lands devised to his children and invest the proceeds for them if he shall think proper.

Item: It is my will that my nephew Pere Wilmer Trustee as above shall not be held responsible except for wilfull negligence and for no monies that do not actually come into his hands or possession.

Lastly I do hereby constitute and appoint D. C. H. Emory of Baltimore to be sole Executor of this my last will and testament. In Testimony whereof I have hereunto set my hand and affixed my seal this sixteenth day of August in the year Eighteen Hundred and sixty.

Pere Wilmer (SEAL)

Singed, Sealed, published and declared by Pere Wilmer the above named testator as and for his last will and testament in the presence of us who at his request , in his presence of each other subscribed our names as witnessess thereto.

Lloyd Tilghman

Wm. McKenney

J. L. Goldsborough

(Stamp) (Stamp) (Stamp) (Stamp) (Stamp)  
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Queen Anne's County, Sct;

May 8th 1866 Then came Lloyd Tlighman Wm. McKenney and J. L. Goldsborough, the subscribing witnesses to the foregoing will, and made oath on the Holy Evangely of Almighty God, that they did see Pere Wilmer, the withing named Testator sign his name to the aforegoing Will, that they heard him publish, pronounce and declare the same to be his last will and Testament, that at the time of so doing he wasto the best of their apprehension of sound and disposing mind and memory and understanding , that they subscribed their names as witnesses to the said Will in the presence of each other, in the presence of the testator, and at his request:-

W. A. Johnson, Reg. Wills  
For Queen Anne's County

Whereas I Pere Wilmer of Queen Anne's County in the State of Maryland am desirous to add to and insome respects to change the provisions of my last will and testament dated on the sixteenth day of August in the year Eighteen hundred and sixty I do hereby make



this Codicil thereto- Whereas since the making of my said last will and testament I have executed & delivered to my Nephew Pere Wilmer Hanson and my neice Catharine Richardson wife of William A. Richardson a deed of the farm in Kent County which I have devised to them, I do therefore now ratify and confirm the said deed according to the terms and the provisions thereof and adopt the same in lieu and stead of the provisions in my said will and the three Hundred dollars in said deed provided to be paid to my neice Margaret A. Mcleand wife of W. H. McLean is intended & hereby declared to be given to her and made payable by the said Pere & Catharine in addition to the provisions made for her in my said will. And whereas I omitted to dispose of my negro Girl "Tilly" in my said will I do hereby give and bequeath her the said "Tilly" unto my Nephew Pere Wilmer and whereas also since the execution my said will several negro children have been born and others may be born and veing desirous to prevent the separation of families as much as possible it is my wish and I do so direct and bequeath that the children of my several negro woman born since the making of my said will or such as may hereafter be born shall go to and be the property of such of my legatées as are entitled to the mother & upon the same terms and for the same uses & trust.

And whereas I omitted to dispose of a small farm in Tuckahoe which I purchased of and was conveyed to me by Charles Muny & wife it is my wish and I do hereby devise that the said farm shall be sold by my Executor and the proceeds applied as my personal estate and the residue of my estate. And whereas since making of my said will I have purchased from Mrs. Charlotte A. Wright and others about seventy five acres of land as will more fully appear by reference to their deed dated April the third Eighteen hundred and Sixty three, I do hereby give and bequeath the said land to my Nephew Pere Wilmer and Henry W. Friver on the same terms and for the same uses, trust and purpose as stipulated in regards to the other property devised to them and for their use in my said last will and testament- To be divided between them as it is now divided by the road leading from the public road through said land to the woods, all on the west side of said dividing road, I give to My Nephew Pere Wilmer and all the east side to Henry W. Driver to be held as aforesaid.

And whereas in my said last will and testament the amount intended to be given to Catharine P. Emory for the support of herself and family for the year in which I may die is left blank and no sum is mentioned I now fill up said blank with five hundred dollars and direct that the said sum of five hundred dollars be paid to her as there provided And whereas the property devised and bequeathed for the use and benefit of my said neice Catharine P. Emory is devised to Pere Wilmer my Nephew in trust for her and as it is my wish that she shall have the free and full use of same, I do hereby direct and declare that my said neice Catharine shall have the full control and management of the property so devised and bequeathed for her use without the interference of any one whatever except my executor to carry out the provisions entrusted to him in my last will.

With the additions and alterations above specified and particularly set forth, I do hereby ratify and confirm my said last will and testament.

In Testamony Whereof, I have hereunto set my hand and affixed my seal this fifth day of January Eighteen hundred & sixty four.

Pere Wilmer (Seal)

Signed, Sealed, published and declared by Pere Wilmer the above named testator as and for a Codicil to his last will and testament in our presence, who at his request and in his presence and in the presence of each other have hereto set our names as witnesses thereto.

Lloyd Tilghman

C. C. Harper

Wm. McKenney

Queen Anne's County, Sct:  
May 10th 1866.

Then came Wm. C. Tilghman, C. C. Harper and Wm. McKenney, the subscriber, witnesses to the foregoing Codicil, and made oath on the Holy Evangely of Almighty God, that they did see Pere Wilmer, the within named Testator sign his named to the aforesaid Codicil, that they heard him., publish, pronounce and declare the same to be a codicil to his last will and testament, that at the time of so doing he was to the best of their apprehension of sound and disposind mind, memory, and understanding, that they subscribed t their names as witnesses to the said Codicil in the presence of each other, in the presence of the Testator and at his request:-

W. A. Johnson, Reg. Wills  
For Queen Anne's County,

Queen Anne's County, Sct:

May 10th 1866 Then came D. C. H. Emory the Executor therein named, and made oath on the Holy Evangely of Almighty God, that the foregoing Instrument of writing is the true and whole last will and testament and Codicil of Pere Wilmer, late of Queen Anne's County, deceased, that has come to his hands or possession, and that her does nto know of any other.

W. A. Johnson Reg. Wills  
for Queen Anne's County,

State of Maryland,  
Sct;  
Queen Anne's County,

The Register of Wills in and for Queen Anne's County aforesaid doth hereby certify that the within instrument of writing is a true and whole copy of the last will and testament and codicil thereto annexed of Pere Wilmer late of State and County aforesaid deceased, as will fully appear from Liber S. T. G. No. 1 Folio 336 to 351 a Record Book of Wills in the Orphans Court for Queen Anne's County.

In Testimony Whereof, I hereunto subscribed my name and the Seal

of the Orphans' Court attach this First day of July Nineteen hundred and one.

Finley Roberts

Seals Place

One - Ten Cent Documentary Stamp.  
Endorsed July 1st R. of W.

.....  
DECREE FOR SALE  
Filed July 15, 1901.

Decree in the Circuit Court for Queen Anne's County.

Hampton E. Brown,  
Plaintiff

vs

Howard McLean Brown, et al  
Defendants

0  
0  
0  
0  
0  
0  
0

In The Circuit Court for Queen Anne's  
County, in Equity.  
Cause No 1522.

The above cause standing ready for hearing, and being submitted Without agument, the bill Answer, Testimony in the cause and all the other proceedings were read and considered.

It is thereupon, this Fifteenth day of July in the year nineteen hundred and one by James A. Pearce, Chief Judge of the Circuit Court for Queen Anne's County, sitting as a Court of Equity, and by the authority of this Court, ADJUDGED, ORDERED and DECREED that the real estate lands and premises in the proceedings mentioned be sold for the purpose of partition between the parties.

That H. B. W. Mitchell be and he is hereby appointed TRUSTEE to make said sale, and the course and manner of his proceedings shall be as follows: he shall first file with the Clerk of the Circuit Court for Queen Anne's County, a bond to the State of Maryland, executed by himself with a surety or sureties to be approved by this Court, or the said Clerk; in the penalty of Eleven thousand Dollars conditioned for the faithful performance of the trust reposed in him by this decree, or this may be reposed in him by any future Decree or Order in the premises: he shall then proceed to make said sale, having given at least three weeks previous notice by advertisement, inserted in some newspaper printed and published in Queen Anne's County, State of Maryland, and such other notices as he shall think proper, of the time, manner, and terms of sale, which terms shall be as follows: One fourth of the purchase price to be paid in cash on day of sale or within sixty days thereof at option of said Trustee, the balance in three equal annual instalments from day of sale, or all cash at option of purchaser. All unpaid purchase money to bear interest from day of sale and to be secured by bond or note of purchaser with security or securities to be approved by the Trustee.

And as soon as may be convenient after any such sale or sales, the said Trustee shall return to this Court a full and particular account of the same; with an affidavit of the truth thereof, and of the fairness of said sale or sales, annexed; and on the ratification of such sale or sales by this Court, and on the payment of the whole purchase money, and not before ) the said Trustee, by a good and sufficient deed to be executed and acknowledged agreeably to law, shall convey to the purchaser or purchasers of said property, and to his, here, or their heirs, the property and estate to him, her, or them sold, free, clear and discharged from all claim of the parties to this cause, and of any and every person or persons claiming by, from or under them or any of them, and the said Trustee shall bring into this Court the money arising from said sale or sales, and the bonds or notes which may be taken for the same, to be disposed of under the direction of this Court, after deducting therefrom the costs of this suit, and such commission to the said Trustee as this Court shall think proper to allow in consideration of the skill, attention and fidelity wherewith he shall appear to have discharged his trust.

James A Pearce

.....  
TRUSTEES BOND  
Filed August 10, 1901.

KNOW ALL MEN BY THESE PRESENTS, that, we, H. B. W. Mitchell, as principal, and THE AMERICAN BONDING AND TRUST COMPANY, of Baltimore City are held and firmly bound unto the State of Maryland in the full and just sum of eleven thousand dollars current money, to which payment well and truly to be made and done we bind ourselves our and each of our heirs, personal representatives, successors and assigns, firmly by these presents, sealed without seals, and dated this 19th day of July, nineteen hundred and one,

WHEREAS by a decree of the Circuit Court for Queen Anne's County, in Equity, in a cause therein, wherein Hampton E. Brown is plaintiff and Joel Brown and others are defendants, said cause being No. 1522 on the chancery docket of said Court, the above bounden, H. B. W. Mitchell was appointed Trustee to sell the lands and premises in the proceedings in said cause mentioned.

NOW THE CONDITION OF THIS OBLIGATION IS SUCH that if the said H. B. W. Mitchell shall well and faithfully perform the trust reposed in him by said decree or that may be reposed in him by any future decree or order in the premises then this obligation to be void, otherwise to be and remain in full force and operation in law.

Witness J. F. Rolph

H. B. W. Mitchell (SEAL)

The American Bonding and Trust Company  
of Baltimore City.

By Jas. Bond President

Attest:  
Samuel H. Shriver Secretary

Corporate  
Seals Place

REPORT OF SALE  
Filed August 13, 1901.

Hampton E. Brown, vs. Joel Brown, Jr., Adelaide Brown, Marion W. Wright, Howard McLean, Brown and Edith C. Brown, In the Circuit Court for Queen Anne's County, in Equity No. 1522.

To the Honorable the Judges of said Court:

The report of H. B. W, Mitchell, Trustee, appointed by a decree in this case to make sale of certain real estate therein mentioned respectfully shows:

That after giving bond for the faithful performance and discharge of his trust, as required by said decree, and giving notice of the time, place, manner and terms of sale by advertisement in the Centreville Record, a newspaper printed and published in Queen Anne's County, for more than three successive weeks before the day of sale, he did pursuant to said notice attend at Centreville, Queen Anne's County aforesaid, in front of the Court House door in said town, on Tuesday the thirteenth day of August, nineteen hundred and one, between the hours of one and two o'clock P. M., and then and there proceeded to sell said real estate as follows, to wit:

Your Trustee offered at public auction to the highest bidder the farm and premises known as the "Birch Farm" on the right of the public road leading from Hope to Ruthsburg, where William Foster resides, adjoining the lands of George Mullikin, Elijah Dean and others, and containing three hundred and sixty nine acres and three quarters of an acre of land more or less, and sold the same to Francis D. L. Mitchell he being then and there the highest bidder at and for the sum of \$10.65 per acre, aggregating for the whole farm or tract of land the sum of \$3937.83 The purchaser has not yet complied with terms of sale all of which is respectively submitted.

H. B. W. Mitchell  
Trustees

State of Maryland, Queen Anne's County, to wit:

I hereby certify that on this 13th day of August nineteen hundred and one, before the subscriber, a Justice of the Peace of the State of Maryland, in and for the Queen Anne's County, personally appeared H. B. W. Mitchell, and made oath that the matters and things stated in the foregoing report of sale are just and true and that the sale was fairly made.

R. Hopper Smith J. P.

ORDER NISI  
Filed

Hampton E. Brown vs Joel Brown Jr. et al In the Circuit Court for Queen Anne's County, in Equity No. 1522.

ORDERED, this 13th day of August 1901, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court that the sale made and reported by H. B. W. Mitchell in the foregoing cause or suit, be ratified and confirmed unless cause to the contrary be shown on or before the 17th day of October 1901; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County once in each of three successive weeks before the 7th day of September 1901.

The report states the amount of sales to be \$3937.83

Jno. E. George Clerk

ORDER OF HOWARD MCLEAN BROWN TO HAVE HIS RIGHT & INTEREST IN THIS SUIT SET OVER TO THE USE OF H. B.W. MITCHELL.  
Filed Aug 17, 1901

Hampton E. Brown vs Marian W. Wright, William T. Wright, Joel Brown, Jr., Adelaide Brown, Howard McLean Brown and Edith C. Brown. In The Circuit Court for Queen Anne's County, in Equity No. 1522/

I, Howard McL. Brown, of Santos, Brazil, but temporarily at Centreville, Queen Anne's County, Maryland, in consideration of ten dollars and other good and valuable consideration, do hereby transfer and assign and set over to the use of H. B. W. Mitchell all my right, title, interest and estate in and to the property and subject matter of the aforesaid suit or litigation, and when the real estate is sold, which is the subject matter of the above described channery suit, I direct that the Auditor set over to the use of the said H. B. W. Mitchell all and any proceeds of said sale which would have been my share therein had I not assigned the same as herein to H. B. W. Mitchell.

As witness my hand and seal this 24th day of June, in the year nineteen hundred and one.

Test: R. Hopper Smith Howard McL. Brown (SEAL)

State of Maryland, Queen Anne's County, to wit:

I hereby certify that on this Twenty fourth day of June, in the year nineteen hundred and one, before the subscriber, a Justice of the Peace of the State of Maryland, in and for Queen Anne's County aforesaid, personally appeared H'ward McL. Brown and acknowledged the foregoing assignment and paper writing to be his act and deed.

R. Hopper Smith  
Justice of the Peace.

.....  
CERTIFICATE OF PUBLICATION OF ORDER NISI  
Filed October 19, 1901.

WE HEREBY CERTIFY, That the annexed advertisement was inserted in THE CENTREVILLE RECORD, a newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week in each of three successive weeks before the 9th day of September 1901.

Robert A. Coursey  
Editor and Publishers of the Centreville Record.

Hampton E. Brown  
vs  
Joel Brown, Jr. et al

In the Circuit Court for Queen Anne's  
County, in Equity,  
No. 1522.

ORDERED, this 10th day of August 1901, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that the sale made and reported by H. B. W. Mitchell in the foregoing cause or suit, be ratified and confirmed unless cause to the contrary be shown on or before the 17th day of October 1901; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County once in each of three successive weeks before the 9th day of September, 1901.

The report states the amount of sales to be \$2937.83.

True Copy JNO. E. GEORGE Clerk  
Test: JNO E. GEORGE Clerk

.....  
ORDER OF COURT  
Filed October 21, 1901

Hampton E. Brown  
vs  
Joel Brown Jr. et al

In the Circuit Court for Queen Anne's  
County, in Equity, No. 1522

Ordered this 21st day of October 1901, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that the sale of real estate made and reported in this cause, be, and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown although due notice has been given as appears from the accompanying order nisi.

The Trustee is allowed the usual commissions and all expenses not personal.

James A. Pearce

Filed October 21, 1901

.....  
AUDITOR REPORT OF AUDIT  
Filed Nov. 2, 1901

Hampton E. Brown  
vs  
Howard McL. Brown et al

In the Circuit Court for Queen Anne's  
County  
In Equity  
Chancery Docket No. 1522

To the Hon. the Judges of said Court

The report of Madison Brown, Auditor to your Honors respectfully setforth that in stating the within account he first charged the trustee with the gross proceeds of sales per report filed, and allowed him thereout his commissions costs of advertising order of publication advertising sale & order nisi. Court costs, auctioneers charges, auditor fee, & then made distribution at balance among the parties entitled, distribution to H. B. W. Mitchell the share of H. W. E. Brown, per order filed -  
Respectfully submitted

Madison Brown  
Auditor

Nov. 1, 1901..

The Proceeds of the Sales of the Real Estate of Hampton E. Brown, et al, in account with H. B. W. Mithcell, Trustee for Sale of said Real Estate

1901			1901	
Aug 13	TO H. B. W. Mitchell, Trustee for his commissions do for costs of advertising order of publication sale & order nisi in Centreville Record, per receipt-	202.51	Aug 13	By gross proceeds of sale.
"	do for costs of advertising sale in Centreville Observer per receipt	24.64		3937.83
"	do for costs paid C. S. Jump, Auct for selling real estate, per receipt	8.00		
"	same, for Court costs of suit, per bill of costs:-	10.00		
	Plaintiffs Costs:-			
	J. E. George, Clerk	27.35		
	Finley Roberts, Register of Wills	6.65		
	M. B. Bordley, Examiner	8.00		
	Witness before do:-	2.25		
	Solicitor	10.00		
	Defendants Costs per bill of costs: J. E. George, Clerk	6.85		
	Solicitor	10.00		
"	Madison Brown, Auditor	9.00		
"	Balance	3612.58		
		<u>3937.83</u>		3937.83
<hr/>				
"	Marion W. Wright 1/2 of balance	722.51 3/4	By balance	3612.58
"	Joel Brown Jr. of balance	722.51 3/4		
"	Howard McL. Brown use of H. B. W. Mitchell, per assignments & order filed Aug 17, 1901 1/2 of balance Hampton E. Brown, 1/2 of balance Edith C. Brown of balance.	722.51 3/4		
		722.51 3/4		
		722.51 3/4		
		<u>3612.58</u>		3612.58

November 1st 1901  
Madison Brown  
Auditor

Ordered this Twelfth day of November 1901, by Wm. R. Martin one of the Judges of the Circuit Court for Queen Anne's County in Equity & by the authority of said Court, that the within & aforegoing Audit be & the same is hereby ratified & confirmed the Trustee is directed to pay the money accordingly with a deed, properties of interest received or that may hereafter be received to the persons entitled to same.

William R. Martin

Filed Nov. 12, 1901.

Cause No. 3228

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Eighteenth day of October in the year Nineteen Hundred and Thirty Nine, the following Bill of Complaint was brought to be recorded to wit:

William D. Baxter and	0	In the Circuit Court
Lottie M. Baxter, his wife	0	For
vs.	0	Queen Anne's County
Kirby Y. T. Baxter and	0	in Equity.
Margaret Baxter, his wife	0	
Richard T. Baxter and	0	Cause No.
Alice Baxter, his wife, Rosa A.	0	
Weston and James W. Weston, her	0	
husband, Zell C. Baxter, unmarried man	0	
Luther T. Baxter and Esther Baxter, his	0	
wife, Helen V. Sweeney and Charles Sweeney, her husband.	0	

TO THE HONORABLE, THE JUDGES OF SAID COURT:\*

The Bill of Complaint of William D. Baxter and Lottie M. Baxter, his wife, residing in Queen Anne's County, State of Maryland, respectfully represents:-

1. That Richard B. Baxter, late of Queen Anne's County, Maryland, deceased, was in his lifetime, and at the time of his death, seized and possessed of the following described lands, to wit:-

Lot No. 1, All that lot or parcel of land situate on Kent Island, Queen Anne's County, Maryland, and described as follows: Beginning at a stone on northeasterly corner of the lot on the public road from Stevensville to the Chester River Steam boat Landing (near the northern outskirts of Stevensville) and running thence a westerly course 175 yards to the corner of Reuben Legg Yard, thence in an easterly course 151-1/4 yards to the public road, then with the public road in a northerly direction 50 yards to the stone, the place of beginning, containing one acre, 1 rood and 28 perches. Being the real estate and premises conveyed to the said Richard B. Baxter from Charles Downes and Mary Downes, his wife, by deed dated May 21st, 1880, and recorded among the land records of Queen Anne's County in Liber J. W. #11, folio 16, etc.

Lot No. 2. All that real estate situate on Kent Island on the left of the public road leading from Stevensville, Queen Anne's County, Maryland, near the northern outskirts of Stevensville, to the Steamboat Wharf, adjoining the property of or formerly of Mrs. James E. Cockey, the Baxter land and the land of others, being a part of the late Reuben Legg land, being lots numbers 5, 6, 11, 12, 13, and 14, containing approximately 14 acres of land. Being the same land conveyed to Richard B. Baxter by deed from Thomas J. Keating and B. Palmer Keating, attorneys and vendors, dated April 20th 1893, and recorded among the land records aforesaid in Liber L. D. #1, folio 457, excepting therefrom the four parcels of land which were granted and conveyed by Richard B. Baxter and wife by the following deeds, to wit:

1. Deed from Richard B. Baxter and wife to Sallie L. V. Porter, dated Oct. 22nd, 1901, recorded in Liber J. E. G. #3, folio 215;
2. Deed from Richard B. Baxter and wife to William D. Baxter, dated June 25, 1908, recorded in Liber S. S. #5, folio 4;
3. Deed from Richard Baxter and wife to James W. Marvel, dated June 24, 1913, recorded in Liber W. F. W. #3, folio 401;
4. Deed from Richard B. Baxter and wife to Katie E. Norman, dated Feb. 24, 1917, recorded in Liber W. F. W. #10, folio 171.

The above four parcels of land containing in the aggregate about four acres of land, leaving approximately a balance of ten (10) acres of land, with the improvements thereon of which Richard B. Baxter died seized and possessed, and the following lot, namely:-

Lot No. 3, All that tract of land situate near Stevensville, Queen Anne's County, Maryland, near the northern outskirts of Stevensville, being on the left of the public road leading from Stevensville, to Love Point, containing 2-3/4 acres of land, Being the real estate conveyed to Richard B. Baxter from Wm. T. Stevens and wife, by deed dated May 6th 1912, and recorded in Liber W. F. W. #1, folio 391.

Certified copies of which said three lots of land conveyed to Richard B. Baxter as aforesaid are filed herewith marked Exhibits A. B. and C. and prayed to be taken as part hereof.

2. That being so seized and possessed as aforesaid; the said Richard B. Baxter departed this life on or about July 15, 1920, leaving a last will and testament, and leaving surviving him, a widow, Wilhelmina A. Baxter, who was generally known as and called Willie A. Baxyer, and the following children: Kirby Y. T. Baxter, Richard T. Baxter, Rosa A. Weston, nee Rosa A. Baxter, William D. Baxter, Zell C. Baxter, Luther T. Baxter and Helen V. Sweeney, nee Helen V. Baxter.

3. That the said Richard B. Baxter by his last will and testament, duly admitted to probate on July 27th, 1920, in the Orphans' Court of Queen Anne's County, and recorded among the Will Records of said County in Liber W. T. B. #1, folio 205, a certified copy of which is filed herewith and marked Exhibit D, and prayed to be taken as a part hereof, devised all of his real estate to his wife, Willie A. Baxter (otherwise Wilhelmina A. Baxter) during her life, and at her death to be equally divided among his surviving children,

4. That the said Willie A. Baxter died in Queen Anne's County on or about the 23rd day of September, 1939, leaving the said Kirby Y. T. Baxter, Richard T. Baxter, Rosa A. Weston, William D. Baxter, Zell C. Baxter, Luther T. Baxter and Helen V. Sweeney, all the children of the said Richard B. Baxter and the said Willie A. Baxter, surviving her, and they being also all the devisees under the last will and testament of the said Richard B. Baxter.

5. That the said land aforesaid of which the said Richard B. Baxter died seized and possessed is now owned by the said Kirby Y. T. Baxter, Rosa A. Weston, William D. Baxter, Zell C. Baxter, Luther T. Baxter and Helen Y. Sweeney, and all adults, as tenants in common to the extent of any undivided one seventh part respectively.

6. That the said Kirby Y. T. Baxter intermarried with the said Margaret Baxter, both adults, and live at Seaside Park, New Jersey, that the said Richard T. Baxter intermarried with Alice Baxter, both adults, and live in Queen Anne's County Maryland; that the said Rosa A. Weston intermarried with James W. Weston, both adults, and live in Queen Anne's County, Maryland, that your Orator William D. Baxter intermarried with Lottie M. Baxter, both adults, and live in Queen Anne's County, Maryland; that the said Zell C. Baxter, adult, is an unmarried man, and lives in Queen Anne's County, Maryland; that the said Luther T. Baxter intermarried with Esther Baxter, both adults, and live in Queen Anne's County, Maryland; and that the said Helen V. Sweeney intermarried with Charles Sweeney, both adults and live at Clawson, New Jersey.

That the said real estate is not susceptible of partition without material loss and injury to the parties entitled to interests therein as above stated, and that, in order to make division of said interests, it will be necessary that the said real estate be sold, and the proceeds thereof divided amongst the parties entitled thereto according to their several interests.

To the end therefore:

1. That a decree may passed for the sale of the said real estate hereinbefore described.
2. That the proceeds of said sale may be distributed between the complainants and the defendants according to their respective rights and interests.
3. That your Orator may have such other and further relief as their case may require.

May it please your Honors to grant unto the complainants the Order of Publication on giving notice to the said Kirby Y. T. Baxter and Margaret Baxter his wife, and Helen V. Sweeney and Charles Sweeney, her husband, all of whom are adults, all of whom are residents of the State of New Jersey, and all non-residents of the State of Maryland, and warning them and each of them to be and appear in this Court, in person or by solicitor, on or before a certain day, to be named therein, to show cause, if any they have, why a decree ought not to be passed as prayed; and also the Writ of Subpoena directed to the said Richard T. Baxter and Alice Baxter, his wife, Rosa A. Weston and James W. Weston, her husband, Zell C. Baxter, unmarried man, Luther T. Baxter, and Esther Baxter, his wife, all of whom are adults, residing in Queen Anne's County, Maryland, commanding them and each of them, to be and appear, either in person or by solicitor, in this Court, on or before a certain day, to be named therein, to show cause, if any they have, why a decree ought not to be passed as prayed.

And as in duty bound, etc.,

John Palmer Smith  
Solicitors for Complainants.

Filed October 18th 1939.

.....  
CERTIFIED COPY OF DEED FROM CHARLES  
DOWNES AND WIFE TO RICHARD B. BAXTER.  
Exhibit A.  
Filed October 18th 1939.

Queen Anne's County, to wit: Be it remembered that on the third day of June, in the year Eighteen hundred and eighty, the following Deed was brought to be recorded, to wit:-

This Deed, Made this 21st day of May in the year Eighteen Hundred and eighty by us, Charles Downes and Mary Downes, his wife, witnesseth- that in consideration of One hundred dollars, we the said Charles Downes and Mary Downes, his wife do grant unto Richard B. Baxter of Kent Island, Queen Anne's County State of Maryland, All that lot or parcel of ground situate on Kent Island, Queen Anne's County which is described as follows: Beginning at a Stone on north Easterly corner of the Lot on the public road from Stevensville to the Chester River Steamboat Landing and running thence a westerly course 175 yards to the corner of Mr. Reuben Legg's yard thence with said yard in a southerly course 34 1/2 yards thence with the lands of said Reuben Legg in an Easterly course 151 1/4 yards to the public road thence with the public road aforesaid in a northerly direction 50 yds, to the Stone the place of beginnin, containing One acre, one rood twenty eight perches more or less in fee simple, and the said Richard B. Baxter agrees to keep a good and sufficient fence on the line between him and the lands of the said Charles Downes.

Witness our hands and seals this 21st day of May 1880.

Test:  
W. C. Taylor

Charles Downes (SEAL)  
Mary Downes (SEAL)

State of Maryland Queen Anne's County I hereby Certify that on this 21st day of May in the year Eighteen hundred and eighty before me the subscriber a Justice of the Peace of the said County and State personally appeared Charles Downs and Mary Downs,

his wife and did each acknowledged the foregoing Deed to be their act.

Acknowledged before

Walter C. Taylor J. P.

State of Maryland,

Queen Anne's County, to wit:

I hereby Certify that the foregoing is truly taken and copied from Liber J. W. No. 11, folios 16, etc., a Land Record Book for Queen Anne's County,

Seals  
Place.

In Testimony Whereof I have hereunto subscribed my namd and affixed the seal of the Circuit Court for Queen Anne's County this Eighteenth day of October, in the year nineteen hundred and thirty nine,

A. Sydney Gadd Jr. Clerk.

Clerk's note: The above 151 1/4 is underscrod, because I could not tell whether it was 157 1/4 or 151 1/4/

A. Sydney Gadd Jr. Clerk.

.....  
CERTIFIED COPY OF DEED FROM THOMAS J. KEATING  
ET AL VENDORS, TO RICHARD B. BAXTER.  
Exhibit "B".  
Filed Oct 18th 1939.

Queen Anne's County, to wit: Be it remembered that on the Twenty fifth day of April, in the year One Thousand eight hundred and ninety three, the following Deed was brought to be recorded, to wit:

This Deed, made this twentieth day of April, in the year Eighteen Hundred and ninety three, by Thomas J. Keating and B. Palmer Keating, of Queen Anne's County, in the State of Maryland, Attorneys and Vendors, Witnesseth; Whereas the said Thomas J. Keating and B. Palmer Keating, as the Attorneys named in the Mortgage from George S. Lowe and Leonora Lowe, his wife, unto mne William H. Pratt, bearing date the Eighteenth day of March, in the year Eighteen hundred and eighty nine, and recorded in Liber W. D. No. 3, folios 16&c., a Land Record Book for said County, did in purance of the Power and authority therein, sell the hereinafter described real estate, being the property conveyed by said Mortgage, in October of the year Eighteen hundred and ninety one, unto One Richard B. Baxter of said County, at and for the sum of Sixteen hundred dollars, and said sale was by them reported to the Circuit Court for Queen Anne's County, in Equity in the case therein of William H. Pratt, Mortgagee, vs George S. Lowe and Leonora Lowe, Mortgagors, No. 1030, and same was by its order of the twelfth day of April, in the year Eighteen hundred and ninety three, finally ratified and confirmed, as will fully appear by reference to the proceedings in said cause, and the said Richard B. Baxter, having fully paid said purchase money therefor is entitled to a deed of conveyance of said Real Estate.

Now therefore in consideration of the foregoing premises, and the said sum of Sixteen hundred dollars, the said Thomas J. Keating and B. Palmer Keating, Attorneys and Vendors aforesaid, do hereby grant and convey unto the said Richard B. Baxter, his heirs and assigns, all the rights, title, interest and estate of all the parties to the aforesaid Deed of Mortgage and to the aforesaid case of, in and to, all that real estate, situate on Kent Island, in Queen Anne's County, aforesaid, on the left of the public road leading from Stevensville to the Steamboat wharf on said Island, adjoining the property of Mrs. James E. Cockey, said Baxter and others, and being portions of the Real Estate of the late Reuben Legg, deceased, sold at one time in a case in said Court of John Wilkinson vs. Executor and devisees of said Reuben Legg (No. 689 therein) and designated in the first Trustees Report of Sales filed in said last case, and the Surveyors Plat and Certificate accompanying same as Lots Nos. 5, 6, 11, 12, 13 and 14, to wit:

Lot No. 5. Adjacent to Lot No. 4 and fronting on said road eight perches, and containing by said Certificate and plat one acre of land.

Lot No. 6 adjacent to Lot 5, and fronting on said road ten perches, and containing one acre and one rood of land.

Lot No. 11, 12 and 13, immediately in the rear of lots Nos. 4, 5, and 6, and containing four acres, one rood and twenty eight perches of land, and

Lot No. 14, adjacent to lots No. 6 and 13, and containing by said Plat and certificate Eight acres and twenty five perches of land (Excepting and reserving herefrom the lot purchased by S. W. Bullen from said George S. Lowe) and the several lots here by conveyed contain in the aggregate fourteen acres two roods and twenty six perches of land, more or less, and are the same conveyed by Thomas J. Keating and B. Palmer Keating, Trustees, to said Leonora Lowe, by Deed dated the 18th day of March 1889, and recorded in said Liber W. D. No. 3, folios 15 and 16, and on the said date conveyed by the Mortgage aforesaid, and to which said Deed and Mortgage reference is hereby made for a description of the property conveyed by these presence.

Witness their hands and seals.

Thos. J. Keating (SEAL)

Test:

R. Goldsborough

B. Palmer Keating (SEAL)  
Attorneys and vendors,

State of Maryland, Queen Anne's County, to wit: I hereby certify that on this Twentieth day of April, in the year Eighteen hundred and ninety three, before the subscriber, a Justice of the Peace of the State of Maryland, in and for Queen Anne's County, personally appeared Thomas J. Keating and B. Palmer Keating, Attorneys and vendors, and did each acknowledge the foregoing Deed to be their joint and respective act.



R. Goldsborough J. P.

State of Maryland,  
Queen Anne's County, to wit:

I hereby Certify that the foregoing is truly taken and copied from Liber L. D. No. 1m folios 457, etc., a Land Record Book for Queen Anne's County.

In Testimony Whereof I have hereunto subscribed my name and affixed the seal of the Circuit Court for Queen Anne's County this Eighteenth day of October, in the year nineteen hundred and thirty nine.

Seals  
Place.

A. Sydney Gadd Jr.  
Clerk.

.....  
CERTIFIED COPY OF DEED FORM WILLIAM  
STEVENS AND WIFE TO RICHARD B.  
BAXTER  
EXHIBIT "C".  
Filed Oct, 18th 1939

#3072 QUEEN ANNE'S COUNTY, TO WIT Be it remembered that on the eleventh day of May in the year nineteen hundred and twelve, the following DEED was brought to be recorded, to wit:-

THIS DEED, made this sixth day of May in the year nineteen hundred and twelve (1912) by William T. Stevens and Willy H. Stevens, his wife, of Stevensville, Queen Anne's County, State of Maryland;

WITNESSETH: that in consideration of the sum of Four Hundred Dollars (\$400.00) the receipt of which is hereby acknowledged, the said William T. Stevens and Willy H. Stevens, his wife, do hereby grant and convey unto Richard B. Baxter of Stevensville, County of Queen Anne's State of Maryland, his personal representatives and assigns, all that lot or parcel of ground situate and lying in Queen Anne's County and particularly described as follows:

ALL that tract of land situated near Stevensville in Queen Anne's County aforesaid being on the left of the public road leading from Stevensville to Love Point, beginning at the centre of the aforesaid road at the division line between said Richard B. Baxter and William T. Stevens running west twenty five (25) degrees north five hundred and sixty four (564) feet to a post at the bend of the fence; thence north twenty five degrees (25) east four hundred (400) feet to the Maryland, Delaware and Virginia Rail Road, thence easterly six hundred and fifty one (651) feet to the centre of the aforesaid public road and thence with said road forty nine (49) feet to the place of beginning adjoining the lands of said Richard B. Baxter and others, containing two and three quarters 2 3/4 acres of land, be the same more or less; being the same property conveyed to William T. Stevens by Isaac W. Troxel and William D. Uhler and their wives of Caroline County, State of Maryland as recorded in Liber J. E. G. No.4, folio 389, land record book for Queen Anne's County, State of Maryland.

TOGETHER with all rights, ways, waters, privileges, and appurtenances thereto belonging or in anywise appertaining.

TO HAVE and TO HOLD the above granted property unto the said Richard B. Baxter, his heirs and assigns in fee simple.

AND the said William T. Stevens and Willy H. Stevens, his wife, hereby covenants that they will warrant specially the property hereby conveyed and that they will execute such further assurances as may be requisite.

Witness our hands and seals the day and year first above mentioned.

WILLIAM T. STEVENS (SEAL)  
WILLY H. STEVENS (SEAL)

Test:  
T. A. Tolson.

STATE OF MARYLAND,  
QUEEN ANNE'S COUNTY, to wit:

I hereby certify that on this sixth day May in the year 1912 before the subscriber, a Justice of the Peace of the said State in and for the County aforesaid, personally appeared William T. Stevens and Willy H. Stevens, his wife, and acknowledged the foregoing Deed to be her act.

T. A. TOLSON J.P.

State of Maryland ,  
Queen Anne's County, to wit:

I hereby certify that the foregoing is truly taken and copied from Liber W. F. W. No.1, folios 391, etc., a Land Record Book for Queen Anne's County.

In Testimony Whereof I have hereunto subscribed my name and affixed the seal of the Circuit Court for Queen Anne's County this Eighteenth day of October, in the year nineteen hundred and thirty nine.

Seals Place.

A. Sydney Gadd Jr. Clerk

.....  
 CERTIFIED COPY OF LAST WILL AND  
 TESTAMENT OF RICHARD B. BAXTER  
 EXHIBIT "D"  
 Filed Oct 18, 1939

I, Richard B. Baxter, being of sound mind and memory, do give, devise and bequeath all my property, both real and personal, to my life Willie A. Baxter, during her life and at her death to be equally divided among my surviving children, None of my personal or real property to be disposed of during the life of my wife Willie A. Baxter.

The two thousand dollars in the Stevensville Savings Bank of Maryland to be divided equally among my children at my death.

Richard B. Baxter

Signed, by the said Testator, Richard B. Baxter as and for his last will and testament, in the presence of us, who, at his request, in his presence and in the presence of each other, have subscribed our names as attesting witnesses.

W.H.W. Lowe

Geo, W. Eckstorm

G. O. Callaway

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

On the twentieth day of July, A. D. 1920 came Richard T. Baxter, Custodian of the within and foregoing instrument of writing, purporting to be the last will and testament of Richard B. Baxter, late of Queen Anne's County, deceased, and made oath, in due form of law, that the foregoing is true and whole Will of said deceased, that has come to his hand and possession and that he does not know nor has he heard of any other and that he received the same from the hands of Willie A. Baxter, widow of Richard B. Baxter, deceased, on or about the 20th day of July, A. D. 1920.

Sworn before

William T. Bishop  
 Register of Wills of Queen Anne's  
 County, Md.

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

On the twentieth day of July, 1920 came W. H. W. Lowe and G. O. Callaway, two of the subscribing witnesses to the foregoing last will and testament of Richard B. Baxter, late of Queen Anne's County, deceased, and made oath in due form of law, that they did see the Testator sign and seal said Will; that they heard him publish, pronounce and declare and same to be his last Will and Testament and that at the time of his so doing he was, to the best of their apprehension, of sound and disposing mind, memory and understanding; and that they together with Geo. W. Eckstorm, subscribed their name as witnesses to said Will, at his request in his presence and in the presence of each other.

Sworn in open Court,

Test:

William T. Bishop  
 Register of Wills of Queen Anne's  
 County, Md.

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

On the 27th day of July, 1920 came G. W. Eckstorm one of the subscribing witnesses to the foregoing last Will and Testament of Richard B. Baxter, late of Queen Anne's County, deceased, and made oath in due form of law, that he did see the Testator sign and seal said Will; that he heard him publish, pronounce and declare the same to be his last Will and Testament, and that at the time of his so doing he was, to the best of his apprehension of sound and disposing mind, memory and understanding; and that he together with W. H. W. Lowe and G. O. Callaway subscribed his name as witness to said Will at his request, in his presence and in the presence of each other.

Sworn in open Court.

Test:

William T. Bishop  
 Register of Wills of Queen Anne's  
 County, Md.

STATE OF MARYLAND, IN THE ORPHANS' COURT FOR

QUEEN ANNE'S COUNTY:

The foregoing Instrument of Writing, purporting to be the last Will and Testament of Richard B. Baxter late of Queen Anne's County, deceased, having been exhibited for probate, and no objection thereto having been made, although notice according to law, appears to have been given to the next relations of said deceased, the Court, after having examined the said Instrument of Writing and also the evidence adduced as to its validity, ORDERS and DECREES, this twenty seventh day of July, A. D. 1920, that the same be admitted in this Court as the true and genuine last Will and Testament of the said Richard B. Baxter deceased.

W. Hopper Gibson

Chas. E. Cannon

Jno. R. Benton

Judges of the Orphans' Court for  
 Queen Anne's County.

IN THE ORPHANS' COURT FOR QUEEN ANNE'S COUNTY, MARYLAND, SCT:

The Register of Wills for Queen Anne's County, Maryland, does hereby certify that the within and foregoing is a true copy of the last will and testament of Richard B. Baxter, deceased as filed and passed in this office on July 27, 1920 and recorded in Liber W. T. B. No.1, Folio 205 in a Will Record Book the Orphans' Court for Queen Anne's County, Maryland.

In testimony whereof I hereunto subscribe my name and affix the seal of my office this 18th day of October 1939.

Seals  
Place.

Norman S. Dudley  
Register of Wills for Queen Anne's County,  
Maryland.

ORDER OF PUBLICATION  
Filed Oct 18th 1939

John Palmer Smith  
Solicitor for Complainants.

ORDER OF PUBLICATION

William D. Baxter and Lottie  
M. Baxter, his wife,

vs

Kirby Y. T. Baxter and Margaret  
Baxter, his wife, Richard T. Baxter  
and Alice Baxter, his wife, Rosa A.  
Weston and James W. Weston, her husband  
Zell C. Baxter, unmarried man, Luther T. Baxter and Esther Baxter,  
his wife, Helen V. Sweeney and Charles  
Sweeney, her husband,  
In the Circuit Court for  
Queen Anne's County  
In Equity,  
Cause No.

The object of this suit is to procure a decree for the sale of certain real estate near the northern outskirts of Stevensville, Queen Anne's County, Maryland. The Bill of Complaint sets forth the following facts:

1. That Richard B. Baxter, late of Queen Anne's County, Maryland, died seized and possessed of three lots or parcels of land near the northern outskirts of Stevensville, Queen Anne's County, Maryland, on the public road leading from Stevensville to Love Point, containing about 12 acres of land and improved by buildings thereon.

2. That being so seized, Richard B. Baxter, died on or about July 15, 1920, leaving a last will and testament and leaving surviving him, a widow, Willie A. Baxter, and the following children, Kirby Y. T. Baxter, Richard T. Baxter, Rosa A. Weston, William D. Baxter, Zell C. Baxter, Luther T. Baxter and Helen V. Sweeney.

3. That Richard B. Baxter, deceased, by his said will duly probated in the Orphans' Court for Queen Anne's County on July 27, 1920, recorded in Will Record book W. T. B. No.1, folio 205, devised all of his real estate to his wife, Willie A. Baxter during her life, and at her death to be equally divided among his surviving children.

4. That Willie A. Baxter died in Queen Anne's County on or about the 23rd day of September, 1939, leaving Kirby Y. T. Baxter, Richard T. Baxter, Rosa A. Weston, William D. Baxter, Zell C. Baxter, Luther T. Baxter and Helen V. Sweeney, all the children of the said Richard B. Baxter and Willie A. Baxter, surviving her, said children being also all the devisees under the will of Richard B. Baxter.

5. That the aforesaid land of which Richard B. Baxter died seized and possessed is now owned by Kirby Y. T. Baxter, Richard T. Baxter, Rosa A. Weston, William D. Baxter, Zell C. Baxter, Luther T. Baxter and Helen V. Sweeney, all adults, as tenants in common to the extent of an undivided one seventh part respectively.

6. That Kirby Y. T. Baxter intermarried with Margaret Baxter, both adults, living at Seaside Park, New Jersey; that Richard T. Baxter intermarried Alice Baxter, both adults living in Queen Anne's County, Maryland, that Rosa A. Weston intermarried James W. Weston, both adults, living in Queen Anne's County, Maryland; that William D. Baxter intermarried Lottie M. Baxter, both adults, living in Queen Anne's County, Maryland; that Zell C. Baxter is an unmarried man, living in Queen Anne's County, Maryland; that Luther T. Baxter intermarried Esther Baxter, both adults, living in Queen Anne's County, Maryland; that Helen V. Sweeney intermarried Charles Sweeney, both adults living in Glawson, New Jersey.

That the said real estate is not susceptible of partition without material loss and injury to the parties entitled to interests therein as above stated, and that, in order to make division of said interests, it will be necessary that the said real estate be sold, and the proceeds thereof divided amongst the parties entitled thereto according to their several interest, and prayed that a decree may be passed for the sale of the said real estate and that the proceeds of said sale may be distributed between the complainants and defendants according to their respective rights and interests as above stated, and that the Complainants might have such other and further relief as their case may require.

It is Thereupon, this 18th day of October, 1939, Ordered by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that the complainants by causing a copy of this order to be inserted in some newspaper printed and published in Queen Anne's County, once in each of our successive weeks before the 27th day of November, 1939, give notice to Kirby Y. T. Baxter and Margaret Baxter, his wife, and Helen V. Sweeney and Charles Sweeney, her husband, of the State of New Jersey, defendants, and non-residents of the State of Maryland, of the object and substance of this Bill, warning them and each of them to be and appear in this Court,

in person or by solicitor, on or before the 13th day of \_\_\_\_\_, 19\_\_\_\_, next to hshow cause if any they have, why a decree should not be passed as prayed.

A. Sydney Gadd Jr.  
Clerk.

Filed October 18th 1939

~~Title/Copy~~  
~~Text~~

.....  
SUBPOENA FOR RESPONDENT TO APPEAR AND ANSWER  
Filed Oct. 21, 1939

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO ZELL C. BAXTER  
Seals Place

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the first Monday of November next, to answer the complaint of William D. Baxter and Lottie M. Baxter, his wife against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril,

WITNESS, The Honorable William Mason Shehan Chief Judge of our said Court, the first Monday of October 1939  
Issued the 18th day of October 1939

John Palmer Smith

A. Sydney Gadd Jr. Clerk

Solicitor for Complainants

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of November next, being the Return Day.

A. Sydney Gadd Jr. Clerk

.....  
SUBPOENA FOR RESPONDENT TO APPEAR AND ANSWER  
Filed Oct 21, 1939..

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Luther T. Baxter and Esther Baxter, his wife  
Seals)  
Place)

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the first Monday of November next, to answer the complaint of William D. Baxter and Lottie M. Baxter, his wife against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable William Mason Shehan Chief Judge of our said Court, the first Monday of October 1939  
Issued the 18th day of October 1939

John Palmer Smith

A. Sydney Gadd Jr. Clerk

Solicitor for Complainants

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of November next, being the Return Day.

A. Sydney Gadd Jr. Clerk

Endorsed on the back of the foregoing is thus:

Served by reading and leaving Copy with Luther T. Baxter and Esther Baxter Oct 20, 1939.

Edward E. Coursey  
Sheriff

.....  
SUBPOENA FOR RESPONDENT TO APPEAR AND ANSWER  
Filed October 21st ,1939

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

To Rosa A. Weston James W. Weston

(Seals Place )

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the first Monday of November next, to answer the complaint of William D. Baxter and Lottie M. Baxter, his wife against you in said court exhibited

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable William Mason Shehan Chief Judge of our said Court, the first Monday of October 1939 Issued the 18th day of October 1939.

John Palmer Smith  
Solicitor for Complainants

A. Sydney Gadd Jr. Clerk

TO THE DEFENDANT: Yur are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of November next, being the Return Day.

A. Sydney Gadd Jr. Clerk

And on the back of the aforegoing is thus endorsed to wit:

Served by reading and leaving a copy with Rosa A Weston and James W. Weston October 20th 1939

Edward E. Coursey  
Sheriff

.....  
SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
Filed October 21 1939

QUEEN ANNE'S COUNTY, TO WIT:  
THE STATE OF MARYLAND

TO RICHARD T. BAXTER  
ALICE BAXTER HIS WIFE

Seals)  
Place)

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, THAT ALL Excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the first Monday of November next, to answer the complaint of William D. Baxter and Lottie W. Baxterm his wife against you in said Court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable William Mason Shehan Chief Judge of our said Court, the first Monday of October 1939 Issued the 18th day of October 1939

John Palmer Smith  
Solicitor for Complainants

A. Sydney Gadd Jr. Clerk

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of November next, being the Return Day.

True Copy A. Sydney Gadd Jr. Clerk  
Test: A. Sydney Gadd Jr.

And on the back of the aforegoing is thus endorsed to wit:  
Served by reading and leaving copy with Richard T. Baxter and Alice Baxter Oct 21, 1939.

Edward E. Cousey Sheriff

.....ORDER OF MADISON BROWN  
TO ENTER HIS APPRS, FOR  
Filed Nov, 20th 1939

In the Circuit Court for Queen Anne's County, in Equity:

William D. Baxter, et al  
vs  
Kirby Y. T. Baxter, et al  
Chancery Docket  
No. 3228

To A. S. Gadd Jr., the Clerk of said Court:

Please enter my appearance for and on behalf of the following named defendants to the above entitled cause;

Defendants:  
Richard T. Baxter  
Alice Baxter

Rosa A. Weston,  
James W. Weston,  
Luther T. Baxter,  
Esther Baxter,  
Helen V. Sweeney,  
Charles Sweeney,  
Zell C. Baxter,

Madison Brown  
Attorney for above Defendants,

ORDER OF MADISON BROWN TO CLERK TO HAVE  
HIS APPEARANCE ENTERED FOR KIRBY  
Y. T. BAXTER ET AL.

In the Circuit Court for Queen Anne's County, in Equity

William D. Baxter, et al                    |  
  |                    Chancery Docket  
  |                    Cause 3228  
Kirby Y. T. Baxter, et al                 |

To A. S. Gadd , junior Clerk:

Enter my appearance for Kirby Y. T. Baxter and Margaret T. Baxter, his wife, defendants to the bill filed in the above cause.

Madison Brown Attorney at law.  
Madison Brown.

Filed Dec. 15, 1939.

ANSWER OF KIRBY Y. T. BAXTER  
ET AL.  
Filed Dec. 15, 1939

In the Circuit Court for Queen Anne's County, in Equity .

William D. Baxter and Lottie M. Baxter, his wife,                    |  
  |                    Chancery Docket  
  |                    No. 3228  
vs    |  
Kirby Y. T. Baxter and Margaret Baxter, his wife                    |  
Richard T. Baxter and Alice Baxter, his wife                        |  
Roda A. Weston and James W Weston, her husband,                    |  
Luther T. Baxter and Esther Baxter, his wife,                        |  
Helen V. Sweeney and Charles Sweeney, her husband,                 |  
Zell C. Baxter, single,man.    |

To the Honorable, the Judges of said Court;

The answer of  
Kirby Y. T. Baxter and Margaret Baxter, his wife.  
Richard T. Baxter and Alice Baxter, his wife,  
Rosa A. Weston and James W. Weston, her husband,  
Luther T. Baxter and Esther Baxter, his wife,  
Helen V. Sweeney and Charles Sweeney, her husband,  
Zell C. Baxter, single man,  
Defendants in above cause  
to the Bill of Complaint of William D. Baxter and Lottie M.  
Baxter, his wife against these defendants in this Court  
in the above entitled Cause exhibited:

These defendants admit the several matters and things charged in the bill of the complainants to be true and they submit to such decree as in said bill sought.

As in duty bound,

Kirby Y. T. Baxter  
KIRBY Y. T. BAXTER  
Margaret Baxter  
MARGARET BAXTER  
Richard T. Baxter  
RICHARD T. BAXTER  
Alice Baxter  
ALICE BAXTER,  
Rosa A. Weston  
ROSA A. WESTON  
James W. Weston  
JAMES W. WESTON  
Luther T. Baxter  
LUTHER T. BAXTER  
Esther Baxter  
ESTHER BAXTER  
Helen V. Sweeney  
HELEN V. SWEENEY  
Charles J. Sweeney  
CHARLES J. SWEENEY  
Zell C. Baxter  
ZELL C. BAXTER

.....  
PETITION OF ALL DEFENDANTS  
ADDRESSED TO THE COURT.  
Filed Dec. 15, 1939

In the Circuit Court for Queen Anne's County, in Equity;

William D. Baxter, et al

vs

Kirby T. T. Baxter, et al

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0  
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Chancery Docket

No. 3228

To the Honorable, the Judges of said Court:

The under-signed, defendants to the bill of complaint filed in above cause have filed their answer to said bill of complaint above cause have filed their answer to said bill of complaint.

The under-signed respectfully state unto the Court that they are the majority of the owners of the land sought to be sold by said decree, and they desire when the Court appoints the trustee to make the sale prayed for by said bill that the Court will appoint someone to be recommended by them as said Trustee to cooperate with any other person to be appointed by the Court as Trustee so that these defendants may be represented in the trustee-ship.

These defendants now make known that they do not think any sale of the property should be made before sometime in the month of April next ensuing and that any sale made prior to that time will be against the interest of the owners of the land.

Respectfully submitted,

6 Kirby T. T. Baxter  
KIRBY T. T. BAXTER  
Margaret Baxter  
MARGARET BAXTER  
Richard T. Baxter  
RICHARD T. BAXTER  
Alice Baxter  
ALICE BAXTER  
Rosa A. Weston  
ROSA A. WESTON  
James W. Weston  
JAMES W. WESTON  
Luther T. Baxter  
LUTHER T. BAXTER  
Esther Baxter  
ESTHER BAXTER  
Helen V. Sweeney  
HELEN V. SWEENEY  
Charles Sweeney  
CHARLES W. SWEENEY  
Zell C. Baxter  
Zell C. Baxter

Filed Dec. 15, 1939.

.....  
PETITION ASKING LEAVE TO  
AMEND BILL OF COMPLAINT  
Filed Jan 30th 1940

William D. Baxter and  
Lottie M. Baxter, his wife,

vs

Kirby Y. T. Baxter and  
Margaret Baxter, his wife  
Richard T. Baxter and  
Alicen Baxter, his wife, Rosa A.  
Weston and James W. Weston, her  
husband, Zell C. Baxter, unmarried  
man, Luther T. Baxter and Esther Baxter, his  
wife, Helen V. Sweeney and Charles Sweeney, her  
Husband

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IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY,

IN EQUITY.

CAUSE NO. 3228

To the Honorable, the Judges of the said Court.

Your Orators, Complaining say:-

1. That heretofore, to wit, on the 18th day of October, 1939, they filed their Bill of Complaint in this Court against Kirby Y. T. Baxter and Margaret Baxter, his wife, Richard T. Baxter and Alice Baxter, his wife, Rosa A. Weston, and James W. Weston, her husband, Zell C. Baxter, unmarried man, Luther T. Baxter and Esther Baxter, his wife, Helen V. Sweeney and Charles Sweeney, her husband, defendants, praying, amongst other things, for a sale for the purpose of partition of certain premises, as in said Bill of Complaint more particularly set forth, to which Bill of defendants therein answered as will appear in the proceedings.

2. That your Orators have lately discovered that at the time of filing of the said Bill of Complaint, certain Judgements ~~will be filed as exhibits with the amended Bill of Complaint~~ were resting upon the undivided interest of Rosa A. Weston and upon the undivided interest of Richard T. Baxter respectively in the real estate described in the

said Bill of Complaint, said Judgements being:-

(a) The Judgement of W L. Price against James E? Weston and Rosa A. Weston for the sum of \$422,15 and commissions \$42.2. and cost \$7.65, bearing date March 15, 1933, and being #13 Appearances, January Term , 1933, on the Appearance Docket in the Circuit Court for Queen Anne's County.

(b) The Judgment of John C. Benton and George R. Benton, Executors of the Last Will and Testament of John R. Benton, deceased, against James E. Weston and Rosa A. Weston, for the sum of \$162.65 and commissions \$8,14 and costs \$7.65, and being #10 Appearances, July Term, 1935, said Judgment being dated August 22, 1935, as will appear by the Appearance Docket in the Circuit Court for Queen Anne's County.

(c) The Judgment of John C. Benton and George R. Benton, Executors of the Last Will and Testament of John R. Benton, deceased, against James E. Weston and Rosa A. Weston, for the sum of \$72.66, and commissions \$3.66, and costs \$7.65, bearing date August 22, 1935, and being #11 Appearances, July Term, 1935, on the Appearance Docket in the Circuit Court for Queen Anne's County.

(d) The Judgment of George R. Caulk, Albert U. Caulk, Alvin I. Caulk, co-partners trading as George R. Caulk, & Sons, against Richard T. Baxter, for the sum of \$95.50 and costs, bearing date, June 17, 1933, and being #5 Civil Appeals, May Term, 1933, as will appear by the Civil Appeals Docket in the Circuit Court for Queen Anne's County.

Certified copies of which said four above described Judgments will be filed as exhibits with the amended Bill of Complaint.

(3) That the said W. L. Price, and John C. Benton and George R. Benton, Executors of the Last Will and Testament of John R. Benton, deceased, all adult residents of Queen Anne's County, Maryland, who are Judgment Creditors of James E. Weston and Rosa A. Weston as above described and who hold encumbrances upon the undivided share of Rosa A. Weston in the property prayed to be sold for the purpose of partition, are necessary and proper parties to this suit.

(4) That the said George R. Caulk, Albert U. Caulk, and Alvin I. Caulk, co-partners, trading as George R. Caulk & Sons, all adult residents of Talbot County, Maryland, who are Judgment Creditors of Richard T. Baxter as above described and who hold an encumbrances upon the undivided share of Richard T. Baxter in the property prayed to be sold for the purpose of partition, are necessary and proper parties to this suit.

WHEREFORE, Your Orators, pray leave to amend the original Bill of Complaint by making the said W. L. Price, and John C. Benton and George R. Benton, Executors of the Last Will and Testament of John R. Benton, deceased, and George R. Caulk, Albert U. Caulk and Alvin I. Caulk, co-partners, trading as George R. Caulk, & Sons, parties to this suit, that the said James E. Weston and Rosa A. Weston, and Richard T. Baxter may answer the amended Bill of Complaint; that the said W. L. Price, and John C. Benton and George R. Benton, Executors of the Last Will and Testament of John R. Benton, deceased, and George R. Caulk, Albert U. Caulk and Alvin I. Caulk, co-partners, trading as George R. Caulk & Sons may answer as well the matter in the original Bill of Complaint as well as the Amended Bill; that Your Orators may have such further relief against the said James E. Weston and Rosa A. Weston, and Richard T. Baxter and the said W. L. Price, and John C. Benton and George R. Benton, Executors of the last Will and Testament of John R. Benton, deceased, and George R. Caulk and Alvin I. Caulk, co-partners, trading as George R. Caulk & Sons as is prayed by their original Bill and may be prayed against them in their Amended Bill of Complaint.

As in duty bound, etc.

John Palmer Smith  
Solicitor for Complainants

Filed Jan 30th 1940

O R D E R O F C O U R T

The foregoing Petition asking leave to amend the Bill of Complaint filed in this Court on the 18th day of October, 1939, has been read and considered.

It is thereupon, on this 31st day of January , 1940, by the Circuit Court for Queen Anne's County, in Equity, and by the authority thereof, Ordered that the said complainants be, they are hereby granted leave to amend the original Bill of Complaint as prayed in the foregoing Petition.

Filed Jan. 31st 1940.

Thos. J. Keating

AMENDED BILL OF COMPLAINT  
WITH EXHIBITS E, F, G, AND H.  
Filed Jan. 31, 1940

William D. Baxter and  
Lottie M. Baxter ,his wife

vs

Kirby Y. T. Baxter and  
Margaret Baxter, his wife  
Richard T. Baxter and  
Alice Baxter, his wife, Rosa  
A. Weston and James W. Weston, her  
husband, Zell C. Baxter, unmarried man,  
Luther T. Baxter, and Esther Baxter, his  
wife, Hene V. Sweeney and Charles Sweeney  
her husband/

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY

IN EQUITY

CAUSE NO. 3228

TO THE HONORABLE , THE JUDGES OF SAID COURT: -



The amended Bill of Complaint of William D. Baxter and Lottie M. Baxter, his wife, residing in Queen Anne's County, State of Maryland, respectfully represents:-

1. That Richard B. Baxter, late of Queen Anne's County, Maryland, deceased, was, in his lifetime, and at the time of his death, seized and possessed of the following described lands, to wit:-

Lot No. 1, All that lot or parcel of land situate on Kent Island, Queen Anne's County, Maryland, and described as follows: Beginning at a stone on northeasterly corner of the lot on the public road from Stevensville to the Chester River Steamboat Landing (near the northern outskirts of Stevensville) and running thence a westerly course 175 yards to the corner of Reuben Legg yard, thence in an easterly course 151 1/4 yards to the public road, then with the public road in a northerly direction 50 yards to the stone, the place of beginning, containing one acre, 1 rood and 28 perches. Being the real estate and premises conveyed to the said Richard B. Baxter from Charles Downs and Mary Downes his wife, by deed dated May 21st, 1880, and recorded among the land records of Queen Anne's County, in Liber J. W. #11, folio 16, etc.

Lot No. 2 . All that real estate situate on Kent Island on the left of the public road leading from Stevensville, Queen Anne's County, Maryland, near the northern outskirt of Stevensville, to the Steamboat Wharf, adjoining the property of or formerly of Mrs. James E. Cockey, the Baxter land and the land of others, being a part of the late Reuben Legg land, being lots numbers 5, 6, 11, 12, 13 and 14, containing approximately 14 acres of land. Being the same land conveyed to Richard B. Baxter by deed from Thomas J. Keating and B. Palmer Keating, attorneys Vendors, dated April 20th, 1893, and recorded among the land records aforesaid in Liber L. D. #1, folio 457, excepting therefrom the four parcels of land which were granted and conveyed by Richard B. Baxter and wife by the following deeds, to wit;

1. Deed from Richard B. Baxter and wife to Sallie L. V. Porter, dated Oct., 22nd, 1901, recorded in Liber J. E. G. #3, folio 215;
2. Deed from Richard B. Baxter and wife to William D. Baxter, dated June 25, 1908, recorded in Liber S. S. #5, folio 4;
3. Deed from Richard B. Baxter and wife to James W. Marvel, dated June 24, 1913, recorded in Liber W. F. W. #3, folio 401;
4. Deed from Richard B. Baxter and wife to Katie E. Norman, dated Feb. 24, 1917, recorded in Liber W. F. W. #10, folio 171.

The above four parcels of land containing in the aggregate about four acres of land, leaving approximately a balance of ten (10) acres of land, with the improvements thereon of which Richard B. Baxter died seized and possessed, and the following lot, namely:-

Lot No. 3. All that tract of land situate near Stevensville, Queen Anne's County, Maryland, near northern outskirts of Stevensville, being on the left of the public road leading from Stevensville to Love Point, containing 2-3/4 acres of land, Being the real estate conveyed to Richard B. Baxter from Wm. T. Stevens and wife, by deed dated May 6th, 1912, and recorded in Liber W. F. W. #1, folio 391.

Certified copies of which said three lots of land conveyed to Richard B. Baxter as aforesaid are filed herewith marked Exhibits A.B. and C. and prayed to be taken as part hereof.

2. That being so seized and possessed as aforesaid, the said Richard B. Baxter departed this life on or about July 15, 1920, leaving a last will and testament, and leaving surviving him, a widow, Wilhelmina A. Baxter, who was generally known as and called Willie A. Baxter, and the following children: Kirby Y. T. Baxter, Richard T. Baxter, Rosa A. Weston, nee Rosa A. Baxter, William D. Baxter, Zell C. Baxter, Luther T. Baxter and Helen V. Sweeney, nee Helen V. Baxter.

3. That the said Richard B. Baxter by his last will and testament, duly admitted to probate on July 27th, 1920, in the Orphans' Court of Queen Anne's County, and recorded among the Will Records of said County in Liber W. T. B. #1, folio 205, a certified copy of which is filed herewith and marked Exhibit D, and prayed to be taken as a part hereof, devised all of his real estate to his wife, Willie A. Baxter (Otherwise Wilhelmina A. Baxter) during her life, and at her death to be equally divided among his surviving children.

4. That the said Willie A. Baxter died in Queen Anne's County on or about the 23rd day of September, 1939, leaving the said Kirby Y. T. Baxter, Richard T. Baxter, Rosa A. Weston, William D. Baxter, Zell C. Baxter, Luther T. Baxter and Helen V. Sweeney, all the children of the said Richard B. Baxter and the said Willie A. Baxter, surviving her, and they being also all the devisees under the last will and testament of the said Richard B. Baxter.

5. That the said land aforesaid of which the said Richard B. Baxter died seized and possessed is now owned by the said Kirby Y. T. Baxter, Richard T. Baxter, Rosa A. Weston, William D. Baxter, Zell C. Baxter, Luther T. Baxter and Helen V. Sweeney, all adults, as tenants in common to the extent of an undivided one-seventh part respectively.

6. That the said Kirby Y. T. Baxter intermarried with the said Margaret Baxter, both adults, and live at Seaside Park, New Jersey, that the said Richard T. Baxter intermarried with Alice Baxter, both adults, and live in Queen Anne's County, Maryland; that the said Rosa A. Weston intermarried with James W. Weston, both adults, and live in Queen Anne's County, Maryland; that your Orator William D. Baxter intermarried with Lottie M. Baxter, both adults, and live in Queen Anne's County, Maryland; that the said Zell C. Baxter, adults, is an unmarried man, and lives in Queen Anne's County, Maryland; that the said Luther T. Baxter intermarried with Esther Baxter, both adults, and live in Queen Anne's County, Maryland, and that the said Helen V. Sweeney intermarried with Charles Sweeney, both adults and live at Clawson, New Jersey.

7. That the following Judgement rest upon the undivided interest of Rosa A. Weston in the aforementioned real estate, viz:

- (a) The Judgment of W. L. Price against James E. Weston and Rosa A. Weston

for the sum of \$422.15 and commissions \$42.21 and costs \$7.65, bearing date March 15, 1933, and being #13 Appearances, January Terms, 1933, on the Appearance Docket in the Circuit Court for Queen Anne's County.

(b) The Judgment of John C. Benton and George R. Benton, Executors of the Last Will and Testament of John R. Benton, deceased, against James E. Weston and Rosa A. Weston, for the sum of \$162.65 and commissions \$8.14, and costs \$7.65, and being #10 Appearances, July Term, 1935, said Judgment being dated August 22, 1935, as will appear by the Appearance Docket in the Circuit Court for Queen Anne's County.

(c) The Judgment of John C. Benton and George R. Benton, Executors of the Last Will and Testament of John R. Benton, deceased, against James E. Weston and Rosa A. Weston, for the sum of \$72.66, and commissions \$3.66, and costs \$7.65, bearing date August 22, 1935, and being #11 Appearances, July Term, 1935, on the Appearance Docket in the Circuit Court for Queen Anne's County.

Certified copies of said Judgments being filed herewith as a part hereof marked Plaintiff's Exhibit E. F. and G.

8. That the following Judgment rests upon the undivided interest of Richard T. Baxter in the aforementioned real estate, viz:

(a) The Judgment of George R. Caulk, Albert U. Caulk, Alvin I. Caulk, co-partners trading as George R. Caulk & Sons, against Richard T. Baxter, for the sum of \$95.50 and costs, bearing date, June 17, 1933, and being #5 Civil Appeals, May Term, 1933, as will appear by the Civil Appeals Docket in the Circuit Court for Queen Anne's County.

Certified copy of said Judgment being filed herewith as a part hereof marked Plaintiff's Exhibit H.

9. That the said W. L. Price, and John C. Benton and George R. Benton, Executors of the Last Will and Testament of John R. Benton, deceased, are all adults, residents of Queen Anne's County, Maryland.

10. That the said George R. Caulk, Albert U. Caulk, Alvin I. Caulk, co-partners, trading as George R. Caulk & Sons, are all adults of Talbot County, Maryland.

That the said real estate is not susceptible of partition without material loss and injury to the parties entitled to interests therein as above states, and that, in order to make division of said interests, it will be necessary that the said real estate be sold, and the proceeds thereof divided amongst the the parties entitled thereto according to their several interests.

To the end therefore.

1. That a decree may be passed for the sale of the said real estate hereinbefore described.
2. That the proceeds of said sale may be distributed between the complaintants and the defendants according to their respective rights and interests,
3. That your Orators may have such other and further relief as their case may require.

May it please your Honors to grant unto the complaintants the Order of Publication giving notice to the said Kirby Y. T. Baxter and Margaret Baxter, his wife, and Helen V. Sweeney and Charles Sweeney, her husband, all of whom are adults, all of whom are residents of the State of New Jersey, and all non-residents of the State of Maryland, and warning them and each of them to be and appear in this Court, in person or by solicitor, on or before a certain day, to be named therein, to show cause, if any they have, why a decree ought not to be passed as prayed; and also the Writ of Subpoena directed to the said Richard T. Baxter and Alice Baxter, his wife, Rosa A. Weston and James W. Weston, her husband, Zell C. Baxter, unmarried man, Luther T. Baxter and Esther Baxter, his wife, W. L. Price, and John C. Benton and George R. Benton, Executors of the Last Will and Testament of John R. Baxter, deceased, all of whom are adults residing in Queen Anne's County, Maryland, and also the Writ of Subpoena directed to the said George R. Caulk, Albert U. Caulk, Alvin I. Caulk, co-partners, trading as George R. Caulk & Sons, all of whom are adults residing in Talbot County, Maryland, commanding them and each of them, to be and appear, either in person or by solicitor, in this Court, on or before a certain day, to be named therein, to show cause, of any they have, why a decree ought not to be passed as prayed.

And as in duty bound, etc.,

John Palmer Smith  
Solicitor for Complaintants.

Filed Jan, 31st 1940.

.....  
CERTIFIED COPY OF JUDGMENT OF W.L. PRICE  
VS, JAMES & ROSA WESTON.  
EXHIBIT "E"  
Filed Jan. 31st ,1940

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY, MARYLAND.

January TERM 1933,

T. J. K. Jr, W. L. Price ) Filed March 15th 1933, Order to docket suit,  
) Narr and Note with power to enter Judgment by  
) confession &c.  
)  
) March 15th 1933. Judgment entered by confession  
13 vs ) by the Defendants in favor of the Plaintiff  
) for the sum of Four Hundred -twenty two dollars  
James E. Weston and ) and fifteen cents (\$422,15) with interest  
Rosa A. Weston ) from date hereof until paid and costs of suit,  
) with all exceptions waived and \$42.21 commissions.  
)  
)  
Apprs. \$5.00 )  
Clerk 2.65 ) Pd. 3/28/33 )

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, SCT:

I hereby certify that the above is a true short copy of the original Judgment rendered in the Circuit Court for Queen Anne's County, in the State of Maryland, at the above entitled Term, and also of the subsequent docket entries in said case; and that there is not entry or proceedings in the said Court to show that the said Judgment, or any part thereof, hath been paid or satisfied.

IN TESTIMONY WHEREOF, I heretunto subscribe my name and affix the Seal of the Circuit Court for Queen Anne's County on this 29th day of January in the year of our Lord nineteen hundred and forty.

A. Sydney Gadd Jr.  
Clerk of the Circuit Court for  
Queen Anne's County.

.....  
CERTIFIED COPY OF JUDGMENT OF JOHN  
C. BENTON, ET AL: EXECUTORS, VS  
JAMES & ROSA WESTON.  
Filed Jan 31st 1940  
Exhibit "F"

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY, MARYLAND

July TERM 1935

M. Brown John C. Benton and George ) Filed August 22nd, 1935. Order to docket suit,  
R. Benton, Executors of the ) Narr and Note with power to enter Judgment  
Last Will and Testament ) by confession &c.  
of John R . Benton deceased )  
)  
) August 22nd, 1935. Judgment entered by  
10 vs ) confession by the Defendants in favor  
) of the Plaintiffs for the sum of One  
James E. Weston and ) Hundred- Sixty two dollars and sixty five  
Rosa A. Weston ) cents (\$162.65) with interest from date  
) hereof until paid, and costs of suit, with  
) all exemptions waived and \$8.14 commissions,  
)  
)  
Apprs. \$5.00 )  
Clerk 2.65 ) Pd. 12/17/ 35 )

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, SCT:

I hereby certify that the above is a true short copy of the original Judgment rendered in the Circuit Court for Queen Anne's County, in the State of Maryland, at the above entitled Term, and also of the subsequent docket entries in said case; and that there is not entry or proceeding in the said Court to show that the said Judgment, or any part thereof, hath been paid or satisfied.

IN TESTIMONY WHEREOF, I hereunto subscribed my name and affix the Seal of the Circuit Court for Queen Anne's County on this 29th day of January in the year of our Lord nineteen hundred and forty.

A. Sydney Gadd Jr.  
Clerk of the Circuit Court for  
Queen Anne's County.

.....  
CERTIFIED COPY OF JUDGMENT OF  
JOHN C. BENTON , ET AL  
EXECUTORS, VS JAMES & ROSA WESTON  
EXHIBIT "G"  
Filed Jan. 31st 1940

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY, MARYLAND

July TERM 1935

M. Brown John C. Benton and George R. Benton Executors of the Last Will and Testament of John R. Benton, deceased.

11. vs

James E. Weston and Rosa A. Weston

Apprs. \$5.00 ) Clerk 2.65 ) Pd. 12/17/35

) Filed August 22nd, 1935 Order to Docket suit, Narr and Note with power to enter Judgment by confession &c. August 22nd. 1935. Judgment entered by confession by the defendants in favor of the Plaintiffs for the sum of Seventy-two dollars and sixty six cents (\$72.66) with interest from date hereof until paid, and costs of suit, with all exceptions waived, and \$3.63 commissions.

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, SCT:

I hereby certify that the above is a true short copy of the original Judgment rendered in the Circuit Court for Queen Anne's County, in the State of Maryland, at the above entitled Term, and also of the subsequent docket entries in said case; and that there is no entry or proceeding in the said Court to show that the said Judgment, or any part thereof, hath been paid or satisfied.

Seals Place.

IN TESTIMONY WHEREOF, I hereunto subscribed my name and affix the Seal of the Circuit Court for Queen Anne's County on this 29th day of January in the year of our Lord nineteen hundred and forty.

A. Sydney Gadd Jr. Clerk of the Circuit Court for Queen Anne's County.

CERTIFIED COPY OF JUDGMENT OF GEO. R. CAULK & SONS VS. RICHARD T. BAXTER EXHIBIT "H" Filed Jan. 31st 1940

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY, MARYLAND.

Civil Appeals

Term, 19

T. J. K. Jr. Richard T. Baxter

1933 May #5

vs

J. H. C. L. George R. Caulk Albert U. Caulk Alvin I. Caulk co-Partners, trading as Gerorge R. Caulk and Sons

Costs below \$5.80 A \$5.00 A 5.00 C 4.85 C .85 S 2.50

) Filed February 8th, 1933. Appeal from the Judgment of E. M. Forman, J. P. Copy of Docket entries, Acct. Sums in Debt: 2 Sums for Wits: Summons in Duplicate for appellee Feb'y 20th 1933. Summons returned endorsed: "Summoned Omnes" May 1st, 1933. Case called and marked Trial- Election of trial before the Court Witnesses called June 17th, 1933. Trial before the Court. June 17th 1933, Verdict for Appellees George R. Caulk and Albert M. Caulk and Alvin I. Caulk trading as George R. Caulk and Sons for the sum of Fifty Nine Dollars and Fifty cents (\$59.50) Judgment on Verdict for \$59.50 with interest from date and costs above and below.

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

I hereby certify that the above is a true short vopy of the original Judgment rendered in the Circuit Court for Queen Anne's County, in the State of Maryland, at the above entitled Term, and also of the subsequent docket entries in said case, and that thereis not entry or proceeding in the said Court to show that the said Judgment, or any part thereof, hath been paid or satisfied.

Seals Place.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the Seal of the Circuit Court for Queen Anne's County on this 29th day of January in the year of our Lord nineteen hundred and forty.

A. Sydney Gadd Jr. Clerk of the Circuit Court for Queen Anne's County.

SUBPOENA FOR RESPONDENT TO APPEAR AND ANSWER Filed February 5th 1940

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Seals Place

George R. Caulk Albert U. Caulk Alvin I. Caulk, Co- Partners trading as George R. Caulk and Sons.

OF TALBOT COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the first Monday of February next, to answer the complaint of William D. Baxter and Lottie M. Baxter, his wife against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable William Mason Shehan Chief Judge of our said Court, the first Monday of January 1940  
Issued the thirty first day of January 1940

John Palmer Smith \_\_\_\_\_ A. Sydney Gadd Jr. Clerk  
Solicitor for Complainants \_\_\_\_\_

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of February next, being the Return day.

\_\_\_\_\_ A. Sydney Gadd Jr. Clerk

And on the back of the foregoing is thus endorsed to wit:

Received the 1st day of Feby 1940 and forthwith delivered to the Sheriff of Talbott County for service.

8 Test: T. J. Faulkner \_\_\_\_\_

Summoned Omnes except George A. Caulk, and Alvin I Caulk who are non est  
John R. Scott Sheriff  
Per M. L. Aikenhead Dupty

.....  
ANSWER OF WALTER L, PRICE  
Filed Feb. 9th 1940

WILLIAM D. BAXTER, et al            |       IN THE CIRCUIT COURT FOR  
KIRBY Y. T. BAXTER, et al         |       Chancery #3228

ANSWER OF WALTER L . PRICE

TO THE HONORABLE, The Judges of said Court:

THE ANSWER of Walter L. Price, one of the Defendants, by Thomas J. Keating, Jr., his attorney, to the amended Bill of Complaint of Wm. D. Baxter, et al, filed in this Cause, unto your Honors respectfully shows:

THAT your Respondent, having no knowledge of the matters and facts alleged in said Bill of Complain, except the allegations contained in Section A, of Paragraph 7, thereof, neither admits nor denies the allegations of said Bill except said allegations can ained in said Section A, of Paragrph 7, which said allegations your Respondent admits.

AND your Respondant consents to the passing of a Decree as prayed for in said Bill, at the same time prayed that his interests as a Judgment Creditor of the Defendant, Rosa A. Weston, be protected.

Respectfully submitted,

Thos. J. Keating Jr.  
SOLICITOR FOR WALTER L. PRICE, one of the Defendants.

Filed Feb. 9th 1940

.....  
ANSWER OF GEORGE R. CAULK  
AND SONS  
Filed Feb. 21, 1940

William D. Baxter, et al            |       In the Circuit Court for Queen Anne's County  
Kirby Y, T. Baxter, et al         |       Chancery #3228

Answer of George R. Caulk, et al

To the Honorable, the Judges of said Court?

The Answer, of George R. Caulk, Albert U. Caulk and Alvin I. Caulk, co-partners, trading as George R. Caulk and Sons, by B. Hackett Turner, Jr., their Attorney, to the amended Bill of Complaint of William D. Baxter, et al, filed in this cause, unto your Honors respectfully shows:

The your Respondents, having no knowledge of the matters and facts alleged in said Bill of Complaint , except the allegations contained in Section A, of

Paragraph 8, thereof, neither admits nor denies the allegations of said Bill except said allegations contained in said Section A, of Paragraph 8, which said allegations your Respondents admits.

AND your Respondents consents to the passing of a Decree as prayed for in said Bill, at the same time praying that their interests as a Judgment Creditor of the Defendant, Richard T. Baxter, be protected.

Respectfully submitted,

B. Hackett Turner Jr.,  
Solicitor for George R. Caulk and Sons

Filed Feb. 21, 1940.

ORDER TO ISSUE RICHARD BAXTER, ET AL  
Filed Feb. 24, 1940

William D. Baxter, et al

vs

Kirby Y. T. Baxter, et al

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IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY, IN EQUITY  
CAUSE NO. 3228

A. S. Gadd, Jr., Esquire

Clerk of the Court  
Sir:

You will issue Writs of Subpoena returnable on the first Monday of March, 1940, to the following adults defendants, to the prayer for process in the Amended Bill of Complaint, all residents of Queen Anne's County, to wit:

Richard T. Baxter.

Rosa A. Weston and James W. Weston, her husband.  
John C. Benton and George R. Benton, Executors of the  
Last Will and Testament of John R. Benton, deceased.

John Palmer Smith  
Solicitor for Complainants.

SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
Filed Feb. 28, 1940

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO  
Seals  
Place. Rosa A. Weston and James W. Weston, her husband

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the first Monday of March next, to answer the complaint of William D. Baxter, et al. against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable William Mason Shehan Chief Judge of our said Court,  
the first Monday of February 1940  
Issued the 24th day of February 1940

John Palmer Smith  
Solicitor for Complainants

A. Sydney Gadd Jr. Clerk

TO THE DEFENDANT: You are required to file your answer of other defense in the office of the Clerk of this Court within fifteen days of the first Monday of March next, being the Return Day.

A. Sydney Gadd Jr. Clerk

And on the back of the foregoing is thus endorsed to wit:  
Served reading and leaving copy with Rosa A. Weston  
and James W. Weston February 26, 1940

Edward E. Coursey Sheriff

SUBPOENA FOR RESPONDENT TO APPEAR  
AND ANSWER.  
Filed Feb. 28th 1940

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO  
Richard T. Baxter

Seals  
Place

OF QUEEN ANNE'S COUNTY, GREETING

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the first Monday of March next, to answer the complaint of William D. Baxter, et al against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable William Mason Shehan Chief Judge of our said Court, the first Monday of February 1940  
Issued the 24th day of February 1940

A. Sydney Gadd Jr. Clerk

John Palmer Smith

Solicitor for Complainants

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of March next, being the Return Day.

A. Sydney Gadd Jr. Clerk

And on the back of the foregoing is thus endorsed to wit:  
served by reading and leaving copy with Richard T. Baxter  
Feb. 27, 1940.

Edward E. Coursey Sheriff

.....  
COPY OF SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER, TO BE LEFT  
WITH JOHN C. BENTON EXTR.  
Filed Mar 1st 1940

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO John C. Benton and George R. Benton, Executors of the Last Will and Testament of John R. Benton deceased.

Seals  
Place

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the first Monday of March next, to answer the complaint of William D. Baxter, et al against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable William Mason Shehan Chief Judge of our said Court the first Monday of February 1940  
Issued the 24th day of February 1940

A. Sydney Gadd Jr. Clerk

John Palmer Smith

Solicitor for Complainants.

TO THE DEFENDANT: You are required to file your answer or other defense in the Office of the Clerk of this Court fifteen days of the first Monday of March next, being the Return Day.

A. Sydney Gadd Jr. Clerk

True Copy  
Test: A. Sydney Gadd Jr. Clerk

And on the back of the foregoing is thus endorsed to wit:  
served by reading and leaving copy with John C. Benton and George R. Benton Feb. 29, 1940

Edward E. Coursey Sheriff

.....  
ANSWER OF JOHN C. BENTON, ET AL  
EXECUTORS, TO THE AMENDED BILL OF  
COMPLAINT  
FILED March 22<sup>nd</sup> 1940

William D. Baxter, et al

vs

Kirby Y. T. Baxter, et al

0  
0  
0  
0  
0

In the Circuit Court for  
Queen Anne's County,  
in Equity  
No. 3228

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Joint and several Answer of John C. Benton and George R. Benton, Executors of the last will and testament of John R. Benton, to the Amended Bill of Complaint of William D. Baxter, et al., against them in this Court in this cause exhibited:

These Respondents admit that matters and things set forth in the amended Bill of Complaint to be true, and submit to such Decree as may be right and proper in the premises.

Madison Brown  
Solicitor for Respondents.

Filed March 22<sup>m</sup> 1940

.....  
ANSWER OF KIRBY Y. T. BAXTER ET AL.,  
TO THE AMENDED BILL OF COMPLAINT.  
Filed March 27, 1940

William D. Baxter, et al                    )     In the Circuit Court for  
  )     queen anne's County, in Equity  
  )     Cause No. 3228  
vs    )     )  
Kirby Y. T. Baxter, et al                 )     )

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The joint and several Answer of Kirby Y. T. Baxter and Margaret Baxter, his wife, Alice Baxter, wife of Richard T. Baxter, Luther T. Baxter and Esther Baxter, his wife, Helen V. Sweeney and Charles Sweeney, her husband, and Zell C. Baxter, single man, Defendants in the above Cause to the Amended Bill of Complain of William D. Taxter, et al., against these defendants in this Court in this Cause exhibited:-

These above named Defendants admit the several matters and things charged in the amended bill of complaint to be true and they submit to such Decree as in said Bill sought.

And as in duty bound, et c.,

Madison Brown  
Solicitor for Kirby Y. T. Baxter,  
Margaret Baxter,  
Alice Baxter,  
Luther T. Baxter  
Esther Baxter,  
Helen V. Sweeney,  
Charles Sweeney,  
Zell C. Baxter

Filed March 22<sup>m</sup> 1940

.....  
ANSWER OF RICHARD T. BAXTER  
Filed March 27th 1940

William D. Baxter, et al                    )     In the Circuit Court for  
  )     Queen Anne's County,  
  )     In Equity, Cause No. 3228  
vs    )     )  
Kirby Y. T. Baxter, et al                 )     )

TO THE HONORABLE, THE JUDGES OF SAID COURT:-

The Answer of Richard T. Baxter to the Amended Bill of Complaint of William D. Baxter, et al., against him in this Court in this cause exhibited:-

This Defendant admits his indebtedness unto George R. Caulk, Albert U. Caulk and Alvin I. Caulk, co-parnters trading as George R. Caulk & Sons under their judgment against him described in sub-paragraph (a) of Pargnaph 8 of said Amende Bill of Complaint, and the paragraph correctly states the amounts due under siad judgment.

This Defendant admits all the other matters and things in said amended bill of complaint to be true, and submits to such Decree as may be right and proper in the premises.

R. T. Baxter  
Richard T. Baxter

Madison Brown  
Solicitor for Richard T. Baxter,

.....  
ANSWER OF WESTONS  
Filed March 27th 1940

William D. BAXter, et al                    )     In the Circuit Court for  
  )     Queen Anne's County,  
  )     In Equity.  
vs    )     Cause No. 3228.  
Kirby Y. T. Baxter, et al,                 )     )



TO THE HONDRABLE, THE JUDGES OF SAID COURT:-

The joint and serveral Answer of James E. Weston and Rosa A. Weston, his wife, to the Amended Bill of Complaint of William D. Baxter, et al., against them in this Court in this Cause exhibited:-

These Defendants admit their indebtedness unto W. L. Price under his judgment against them described in sub-paragraph (a) of Paragraph 7 of said Amended Bill of Complaint, and the Pargraph correctly states the amounts due under said judgment.

These Defendants admit their indebtednesses unto John C. Bnton and George R. Banton, Executors of the last will and testamēt of John R. Benton under their two Judgments against them described in sub-paragraphs (b) and (c) of Pargraph 7 of said Amended Bill of Complaint, and the pargaraphs correctly state the amounts due under each of said judgments.

These Defendants admit all the other matters and things in said amended bill of complaint to be true, andsubmit to such Decree as may be right and proper in the premises.

James E. Weston  
James E. Weston,  
Rosa A. Weston  
Rosa A. Weston

Madison Brown  
Solicitor for James E. Weston  
and Rosa A. Weston.  
Filed March 27th 1940

.....  
SUBMISSION FOR DECREE  
Filed March 27th 1940

William D. Baxter, et al                  } IN THE CIRCUIT COURT  
                    Plaintiffs,                  }  
                    vs                                      } FOR QUEEN ANNE'S COUNTY,  
Kirby Y. T. Baxter, et al                  }  
                    Defendants,                              } IN EQUITY,  
  } Cause No. 3228

TO THE HONORABLE, THE JUDGES OF SAID COURT:-

The above case is submitted for Final Decree.

John Palmer Smith  
Solicitor for Plaintiffs  
Madison Brown.  
Solicitor for Defendants.

Filed March 27th 1940

.....  
DECREE  
Filed March 29th 1940

In the Circuit Court for Queen Anne's County, in Equity.

William D. Baxter, et al Plaintiffs,         }  
  }  
                    vs                                      } Cause No.  
Kirby Y. T. Baxter, et al defendants        }  
  } 3228

This cause standing rady for hearing and being submitted without argument the bill of complaint and all other proceedings were read and considered.

And upon the assent to a Decree of the Defendants, all adults,

It is thereupon/on this 29th day of March in the year nineteen hundred and forty by the Cirduit Court for Queen Anne's County, sitting as a Court of Equity and by the authority of this Court, adjudged, ordered and decreed as follows, to wit:

- 1. That the real estate in these proceedings mentioned by sold for the purpose of partition between the parties.
- 2. That Madison Brown and John Palmer Smith, of said county be and they are hereby appointed to make said sale, and the course and manner of their proceedings shall be as follows:
- 3. They shall first file with the Clerk of the Circuit Court for Queen Anne's County a bond to the State of Maryland conditioned for the faithful performed af the trust reposed in them by this decree or which may be reposed in them by any future order or decree in the premises to be executed by themselves with a surety or surties thereon to be approved by this Court or by said Clerk in the penalty of Four Hundred dollars, if the surety or sureties thereon be natural person or natural persons, and in the pernalty of two Thousand dollars, if the surety thereon shall be a corporate surety.
- 4. They shall then proceed to make the said sale, first having given at least three weeks previous notice thereof by advertisement inserted in some newspaper printed and published in Queen Anne's County, State of Maryland ( and such other notice as they shall think proper) of the time, place , manner and terms of sale which shall be as follows:  
One third cash, balance in six and twelves months from the day of sale or all cash as the purchaser may elect at the time of the sale; credit payments to bear interest from the say of sale and to be secured to the satisfaction of the trustees.  
One-third of the purchase money to be required of the purchaser at the time and place of the sale; the balance of the purchas money to bear interest from the day of sale.
- 5 As soon as may be convenient after any such sale or sale, the saidtrustees shall

return to this Court a full and particular account of the same with an affidavit of the truth thereof, and of the fairness of said sale or sales, annexed, and on the ratification of such sale or sales by this Court, and on the payment of the whole purchase money, and not before, the said trustees, by a good and sufficient deed to be executed and acknowledged agreeably to law, shall convey to the purchaser or purchasers of said property and to his, her, or their heirs, the property and estate to him, her or them sold, free, clear and discharged from all claims of the parties to this cause, and of any and every person or persons claiming by, from or under them or any of them.

6. And the said trustees shall bring into this Court the money arising from said sale or sales and the bonds or notes which may be taken for the same, to be disposed of under the direction of this Court, after deducting therefrom the costs of this suit and such commissions to the said trustees as this Court shall think proper to allow in consideration of the skill, attention, and fidelity wherewith they shall appear to have discharged their trust.

7. The rights, if any, of the defendant lienors made defendants under the Amended Bill of complaint, shall be reserved to them as against the proceeds of sale and in the distribution thereof according to their legal preference or priority.

Thomas J. Keating

Filed March 29th 1940

.....  
 CERTIFIED COPY OF BOND  
 Filed June 8th 1940

Queen Anne's County, to wit: Be it remembered that on the Eight day of June, in the year Nineteen Hundred and forty, the following Bond was filed for Record, to wit:

KNOW ALL MEN BY THESE PRESENTS:

That we, Madison Brown and John Palmer Smith, of Queen Anne's County, State of Maryland, as principals, and the American Surety Company of New York, a body corporate, duly authorized by its charter to become sole surety on bonds, as surety, are held and firmly bound unto the State of Maryland, in the full and just sum of TWO THOUSAND DOLLARS (\$2,000.00), current money of the United States of America, to be paid to the said State of Maryland, or its certain attorney, to which payment well and truly to be made and done we bind ourselves and each of us, our and each of our heirs, executors and administrators, successors and assigns, in the whole and for the whole, jointly and severally, firmly by these presents, sealed with our seals and dated this eighth day of June, nineteen hundred and forty.

WHEREAS, The above bounden, Madison Brown and John Palmer Smith, by virtue of a decree of the Circuit Court for Queen Anne's County, in Equity, have been appointed trustees to sell the real estate mentioned in the proceedings in the case of William D. Baxter, et al., vs Kirby Y. T. Baxter, et al., being Cause No. 3228 now pending in said Court.

Now, the Condition of the above obligation is such that if the above bounden Madison Brown and John Palmer Smith do and shall well and faithfully perform and execute the trust reposed in them by said Decree, or that may be reposed in them by any future Decree or Order in the premises, then the above obligation to be void, otherwise to be and remain in full force and virtue in law.

Signed, sealed and delivered  
 in the presence of  
L. Herman Meredith  
 L. Herman Meredith

Madison Brown (SEAL)  
 Madison Brown

John Palmer Smith (SEAL)  
 John Palmer Smith

American Surety Company of New York,  
 By Madison Brown  
 Madison Brown,  
 Its Attorney in Fact.

ATTEST:-  
L. Herman Meredith  
 L. Herman Meredith

Security approved and Bond filed June 8th 1940

A. Sydney Gadd Jr.  
 A. Sydney Gadd Jr., Clerk

State of Maryland, Queen Anne's County, to wit:

I hereby Certify, that the foregoing is truly taken and copied from Liber \_\_\_\_\_ folio \_\_\_\_\_, a Bond Record Book for Queen Anne's County.

Seals  
Place

In Testimony Whereof, I hereto subscribe my name and affix the seal of the Circuit Court for Queen Anne's County this \_\_\_\_\_ day of \_\_\_\_\_ 1940.

A. Sydney Gadd Jr. Clerk

.....  
 ORDER NISI AND CERTIFICATE  
 Filed Oct 9, 1940

Queenstown, Queen Anne's County, Maryland. October 5, 1940.

I, Michael W. Aker, the undersigned, do hereby certify as follows:

1. That I am the publisher of a newspaper called Queenstown-News which I published weekly on Firday of each week at Queenstown, Queen Anne's County, State of Maryland and

2. That the order Nisi passed on the sale of the real estate in Cause No. 3228 in The Circuit Court for Queen Anne's County in Equity in the case of William D. Baxter et al. vs Kirby Y. T. Baxter et al., a true copy of which is hereunto annexed was published as an advertisement in said newspaper called Queenstown News once in each of four successive weeks before the 30th day of September 1940, the dates of the publication of said newspaper containing said advertisement being as follows:  
 August 30, 1940, September 6, 1940, September 13th 1940, September 20th 1940.

Michael W. Aker  
 Michael W. Aker  
 Publisher of the newspaper called Queenstown News/

Filed Oct 9, 1940

QUEENSTOWN NEWS

N I S I

William D. Baxter, et al	Ø	In the Circuit Court for
vs	Ø	Queen Anne's County,
Kirby W. T. Baxter, et al	Ø	In Equity
		Chancery No. 3228

ORDERED, This 27th day of August A. D. 1940, that the sale of the real estate made and reported in this cause by Madison Brown and John Palmer Smith, Trustees, be ratified and confirmed; unless cause to the contrary thereof be shown on or before the 3rd day of October next; provided a copy of this order be inserted in some newspaper printed and published in queen Anne's County, Maryland, once in each, of four successive weeks before the 30th day of September next.

The Report states the amount of sales to be \$1375.00

True Copy	<u>A. Sydney Gadd Jr.</u> Clerk
Test:	<u>A. Sydney Gadd Jr.</u> Clerk

Filed August 27th 1940

:::::::::::::::::::::::::::::  
 REPORT OF SALE  
 Filed August 27, 1940

William D. Baxter, et al	Ø	In the Circuit Court
complainants	Ø	
vs	Ø	for Queen Anne's County,
Kirby W. T. Baxter	Ø	In Equity
Defendants	Ø	Cause No. 3228

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of Madison Brown and John aPalmer Smith, the trustees appointed by the decree heretofore filed in this cause to make sale of the real estate therein decreed to be sold, unto your Honors respectfully set forth as follows, to wit:

1. That on the 8th day of June, 1940, you trustees delivered unto the Clerk of this Court a bond to the State of Maryland, conditioned for the faithful performance of the trust reposed in them by said decree, the penal sum of two thousand dollars (\$2000.00) through the American Surety Company of New York, a corporation, as surety thereon, as required by the decree and this bond the said clerk approved and filed.

A certified copy of this bond made by the Clerk has been filed in these proceedings.

2. The prior to the advertisement hereinafter mentioned several of the parties to the cause ( and owners of interests in the land decreed to be sold) advised these trustees that in their opinion, the land decreed to be sold should be divided by a competent surveyor into building lots and sold, not as a whole, but by lots , as the result of the survey , stating that in their opinions, the land would bring more money sold in such manner than as a whole. Your trustees after consideration of the subject and after visiting the land mentioned and after consultation with a surveyor of land, concluded that because of the location of the land in relation to Stevensville, the land would bring more money sold in lots than as a whole. Your trustees then procured the land decreed to be sold to be surveyed by Dr. William T. Henry, a surveyor of land, for the purpose of division of the land into lots. Dr. Henry laid the land off into lots by metes, and bounds, course and distances, and made a plat as a result of the survey. The land decree to be sold is adjacent to the town of Stevensville on the both sides of the state road leading from Stevensville to Lovepoint. The surveyor made and delivered unto the trustees a plat of the land showing nineteen lots on the left side of said road and four lots on the right side of the road.

3. That your trustess advertised the sale of said land according to said plat for more than three successive weeks before the 22nd day of July, 1940 ( the day named in the advertisement for the sale to take place) in the Queen Anne's Record- Observer, a weekly newspaper printed and published in said county each week.

That in accordance with the terms of said advertisement of sale, these trustees did attend on Saturday, June 22, 1940, at the hour of 1 o'clock P. M. on the land or premises advertised to be sold, and then and there offered at public sale to the highest bidder the land or parts thereof hereinafter mentioned , described in the advertisement in the following manner: The first offered in such manner, the lot described as No.1 in the advertisement of sale and received therefor a bid of sixty dollars (\$60.00) which they decline to accept on the ground that it was insufficient in amount. The next offered for sale, the lot described in the advertisement as Lot No.2 and received therefor as a bid the sum of sixty dollars (\$60.00) which the trustees declined to accept on the ground that it was indufficient in amount. Your trustees then proceeded to offer in the manner above set, forth, the remaining building lots but received no satisfactory bid for the same, so the land on the west side of the road was not sold by lots. Your trustees then offered all the land decreed to be sold which lies on the west side of the road as

a whole, but received no bid therefor, and so the same was not sold.

4. Your trustees then offered at public sale to the highest bidder all the land decreed to be sold which lies on the east side of said road and the highest bid they received therefor was the sum of six hundred dollars (\$600.00) which they declined to accept on the ground that it was insufficient in amount. The trustees do not file this report, a copy of the advertisement of sale so made, because they see no necessity of so doing and by doing so, they will increase the costs of the cause but they will file when requested by the court or anyone in interest, a copy of the advertisement of sale.

5. That on July 9, 1940, your trustees received an offer from Elmer Golt six hundred and seventy-five dollars (\$675.00) for all the land decreed to be sold, lying on the east side of said public road, and on that day they accepted said offer deeming the same to be sufficient in that amount. This sale to Mr. Golt was made after they received approval from at least four of the parties in interest. The said Elmer Golt on the date mentioned, paid unto your trustees the full purchase money above mentioned, the sum of six hundred and seventy-five dollars (\$675.00).

6. That your trustees then advertised in the newspaper above mentioned at a public sale to take place on August 13, 1940, all that part of the land decreed to be sold which lies on the west side of the state road leading from Stevensville to Love point, Notice of this sale was advertised in said paper for more then three weeks previous to the day of sale appointed.

7. That on August 13, 1940 at the hour of 2 o'clock P. M., your trustees did attend in from of the Court house door at Centreville, Queen Anne's County, Maryland, and then and there proceeded to make sale of said land, to wit: all the land lying on west side of said road by offering same as a whole to the highest bidder on the terms named in said advertisement and your trustees did after offering said property at public sale sold the same the same unto Richard Tildon Baxter, he being then, and there the highest bidder therefor, at and for the sum of seven hundred dollars (\$700.00).

8/ The said Richard Tildon Baxter has paid unto your trustees on account of the said purchase money, the sum of one hundred dollars (\$100.00) and states that he will pay the balance of the purchase money to your trustee in cash on the ratification of this sale by this court.

9. That your trustees file this report, a copy of the advertisement of the sale last mentioned, with a certificate attached thereto signed by the publishers of said paper, as to its manner of advertisement.

10. Your trustees now state the total amount of the sales to be thirteen hundred and seventy-five dollars (\$1375.00)

Which is respectfully submitted.

Madison Brown

John Palmer Smith  
Trustee

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

I HEREBY CERTIFY that on this 27th day of August, in the year 1940, before me the subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared Madison Brown and John Palmer Smith, above named trustees, and they did make oath in due form of law that the matters and things set forth in said report are true as therein stated to the best of their knowledge and belief and that these sales therein mentioned were fairly made.

A. Sydney Gadd Jr.  
Clerk of the Court of Queen Anne's  
County .

Filed August 27th 1940

.....  
TRUSTEES SALE OF VALUABLE REAL ESTATE  
and certificate

TRUSTEES SALE OF VALUABLE REAL ESTATE  
NEAR STEVENSVILLE,

By virtue of the Decree of the Circuit Court for Queen Anne's County, in Equity, (Chancery No. 3228) the undersigned Trustees will sell at Public Auction in front of the Court House Door, at Centreville, Queen Anne's County, Maryland, on TUESDAY AUGUST 13, 1940.

Beginning at 2 o'clock P. M.

All that part of the land known as "The Richard B. Baxter Property", which lies on the west side of the Stevensville, Love Point Road, at the northern limits of the town of Stevensville, Queen Anne's County, Maryland, adjoining the property of John M. Norman on the south and Arthur Cockey Farm on the north containing 12 acres of land, more or less.

This property is improved by a frame dwelling house and outbuildings, and the land and location is such that valuable building lots are desirable.

TERMS OF SALE: One third cash at time of sale, one third in six months and the balance in twelve months from day of sale, or all cash, as the purchaser may elect. Deferred payments to bear interest from day of sale and to be secured to the satisfaction of the undersigned Trustees, Other announcements day of sale.

POSSESSION of the land will be given at once.

MADISON BROWN  
JOHN PALMER SMITH  
Trustees

J. Emer Anthony Auctioneer/

QUEEN ANNES RECORD - OBSERVER  
Centreville, Md. August 26, 1940

THW QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO, hereby certifies that the Annexed Advertisement of Trustees Sale of Real Estate in Chancery Cause No. 3228

in the Circuit Court for Queen Anne's County, Equity a true copy of which is hereto annexed, was inserted in the QUEEN ANNE'S RECORD -OBSERVER, weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week for four successive weeks the first publication thereof having been made in said newspaper on the 18th day of July 140 being more than three successive weeks before the 13th day of August 1940.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO.

By Evelyn S. Butler

.....  
N I S I  
Filed Aug 27th 1940

N I S I

William D. Baxter, et al                    |       IN THE CIRCUIT COURT  
  |        |  
  |        |       FOR QUEEN ANNE'S COUNTY,  
vs    |        |       IN EQUITY  
Kirby Y. T. Baxter, et al                 |        |       CHANCERY NO 3228

ORDERED, This 27th day of August, A. D. 1940, that the sale of the real estate made and reported in this cause by Madison Brown and John Palmer Smith Trustees, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 31st day of October next. provided, a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 30th day of September next.

The Report states the amount of sales to be \$375.00

A. Sydney Gadd Jr. Clerk

Filed August 27th 1940

The Certificate of Order Nisi was recorded on page 138.

.....  
N I S I  
Filed October 9th 1940

N I S I

William D. Baxter, et al                    |       In the Circuit Court for  
  |        |  
  |        |       Queen Anne's County,  
vs    |        |  
Kirby W. T. Baxter et al                 |        |       In Equity,  
  |        |       Chancery No. 3228

ORDERED, This 9th day of October A. D., 1940, that the sale of the real estate made and reported in this cause by Madison Brown and John Palmer Smith, Trustees, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 12th day of December next, provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 12th day of November next.

The Report states the amount of sales to be \$1375.00.

A. Sydney Gadd Jr. Clerk

Filed October 9th 1940

.....  
FINAL ORDER OF RATIFICATION  
Filed December 3rd 1940

FINAL ORDER OF RATIFICATION

ORDERED, on this 31st day of December, in the year nineteen hundred and forty, by The Circuit Court for Queen Anne's County, in Equity, that the sales of the real estate made and reported by Madison Brown and John Palmer Smith, Trustees in the within and aforegoing Cause, be, and the same are hereby finally ratified and confirmed, no cause to the contrary thereof having been shown, although notice appears to have been given in accordance with the Order Nisi passed in this Cause on October, in relation to the sales of said real estate.

AND IT IS FURTHER ORDERED, that the papers of this Cause, be, and the same are hereby referred to B. Hackett Turner Jr., as Special Auditor, with instructions to him to state and return to this Court and Audit or Account between the proceeds of the sales in this Cause and the said Trustees, The said Trustees shall be allowed in the Audit the usual commission and all expenses incident to the sales not personal for which they shall produce the proper vouchers.

Thos. J. Keating

Filed December 31st 1940

.....  
ORDER OF COURT:  
Filed Feb. 12, 1941

Wm. D. Baxter, et al.                    |       In the Circuit Court for Queen Anne's  
  |        |       County, In Equity  
  |        |       Cause No. 3228.  
vs    |        |  
Kirby W. T. Baxter, et al                 |        |

ORDER OF COURT

Since the passage of the foregoing order by the Court, the attention of the Court has been called to the fact that B. Hackett Turner, Jr., named in the foregoing order as special auditor, represents George R. Caulk & Cons, and as their attorney, did file in the proceedings of the cause the answer of George R. Caulk & Sons, Defendants in the cause, which fact had been inadvertently over looked when the order was presented to the Court. The discovery of the fact mentioned necessitates the appointment of another person as special auditor, and therefore this order is passed.

It is thereupon on this 12th day of February, 1941 by the Circuit Court for Queen Anne's County, in Equity, ordered that the appointment of B. Hackett Turner, Jr. as special auditor be and the same is hereby revoked and that the papers of this cause be and the same are now referred to Richard T. Earle as special auditor with the instructions to him to state and return to this Court an audit or account between the proceeds of the sales of this cause and the said trustees.

The said trustees shall be allowed in this account or audit the usual commissions and on costs incident to the cause and not personal, for which they shall produce proper vouchers.

Thos. J. Keating

Filed Feb. 12th 1941.

ORDER TO REISSUE ORDER NISI  
FILED Oct 9th 1940

William D. Baxter, et al  
Complainants

vs

Kirby W. T. Baxter, et al  
Defendants

Mr. A. S. Gadd Jr., Clerk

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In the Circuit Court for  
Queen Anne's County, in Equity  
Chy. No. 3228

You will please issue an Order Nisi in the above entitled Cause to cover the sales reported in these proceedings and send copy thereof to the Queenstown News.

Madison Brown

John Palmer Smith  
Trustees.

William D. Baxter, et al

vs

Kirby W. T. Baxter, et al

N I S I

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o  
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In the Circuit Court for Queen Anne's  
County, in Equity, Chancery No.  
3228

ORDERED, this 9th day of October A. D. 1940, that the sale of the real estate made and reported in this cause by Madison Brown and John Palmer Smith, Trustees, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 12th day of December, next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland; once in each of four successive weeks before the 12th day of November next.

The report states the amount of sales to be \$1375.00.

A. SIDNEY GADD JR. Clerk

True Copy  
Test:

A. SIDNEY GADD JR. Clerk.

Filed October 9th 1940

THE QUEENSTOWN NEWS

M. W. Aker  
Geo. J. Steinfeld

I, Michael W. Aker, do hereby certify that I am the Publisher of a weekly newspaper published on Friday of each week in Queenstown, Queen Anne's County, Maryland. And I do further certify that the annexed Order nisi passed/Cause of William D. Baxter, et al versus Kirby W. T. Baxter, et al. in the Circuit Court for Queen Anne's County, in Equity, Case once a week in each of four successive weeks before the 12th day of November, 1940, in said newspaper called as aforesaid, The Queenstown News issued of October 11, 1940- October 18, 1940- October 25, 1940 - November 1, 1940

Michael W. Aker Publisher

Filed Dec. 26th 1940

.....  
AUDIT AND REPORT  
Filed Feb. 19th 1941

In the Circuit Court for Queen Anne's County, in Equity

William D. Baxter, et al

versus

Kirby Y. T. Baxter, et al

To the Honorable, the Judges of said Court:

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Chancery Docket Cause No. 3228

The Report of Richard T. Earle, the special Auditor appointed by the order of the Court passed in this Cause to state the within audit or account, unto Your Honors respectfully sets forth:

That prior to stating this account this Auditor took before the Clerk of the Court the oath required of him by law.

That he has examined the papers of this Cause and finds that the bill herein was filed for the sale of land for the purpose of partition of the proceeds between the children of Richard D. Baxter, seven in number and all parties to the suit.

That he finds that five of these children are entitled to receive the net shares to which they are entitled.

That he finds that Rosa A. Weston's share is payable to W. L. Price who holds a judgment against her in an amount far greater than her share and that said Price is a party to this suit as her judgment creditor and that a copy of his judgment is filed herein as an exhibit marked Exhibit E. So that in the within account her full share is distributed to said W. L. Price.

That he finds that Richard T. Baxter, a party to the suit and a son of Richard D. Baxter is indebted unto George R. Caulk and Sons by way of a judgment, a copy of which is filed in this cause as Exhibit H and he finds that the judgment creditors are parties to the suit because of this judgment. The share of Richard T. Baxter is greater than the amount due these judgment creditors \$109.02. In the within account these judgment creditors are awarded out of Richard T. Baxter's share this \$109.02 and the balance thereof is the account is awarded to Richard T. Baxter himself.

That in the within account your Auditor has charged the two trustees of this cause with the gross proceeds of the sales made by them per their report of sales and with \$1500 received by them as interest on the credit sales.

That in the within account the trustees are allowed as follows: With their commission according to the rules of the Court, with the court costs of the suit according to the bill of costs made out by the clerk, with the costs of advertising the order of publication, notices of the sales and the several orders Nisi of the cause (according to receipted bills save that as to the order Nisi on this audit).

With costs of survey of the land, with the costs of their bond with the auctioneer's fee, per receipted accounts for same.

With state and county taxes on land sold by them per receipts exhibited with costs of certain insurance obtained by them on the property sold and with the fee of the auditor.

The balance of the charges against the trustees remaining after these allowance is then distributed pro rata among the children of Richard D. Baxter, and the judgment creditors mentioned.

Which is respectfully submitted,

Richard T. Earle  
Special Auditor.

February 19, 1941.

CAUSE NUMBER 3228.

The proceeds of the sales of the Real Estate of William D. Baxter et al, in account with Madison Brown and John Palmer Smith, Trustees appointed by the decree of this cause to sell said real estate.

1940	CR		
July 9	By amount of the gross sale made to Elmer Golt, per report of sale filed, to wit:--.....	\$675.00	
Aug, 13	By amount of the gross sale made to Richard Tilden Baxter, per report of sale filed, to wit: .....	700.00	
	By amount of the sale, to wit: .....	1375.00	
	By amount of interest received on credit sale, to wit: .....	15.00	
	By amount of sale and interest, to wit: .....	1390.00	

1941	DR.		
Feb. 12	To Madison Brown and John Palmer Smith said trustees, for their commissions ,.....	\$90.00	

To do., for the Court costs of this cause as set out in the Bill of Costs of clerk, as follows:		
Costs of A.D. Gadd, clerk.....	\$66.80	
Appearance fee of J. P. Smith,.....	10.00	
appearance fee of Attorneys of defendants, , , ,	10.00	
Costs of Register of Wills.....	2.25	
Costs of Scott, sheriff,.....	1.50	
Costs of Coursey, Sheriff, , , , ,	2.85	
Total Costs,.....	93.40	93.40

To do., for costs of advertising order of publication per bill,.....	\$76.50	
notices of first sale pre bill,.....	67.50	
Notices of second sale pre bill,.....	27.00	
Total advertising costs,.....	171.00	
Less 20% discount of .....	34.20	

making costs paid .....\$136.80  
per receipted accounts exhibited, to wit: ..... \$136.80

To do., for the costs of advertising in Queenstown  
News the order Nisi on sale per receipted  
account exhibited, the sum of \$1..... 5.00

To do., for amount paid Dr. Henry, Surveyor for making  
a survey of land decreed to be sold by lots and blue  
prints of same per receipted account for same, to wit:..... 20.00

345.20  
1390.00

CAUSE NUMBER 3228 DR CR  
Amounts brought forward,.....\$345.20 \$1390.00

To the same trustees for amount paid W. H. Wood, carpenter of  
making markers to show division of the land in lots, per his  
receipt for same, to wit: .....1.75

To do., for the cost of their bond as trustees paid the  
Corporate Surety thereon per receipted account,  
for same to wit: ..... 10.00

To do., for the amount paid J. E. Anthony for his ser-  
vices as auctioneer of sales held, per his  
receipt for the same, to wit: ..... 15.00

To do., for the State & County taxes on the land sold paid  
by them per receipted accounts for the same,  
as follows:  
For year 1939 the sum of ..... 35.25  
For 1/2 1940 taxes land sold Golt..... 7.96  
For 1/2 1940 taxes land sold Baxter ..... 10.66

Total tax accounts paid, the sum of ..... 53.87 \$3.87

To do., for fire insurance obtained by them on  
property decreed to be sold through  
Elmer Golt, per receipt .....1.19  
Through William D. Baxter, per receipt.....5.05  
Total insurance costs.....6.24 6.24

To Ricahrd T. Earle, special Auditor for stating  
this account, the sum of ..... 13.50

445.56

To the Trustees named above for the cost of advertising the order  
Nisi to be passed as to this audit ..... 3.50

\$ 449.06  
940.94

To balance carried forward for distribution  
1390.00 \$1390.00

Cause No. 3328  
CR.

Balance brought forward, to wit: ..... 940.94

DR.

Distribution among Co-Owners and their assignees,  
1. To Kirby Y. T. Baxter..... is distributed sum of....134.42  
2. To William D. Baxter ,,,,,, is distributed sum of....134.42  
3. To Zell C. Baxter ..... is distributed sum of....134.42  
4. To Luther T. Baxter..... is distributed sum of....134.42  
5. To Helen V. Sweeney,,,,, is distributed sum of.... 134.42  
6. To W. L. Price .....  
Judgment Creditor of Rosa A. Weston is distributed  
her full share, to wit: sum of 134.42  
Share of Richard T. Baxter,  
7. To George R. C ulk & Sons .....  
distributed his full share, to wit: sum of 109.02  
To Richard T. Baxter ( himself) is distributed  
the difference between 134.42 and 109.02  
to wit: the sum of ..... 25.40

940.94 940.94

Richard T. Earle  
Special Auditor

February 19, 1941.

Filed Feb. 19th 1941.

.....  
NISI RATIFICATION OF AUDIT  
Filed February 19th 1941.

William D. Baxter, and wife ) NISI RATIFICATION OF AUDIT  
vs ) IN THE CIRCUIT COURT  
Kirby H. T. Baxter, e t al. ) FOR QUEEN ANNE'S COUNTY ,  
IN EQUITY.  
Cause No.3228



ORDERED, This 19th day of February in the year nineteen hundred and forty one that the Report and Account filed in these proceedings by Richard T. Earle Special, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 14th day of March, 1941, provided a copy of this order be published once a week in each of two successive weeks before the 7th day of March, 1941, in some newspaper printed and published in Queen Anne's County.

A. Sydney Gadd Jr. Clerk

Filed February 19th 1941.

.....  
NISI RATIFICATION OF AUDIT  
AND CERTIFICATE  
Filed Feb. 19, 1941

NISI RATIFICATION OF AUDIT

William D. Baxter and Wife                    )       In the Circuit Court for  
  )       Queen Anne's County,  
  )       in Equity.  
Kirby H. Baxter, et al                        )       Cause No. 3228

ORDERED, This 19th day of February in the year nineteen hundred and forty one that the Report and Account filed in these proceedings by Richard T. Earle, Special Auditor, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 14th day of March, 1941; provided a copy of this order be published once a week in each of two successive weeks before the 17th day of March, 1941, in some newspaper printed and published in Queen Anne's County,

A. SYDNEY GADD JR. Clerk

Filed February 19th 1941

True Copy

Test:

A. SYDNEY GADD JR. Clerk

QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. March 14, 1941

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO. hereby certifies that the Nisi Ratification of Audit in the case of William D. Baxter, & Wife vs Kirby H. Baxter, et al a true copy of which is hereto annexed, was inserted in the QUEEN ANNE'S RECORD -OBSERVER, a weekly newspaper printed and published at Centreville,, Queen Anne's County, Maryland, once a week for two successive weeks the first publication thereof having been made in said newspaper on the 20th day of February 1941, being more than two weeks before the 7th day of March 1941.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO.  
By Evelyn Butler

ORDER OF COURT  
Filed March 15, 1941

William D. Baxter, et al.,                    )       In the Circuit Court  
  )       For Queen Anne's County,  
  )       In Equity.  
Kirby Y. T. Baxter, et al                     )       Chancery Cause No. 3228

ORDER OF COURT

ORDERED, on this 15th day of March, 1941, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that the within and foregoing Report and Account of Richard T. Earle, Special Auditor, be, and the same is hereby Finally Ratified and Confirmed, no cause to the contrary thereof having been shown, although it appears that notice has been given in accordance with the Order Nisi heretofore passed in this Cause in relation to said Report and Account, and IT IS FURTHER ORDERED, that Madison Brown and John Palmer Smith, the trustees of said Cause, and the parties making/sale in said account mentioned, be, and they are hereby authorized and directed to apply the proceeds of the sales mentioned in said Account in accordance with said Report and Account with a due proportion of the interest received and to be received on the credit sales to their commissions and to the claims of the several distributees in said Account mentioned.

Thos. J. Keating

Filed March 15, 1941/

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the twenty six day of January in the year nineteen hundred and forty two, the following Order to docket suit was filed for record, to wit:

Harrison W. Vickers, Attorney and Assignee vs Clara M. Ahern, Widow In the Circuit Court for Queen Anne's County, Maryland. In Equity No. 3307

A. SYDNEY GADD JR. , Clerk

Please docket the above entitled case, make certified copy of the Mortgage, approve and file Bond and enter my appearance for the Complainant.

Harrison W. Vickers HARRISON W. VICKERS, Attorney for Complainant.

Filed Jan. 26th 1942.

MORTGAGE Filed Jan. 26th 1942.

THIS MORTGAGE, Made this 30th day of November in the year one thousand, nine hundred and thirty two by and between Clara M. Ahern Mortgagor of Kent County, State of Maryland, of the one part, and the Millington Bank and the Millington Building and Loan Association, a body corporate of Kent County, Md. Mortgagees of Kent county, State of Maryland, of the other part.

WHEREAS the Estate of John P. Ahern has been settled in the Orphans Court for Kent County and whereas the said Mortgagees did not file any notes, mortgages or accounts due them against said Estate and whereas under the last Will and Testament of the said John P. Ahern, the said Clara M. Ahern, Mortgagor was devised all of said Estate. The said Clara M. Ahern by the execution of this Mortgage hereby agrees to pay or indemnify the said Millington Bank to the extent of \$8000.00 or any part of same for any and all loss which might accrue to said Bank by the non-payment of any of said notes, accounts or Mortgages which said Bank held at the time of the death of the said John P. Ahern. The said Clara M. Ahern by the execution of this Mortgage hereby agrees to pay or indemnify the said Millington Building Loan Association to the extent of \$2000.00 or any part of same for any and all loss which might accure to said Association by the non-payment of any of said notes, accounts or Mortgages which said Association held at the time of the death of the said John P. Ahern.

THIS MORTGAGE does not draw interest.

AND WHEREAS, this Mortgage is made to secure the payment of said debt and the interest thereon, in the manner and at the time limited in aforesaid promissory note or renewals thereof as hereinafter stipulated, and all public taxes which may be levied or assessed thereon, and the performance of all the covenants hereinafter mentioned- the execution hereof being a condition precedent to the making of said loan.

NOW THIS MORTGAGE WITNESSETH, that in consideration of the premises, and of the sum of One Dollar the said Clara M. Ahern Mortgagor does grant unto the said Millington Bank and The Millington Building and Loan Association Mortgagees, their heirs or assigns, in fee simple, all those pieces or parcels of land situate, lying and being in Kent County and Queen Anne's County and described as follows:

FIRST: ALL that farm or tract of land situate, lying and being in the County of Queen Anne's, state of Maryland, and described as follows: ALL THAT farm or tract of land of which the late Charles PL Loper, of Millington, Kent County, Maryland, died, seized and possessed of, situate in the First Election District of Queen Anne's County aforesaid, on the left side of the public road leading from "Stull Town" to Smyrna, known as "Pack Hickory Ridge" or by whatsoever names the same may be called or known adjoining the lands of John Biggs and others and contained within the following metes and bounds, coursed and distances, to wit: BEGINNING at a stone in the middle of the aforesaid road and running with said road South 46 1/2 degrees West, fifteen and fourtenths perches to the middle of the cross roads, thence with road to Millington North 55 1/2 degrees West seven and six tenths perches to a point opposite a fence; thence with the fence North 42 1/2 degrees East, sixteen and seven-tenths perches to a post, thence North 45 degrees West one hundred and ninety five perches to a stone; thence North 45 degrees East, two hundred and two perches to a stone; thence South 45 degrees East, two hundred and eight and nine tenths perches to the public road leading to Smyrna, thence with said road reversed South 46 1/2 degrees West, two hundred and two perches to the stone at the beginning, containing two hundred and sixty one acres thirty eight perches of land, more or less. IT BEING the same property which was conveyed to John P. Ahern by Deed from Henry Tonkin and wife, said Deed dated the 26th day of February, 1907 and recorded among the Land Records for Queen Anne's County in Liber S. S. No. 2, Folio 505.

SECOND: ALL that lot or those lots or parcels of ground situate, lying and being in the twon of Millington, in the First Elcetion District of Kent County, Maryland, laid down on a plot of the SEverna Lots made by Henry Tonkins, Surveyor, which said Plot is filed in the papers of the above entitled Cause. The said lot of land is described as Lots No. 2, 3 and 4 on said Plot, and includes all of the SEvern lots except Lot No.1, heretofore conveyed to Fannie J. Lockerman, and lies on the Easterly side of the Queen Anne's and Kent Railroad subject to the right of way 12 feet for the benefit of said Fannie J. Lockerman Lot, over and across the Southerly end of

the lot hereby conveyed, the said lot of land adjoins what was formerly known as the C. O. Cacy Farm on the North and East and the Railroad Lot on the South, and includes, what was known as the "Severn Basket Factory, Dry-house &c", and is the same land which was conveyed to John P. Ahern by Deed from Hope H. Barroll on the Sixth day of February 1900 and recorded among the Land Records for Kent County in Liber J. T. D. No.3, Folio 174.

THIRD: ALL that lot of land situate, lying and being in the Town of Millington, in the First Election District of Kent County, Maryland, and laid down on the plot of the "Severn Lot" prepared by Henry Tonkin, Surveyor, which said plot is filed in the papers of the Chancery Cause entitled George Clough et al vs. Henry Severn; on Plot said lot is designated as Lots No.1, and fronts on what is known or called by the name of "Railroad Lot" lying thereon 60 feet, and extending back 150 feet as laid down on said Plot; on the East it adjoins the lands now or formerly belonging to Charles O. Cacy, and on the West Lot No. 2, as laid down on said plot, said Lot is improved by a frame dwelling and out-buildings. IT BEING the same lot which was conveyed to John P. Ahern by Deed from Elias F. Lockerman and wife, said Deed dated March 3rd. 1902 and recorded among the Land Records for said Kent County in Liber J. T. D. No.6, Folio 249.

FOURTH: ALL that lot of land situate in the town of Millington, Kent County, Md. lying on the East side of Sharp or Crane Street, together with the improvements, thereon: BEGINNING for the same at a point 154 feet 2 inches northerly from the Northwest corner of the lot of land of John G. Moore, and running with said Street North 16½ degrees East 54 feet 2 inches, thence South 74 deg. East 217 feet to the Graveyard Lot belonging to the African M. E. Church:- Thence with said Graveyard Lot 17 deg, West 54 feet 2 inches; thence North 73½ deg. West 217 feet 6 inches to the aforementioned Street and place of beginning, IT BEING the same property which was conveyed to John P. Ahern by Deed from J. Robert Wilson and wife, said Deed dated February 9th, 1914 and recorded among the Land Records for Kent County in Liber J. T. D. No. 29, Folio 186.

TOGETHER with the buildings and improvement upon said lands, and the rights, roads, ways, water, privileges, appurtenances and advantages, thereto belonging or in any wise appertaining.

TO HAVE AND TO HOLD, the aforesaid parcels of ground and premises unto and to the proper use and benefit of the said The Millington Bank and the Millington Building Loan Association their assigns forever.

PROVIDED, that if the said Clara M. Ahern her heirs, executors, administrators or assigns, shall pay said Mortgage debt and interest and said promissory note at maturity or any renewal or renewals thereof either in whole or in part as the parties hereto may agree from time to time to renew said loan or any part thereof and any interest that may accrue on said note or on any of said renewal notes and shall perform all the covenants herein on her part to be performed, then this Mortgage shall be void.

AND it is agreed that until default be made in the premises, the said Clara M. Ahern shall possess the aforesaid property upon paying in the meantime, all taxes, and assessments, public dues and charges of every kind, levied or assessed or to be levied or assessed, on said hereby mortgage property, and on the mortgaged debt and interest hereby intended to be secured; which taxes, assessments, public dues, charges, mortgaged debt and interest, as evidence by said promissory note or any of said renewals, the said Clara M. Ahern for herself and for her heirs, executors administrators or assigns, does hereby covenant to pay when legally demandable, But if default be made in payment of said money, or the interest thereon to accrue or any part of wither one of them, at the time limited for the payment of the same, or in any agreement, covenant or condition of this mortgage, then the entire mortgage debt shall be deemed due and demandable; and these presents are hereby declared to be made in trust, and the said Mortgagees or their personal representatives, or assigns, or H. W. Vickers, of Chestertown, Maryland, their Attorney or Agent, are hereby authorized and empowered at any time after such default to sell the property hereby mortgaged; or so much thereof as may be necessary to satisfy and pay debt, interest and all costs incurred in making such sale, and to grant and convey the said property to the purchaser or purchasers thereof, his her, or their heirs or assignd, and which shall be made in manner following, viz: upon giving twenty days notice of the time, place, manner and terms of sale, in some newspaper printed in Kent County, Maryland, and such other notices as the party making said sale shall deem proper, which said sale may be at public auction ( or that failing, at private sale) to the highest bidder, and for cash or credit, at the option of the party making the sale, and in the event of a sale of said property under the powers hereby granted, the proceeds arising from such sale, to apply first, to the payment of all expense incident to such sale, including an attorney's fee of thirty dollars and a commission to the party making sale of said property, equal to the commission allowed Trustees for making sale of property by virtue of a decree of a Court having equity jurisdiction in the State of Maryland, including a fee of thirty five dollars for preparing and furnishing the required bond: Secondly, to the payment of all claims of the said Mortgagees or their personal representatives and assigns under this mortgage, whether the same shall have matured or not, and the surplus ( if any there be) shall be paid to the Mortgagor, her heirs, personal representatives or assigns, or to whoever may be entitled to the same. But in case said Mortgage debt, interest and costs are paid after default ( and also, after filing of the bond required by law in foreclosure proceedings by the party undertaking to make sale of said property) by any one entitled to pay the same, or said sale is withdrawn at the request of said Mortgagor or any of them, then the said Mortgagor for her heirs, personal representatives or assigns, do hereby further covenant to and with the said Mortgagee h\_\_\_\_ heris, personal representatives and assigns to pay to the party undertaking to make sale of said property under the powers hereinbefore granted, a commission on the said mortgage debt and accrued interest thereon, equal to one half of the commission allowed Trustees for making sale of property by virtue of a decree of a Court having equity jurisdiction in the State of Maryland, together with all costs and expenses incurred, including a fee of thirty - five dollars for preparing and furnishing the required bond.

And it is agreed that in the event of a sale of the above described property under the Power of Sale herein expressed, all annual crops planted or growing upon said property at the time of sale shall pass to the purchaser of said property.

AND the said Clara M. Ahern for her heirs, execuors, administatōrs and assigns, does further covenant to insure and pending the existence of this Mortgage, to keep indured theimprovements on the hereby mortgaged land to an amount of at least their indurable value and to cause the policy to be affected thereon to be so framed or endorsed, as in case of fire , to insure to the benefit of the said Mortgagee or h\_\_ assigns, to the extent of the Mortgage indebtedness of their lien or claim hereunder.

AND the said Mortgagor for herself and for her heirs, executors, administrators and assigns do further covenant to pay unto the said Mortgagee or their persona representatives or assigns hereunder any insurance premiums or charges on any property covered by this mortgage paid by the said Mortgagess of their personal repres-entatives or assign hereunder.

AND the said Mortgagor does further covenant thats he will neither do, nor suffer to be done, pending the existence of this Mortgage, any act or thing, whereby the said premises and land may be depreciated or lessened in value.

WITNESS, my hand and seal.

Test:

C. M. Melvin Jr.

Clara M. Ahern (SEAL)

STATE OF MARYLAND, KENT COUNTY, TO WIT:

I HEREBY CERTIFY, That on this 30th day of November in the year one thousand nine hundred and thirty two before the subscriber, a Notary Public of the State of Maryland, in and for Kent county, State aforesaid, personally appeared Clara M. Ahern the within named mortgagor and she acknowledged the foregoing Mortgage to be her act.

Notary Public  
Seal.

C. M. Melvin Jr.  
Notary Public

STATE OF MARYLAND, KENT COUNTY TO WIT:

I HEREBY CERTIFY, that on this 1st day of December in the year one thousand nine hundred and thirty two before the subscriber, a Notary Public of the State of Maryland, in and for Kent county, State aforesaid, personally appeared Merritt Brice, President of the Millington Bank and Leonard Wilson, President of the Millington Building and Loan Association the within mortgagees and made oath in due form of law, that the consideration set forth in the foregoing Mortgage is true and bona fide as therein set forth, and each of them also made oath that they are the duly authorized Agent to make the affidavit,

Notary Public  
Seal.

C. M. Melvin Jr.  
Notary Public

For value received the within and foregoing mortgage is hereby assigned unto Harrison W. Vickerw , Attorney for the purpose of foreclosure and collection.

Witness the hand of the body corporate, The Millington Bank of Maryland, by its President, and its corpotate seal affixed hereto and attested by its Cashier this 10th day of January, 1942.

Attest:  
C. M. Melvin Jr.  
Cashier

(Corp. Seals  
Place.)

The Millington Bank of Maryland  
MERRITT BRICE Pres.  
Merritt Brice, President

Assignment filed Jan 26, 1942 & recorded in Liber B. H. T. No. 15, fol 499, a Land Record for Queen Anne's County

A. Sydney Gadd Jr.  
Clerk

For Value Received the Millington Building and Loan Association hereby releases its Mortgage debt in said Mortgage.

Witness the hand of the President of the Millington Building and Loan Association and its corporate seal hereto attached , this 20th day of January 1942.

Test: N. A. Wallen  
N. A. Wallen, Cashier

Millington Building and Loan Association

By Leonard Wilson Pres. (SEAL)  
Leonard Wilson- President

(Corporate Seals  
Place.)

Released filed Jan, 26, 1942, and recorded in Liber B. H. T. No. 15, folio 499, a Land Record Book for Queen Anne's County,

A. Sydney Gadd Jr.  
Clerk

.....  
CERTIFICATE AS TO MILITARY  
STATUS  
Filed Jan 26th 1942.

STATE OF MARYLAND

KENT COUNTY, t o wit:

I HEREBY CERTIFY, that on this 14th day of January, in the year 1942, before me the subscriber, a Notary Public of the State of Maryland, in and for Kent County, aforesaid, personally appeared HARRISON W. VICKERS, Attorney and Assignee and he made oath in dueform of law that after diligent inquiry it has been found that Clara M. Ahern,

is a widow and about 76 years of age. The said Clara M. Ahern is not employed and she resides in Kent County, State of Maryland and is not now in the military service of the United States as defined by the Soldiers' and Sailors' Civil Relief Act of 1940 and Chapter 710 of the laws of Maryland of 1941, nor has she been in such service within three months prior hereto.

AS WITNESS my hand and Notarial Seal.

Notary Public  
Seal.

Enna B. Lewis  
Enna B. Lewis, Notary Public.

Filed Jan 26th 1942.

.....  
CERTIFIED COPY OF MORTGAGE  
Filed Jan 26, 1942.

#15,950                      QUEEN ANNE'S COUNTY, TO WIT:

Be it remembered that on the Tenth day of December, in the year nineteen hundred and thirtytwo, the following Mortgage was brought to be recorded to wit:

THIS MORTGAGE, Made this 30th day of November in the year one thousand, nine hundred and thirty two by and between Clara M. Ahern Mortgagor of Kent County, State of Maryland, of the one part, and The Millington Bank and the Millington Building and Loan Association, a body corporate of Kent County, Md. Mortgagees of Kent County, State of Maryland, of the other part.

WHEREAS the Estate of John P. Ahern has been settled in the Orphans Court for Kent County and whereas the said Mortgagees did not file any notes, mortgages or accounts due them against said Estate and whereas under the last will and Testament of the said John P. Ahern, the said Clara M. Ahern, Mortgagor was devised all of said Estate. The said Clara A. Ahern by the execution of this Mortgage hereby agrees to pay or indemnify the said Millington Bank to the extent of \$8000.00 or any part of same for any and all loss which might accrue to said Bank by the non-payment of any of said notes, accounts, or Mortgages which said Bank held at the time of the death of the said John P. Ahern. The said Clara M. Ahern by the execution of this Mortgage hereby agrees to pay or indemnify the said Millington Building Loan Association to the extent of \$2000.00 or any part of same for any and all loss which might accrue to said Association by the non-payment of any of said notes, accounts or Mortgages which said Association held at the time of the death of the said John P. Ahern.

THIS MORTGAGE does not draw interest.

AND WHEREAS, this Mortgage is made to secure the payment of said debt and the interest thereon, in the manner and at the time limited in aforesaid promissory note or renewals thereof as hereinafter stipulated, and all public taxes which may be levied or assessed thereon, and the performance of all the covenants hereinafter mentioned the execution hereof being a condition precedent to the making of said loan.

NOW THIS MORTGAGE WITNESSETH, That in consideration of the premises, and of the sum of One Dollar the said Clara M. Ahern Mortgagor does grant unto the said Millington Bank and The Millington Building and Loan Association Mortgagees, their heirs or assigns, in fee simple.

All those pieces or parcels of land situate, lying and being in Kent County and Queen Anne's County and described as follows

FIRST:

ALL that farm or tract of land situate, lying and being in the County of Queen Anne's, State of Maryland, and described as follows:  
ALL THAT farm or tract of land of which the late Charles P. Laper, of Millington, Kent County, Maryland, died, seized and possessed of, situate in the First Election District of Queen Anne's County aforesaid, on the left of the public road leading from "Stull Town" to Smyrna, known as "Pack Hickory Ridge" or by whatever names the same may be called or known adjoining the lands of John Briggs and others and contained within the following metes and bounds, courses and distances, to wit: BEGINNING at a stone in the middle of the aforesaid road and running with said road south 46½ degrees West, fifteen and four-tenths perches, to the middle of the cross roads, thence with road to Millington North 55½ degrees West seven and six tenths perches to a point opposite a fence; thence with the fence North 42½ degrees East, sixteen and seven-tenths perches to a post; thence North 45 degrees West one hundred and ninety five perches to a stone; thence North 45 degrees East, two hundred and two perches to a stone; thence South 45 degrees East two hundred and eight and nine tenths perches to the public road leading to Smyrna; thence with said road reversed South 46½ degrees West; two hundred and two perches to the stone at the beginning, containing two hundred and sixty one acres thirty eight perches of land, more or less.  
IT BEING the same property which was conveyed to John P. Ahern by Deed from Henry Tonkin and wife, said Deed dated the 26th day of February 1907 and recorded among the Land Records for Queen Anne's County in Liber S. S. No. 2, folio 505.

SECOND:

ALL that lot or those lots or parcels of ground situate, lying and being in the town of Millington, in the First Election District of Kent County, Maryland, laid down on a plot of the Severn Lots made by Henry Tonkin, Surveyor, which said Plot is filed in the papers of the above entitled Cause. The said lot of land is described as Lot No. 2, 3 and 4 of said Plot, and includes all of the Severn Lots except Lot No. 1, heretofore conveyed to Fannie J. Lockerman, and lies on the Easterly side of the Queen Anne's and Kent Railroad subject to the right of way 12 feet for the benefit of said Fannie J. Lockerman Lot, over and across the Southerly end of the lot hereby conveyed; the said lot of land adjoins what was formerly known as the C. O. Cacy Farm on the North and East and the Railroad Lot on the South, and includes what was known as the "Severn Basket Factory, Dry-house &c.", and is the same land which was conveyed to John P. Ahern by Deed from Hope H. Barroll on the sixth day of February 1900 and recorded among the Land Records for Kent County in Liber J. T. D. No. 3, Folio 174.

## THIRD:

ALL that lot of land situate, lying and being in the Twon of Millington, in the First Election District of Kent County, Maryland and laid down on the plot of the "Severn Lot" prepared by Henry Tonkin, Surveyor, which said plot is filed in the papers of the Chancery Cause entitled George Clough et al vs., Henry Severn ; on plot said lot is designated as Lot No. 1, and fronts on what is known or called by name of "Railroad Lot" lying thereon 60 feet, and extending back 150 feet as laid down on said Plot; on the East it adjoins the lands now or formerly belonging to Charles O. Cacy, and on the West Lot No. 2, as laid down on said plot, said Lot is improved by a frame dwelling and out- buildings. IT BEING the same lot which was conveyed to John P. Ahern by Deed from Elias F. Lockerman and wife, said Deed dated March 3rd 1902 and recorded among the Land Records for said Kent County in Liber J. T. D. No.6, Folio 249.

## FOURTH:

ALL that lot of land situated in the town of Millington, Kent County, Md. lying on the East side of Sharp or Crane Street, together with the improvements thereon; BEGINNING for the same at a point 154 feet 2 inches northerly from the Northwest corner of the lot of land of John G. Moore, and running with said Street Norty 16½ degrees East 54 feet 2 inches; thence South 74 deg. East 217 feet to the Graveyard Lot belonging to the African M. E. Church thence with said Graveyard Lot 17 deg. West 54 feet 2 inches thence North 73½ deg. West 217 feet 6 inches to the aforementioned street and place of beginning. IT BEING the same property which was conveyed to John P. Ahern by Deed from J. Robert Wilson and wife, said Deed dated February 19th 1914 and recorded among the Land Records for Kent County in Liber J. T. D. No.29, Folio 186.

TOGETHER with the buildings and improvements upon said lands, and the rights, roads, ways, waters, privileges, appurtances and advantages, thereto belonging or in any wise appertaining.

TO HAVE AND TO HOLD the aforesaid parcels of ground and premises unto and to the proper use and benefit of the proper use and benefit of the said The Millington Bank and the Millington Building Loan Association their assigns forever.

PROVIDED, that if the said Clara M. Ahern her heirs, executors, administrators or assigns, shall pay said Mortgage debt and interest and said promissory note at maturity or any renewal or renewals thereof either in whole or in part as the parties hereto may agree from time to time to renew said loan or any part thereof and any interest that may accure on said note or on any of said renewal notes and shall perform all the covenants herein on her part to be performed, then this Mortgage shall be void.

AND it is agreed that until default be made in the premises, the said Clara M. Ahern shall possess the aforesaid property upon paying in the meantime, all taxes and assessments, public dues and charges of every kind, levied or assessed, or to be levied or assessed, on said hereby mortgaged property, and on the mortgaged debt and interest hereby intended to be secured; which taxes assessments, public dues, charges, mortgaged debt and interest, as evidence by said promissory note or any of said renewals, the said Clara M. Ahern for herself and her heirs, executors, administrator or assigns, does hereby covenant to pay when legally demandable. But if default be made in payment of said money, or the interest thereon to accure or any part of either one of them, at the time limited for the payment of the same, or in any agreement, covenant or condition of this mortgage, then the entire mortgage debt shall be deemed due and demanable; and these presents are hereby declared to be made in trust, and the said Mortgagees or their personal representatives, or assigns, or H. W. Vickers, of Chestertown, Maryland their Attorney or Agent, are hereby authorized and empowered at anytime after such default to sell the property hereby mortgaged; or so much thereof as may be necessary to satisfy and pay debt, interest and all cost incurred in making such sale, and to grant and convey the said property to the purchaser or purchasers thereof, his her or their heirs or assigns; and which sale shall be made in manner following, viz; upon giving twenty days notice of the time, place, manner and terms of sale in some newspaper printed in Kent County, Maryland and such other notice as the party making said sale shall deem proper, which said sale may be at public auction (or that failing, at private sale) to the highest bidder and for cash or credit, at the option of the party making the sale, and in the event of a sale of said property under the powers hereby granted, the proceeds arising from such sale, to apply first, to the payment of all expenses incident to such sale, including an attorney's fee of thirty dollars and a commission to the party making sale of said property, equal to the commission allowed Trustees for making sale of property by virtue of a decree of a Court having equity jurisdiction in the State of Maryland, including a fee of thirty five dollars for preparing and furnishing the required bond; Secondly, to the payment of all claims of the said Mortgagees or their personal representative and assigns under this Mortgagem whether the same shall have matured or not, and the surplus ( if any therebe) shall be paid to the Mortgagor, her heirs, personal representatives or assigns, or to whoever may be entitled to the same. But in case said mortgage debt, interest and cost are paid after default ( and also, after filing of the bond required by law in foreclosure proceedings by the party undertaking to make sale of said property) by any one entitled to pay the same, or said sale is withdrawn at the request of said Mortgagor or any of them, then the said Mortgagor for her heirs, personal representatives or assigns, do hereby further covenant to and with the said Mortgagee h\_\_\_\_ heirs, personal representatives and assigns to pay to the party undertaking to make sale of said property under the powers hereinbefore granted, a commission on the said mortgage debt and accured interest thereon, equal to one half of the commission allowed Trustees for making sale of property by virtue of a decree of a Court having equity jurisdiction in the State of Maryland, together with all costs and expenses incurred, including a fee of thirty five dollars for preparing and furnishing the required bond.

And it is agreed that in the event of a sale of the above described property under the Power of Sale herein expressed, all annual crops planted or growing upon said property at the time of sale shall pass to the purchaser of said property.

AND the said Clara M. Ahern for her heirs, executors, administrators and assigns, does further covenant to insure, and pending the existence of this Mortgage, to keep insured the improvements on the hereby mortgaged land to an amount of at least their insurable value and to cause the policy to be affected thereon to be so framed or endorsed, as in case of fire, to insure to the benefit of the said Mortgagee or h\_\_\_\_ assigns, to the extent of the Mortgage indebtedness of their Men or claim hereunder.

AND the said Mortgagor for herself and for her heirs, executors, administrators, and assigns do further covenant to pay unto the said Mortgagees or their personal representatives or assigns hereunder any insurance premiums or charges on any property covered by this mortgage paid by said Mortgagees of their personal representatives or assigns hereunder.

AND the said Mortgagor does further covenant that she will neither do, nor suffer to be done, pending the existence of this Mortgage any act or thing whereby the said premises and land may be depreciated or lessened in value.

WITNESS, my hand and seal.

TEST: C. M. MELVIN JR. CLARA M. AHERN (SEAL)

STATE OF MARYLAND, KENT COUNTY TO WIT:

I HEREBY CERTIFY, that on this 30th day of November in the year one thousand nine hundred and thirty two before the subscriber, a Notary Public of the State of Maryland, in and for Kent County, State aforesaid, personally appeared Clara M. Ahern the within named mortgagor and she acknowledged the foregoing Mortgage to be her act.

Notary Public Seal. C. M. Melvin Jr. Notary Public

STATE OF MARYLAND, KENT COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 1st day of December in the year one thousand nine hundred and thirty two before the subscriber, a Notary Public of the State of Maryland, in and for Kent County, State aforesaid, personally appeared Merritt Brice, President of the Millington Bank and Leonard Wilson, President of the Millington Building and Loan Association the within mortgagees and made oath in due form of law that the consideration set forth in the foregoing Mortgage is true and bona fide as therein set forth, and each of them also made oath that they are the duly authorized Agent to make the affadavit.

Notary Public Seal/ C. M. MELVIN JR. Notary Public

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Twenty sixth day of January, in the year nineteen hundred and forty two, the following Release and Assignment were filed for record, to wit:-

FOR VALUE RECEIVED the Millington Building and Loan Association hereby releases its mortgage debt in said mortgage.

Witness the hand of the President of the Millington Building and Loan Association and its corporate seal hereto attached, this 20th day of January, 1942.

TEST: N. A. Wallen, Cashier Millington Building & Loan Association By LEONARD WILSON Pres. (SEAL) Leonard Wilson- President

Corporate Seals.

For value received the within and foregoing mortgage is hereby assigned unto Harrison W. Vickers, Attorney for the purpose of foreclosure and collection.

Witness the hand of the body corporate, The Millington Bank of Maryland, by its President, and its corporate seal affixed hereto and attested by its Cashier this 10th day of January, 1942.

Corp. Seal The Millington Bank of Maryland MERRITT BRICE Pres. Merritt Brice President

Attest: C. M. Melvin Jr. Cashier.

STATE OF MARYLAND ) QUEEN ANNE'S COUNTY )

I hereby certify that the foregoing is truly taken and copied from Liber B. H. T. No. 15, folio 495, etc., a Land Record Book for Queen Anne's County.

In Testimony Whereof I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County this 26th day of January in the year nineteen hundred and forty two. Seals Place.

A. Sydney Gadd Jr, Clerk

..... A CERTIFIED COPY OF BOND Filed Jan 26, 1940.

Queen Anne's County, to wit: Be it remembered that on the twenty sixth day of January, nineteen hundred and forty two, the following Bond was filed for record, to wit:

KNOW ALL MEN BY THESE PRESENTS: That we, Harrison W. Vickers, as principal, and the United States Fidelity and Guaranty Company of Maryland, a body corporate, duly incorporated under the laws of the State of Maryland, assurety, are held and firmly bound unto the State of Maryland, in full and just sum of Eight Thousand Dollars, to be paid to the said State or its certain Attorney, to which payment well and truly to be made and done, we bind ourselves and each of us, our and each of our Heirs, Executors, Administrators, Successors or Assigns jointly and severally, firmly by these presents.

Sealed with our seals and dated this 13th day of January, in the year of our Lord Nineteen hundred and Forty-two.

Whereas the above bounden Harrison W. Vickers by virtue of the power contained in a mortgage from Clara M. Ahern to the Millington Bank, Millington Maryland, and the Millington Building and Loan Association, Millington Maryland, Dated the 30th day of November, 1932 and has been recorded among the land records of Queen Anne's County, Maryland, in Liber B. H. T. No. 15, Folio 495 and which said mortgage is also recorded in Kent County, Maryland, Liber R. A. S. No.9, Folio 400, which said mortgage has been assigned to Harrison W. Vickers for foreclosure and collection, the said Harrison W. Vickers also being named as attorney in said mortgage, the mortgage money has been paid in full satisfaction to the Millington Building and Loan Association, default having been made in the money as specified and in the condition and covenants therein contained to the Millington Bank of Maryland.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bounden Harrison W. Vickers, Assignee do and shall well and truly and faithfully perform the trust reposed in him under the mortgage aforesaid, and shall abide by and fulfill any order or decree which shall be made by any Court of Equity then the above Obligation shall be void, otherwise shall be and remain in full force and virtue in law.

IN TESTIMONY WHEREOF, the above bounden Harrison W. Vickers has hereto set his hand and seal and the said body corporate has caused these presents to be duly signed by its Agents, attested by its Atty- in - Fact, the day and year first herein above written.

Signed, Sealed and Delivered  
In the Presence of

Harrison W. Vickers (SEAL)  
Harrison W. Vickers

Enna B. Lewis

United States Fidelity and Guaranty  
Company of Baltimore, Maryland.

Corp.  
Seal

By: Wm. Belt Townshend Atty- in -fact  
Wm. Belt Townshend

And on the back of the foregoing bond was thus endorsed to wit:  
Bond filed and Security approved Jan 26, 1942.

A. Sydney Gadd Jr.  
Clerk.

State of Maryland,

Queen Anne's County, to wit:

I hereby certify that the foregoing is truly taken and copied from Liber W. H. C. No. 1, folio 194 a Bond Record Book for Queen Anne's County.

Corporate  
Seals  
Place.

In Testimony Whereof I have hereunto subscribed my name and affixed the seal of the Circuit Court for Queen Anne's County this 26th day of January in the year nineteen hundred and forty two.

A. Sydney Gadd Jr. Clerk

.....  
REPORT OF SALE  
Filed Feb. 13th 1942.

Harrison W. Vickers, Attorney  
named in the Mortgage and  
Assignee

In the Circuit Court for Queen Anne's  
County, Maryland.

vs

In Equity

Clara M. Ahern

No. 3307

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Harrison W. Vickers, Attorney named in the Mortgage and Assignee of the Mortgage from Clara M. Ahern to the Millington Bank of Maryland dated November 30, 1932 and recorded among the Land Records for Queen Anne's County in Liber B. H. T. No. 15, Folio 495 and also recorded among the Land Records for Kent County in Liber R. A. S. No. 9, Folio 400, as said Mortgage covers properties in both Counties; and default having occurred in the Mortgage by the non- payment of said Mortgage when due, interest and taxes, the said Harrison W. Vickers, Attorney and Assignee of said Mortgage, in conformity with the authority and power of sale in said Mortgage contained, and after having given Bond with security for the faithful performance of his trust and after giving notice of the time, place, manner and terms of sale by advertisement inserted in the Queen Anne's Record- Observer, a newspaper printed and published in Queen Anne's County, Maryland, and in the Kent News and Transcript, two newspaper printed and published in Kent County, Maryland, for at least twenty days before the day of sale, your Attorney and Assignee did pursuant to said notice, offer in front of the Court House Door in Chestertown, Maryland on Wednesday, February 11, 1942, between the hours of 11:00 A. M. and 12 M, the last lot of land as



described in said advertisement, the same being on the East side of Sharp or Crane Street in Millington, Kent County, Maryland, at public sale and the same was sold to Fred C. Numbers, Jr., at and for the sum of Two Hundred Fifty Five Dollars (\$255.00), being the highest bidder, and which property is described as follows:

BEGINNING for the same at point 154 feet 2 inches Northerly from the Northwest corner of the lot of land of John G. Moore, and running with said Street North 16 1/2 degrees East 54 feet 2 inches, thence South 74 degrees East 217 feet to the Graveyard Lot belonging to the African M. E. Church, thence with said Graveyard Lot 17 degrees West 54 feet 2 inches, thence North 73 1/2 degrees West 217 feet 6 inches to the aforementioned Street and place of beginning.

And your Attorney and Assignee further reports that the said Fred C. Numbers, Jr., has made satisfactory arrangements and settlement for said property and he deems the said sale to have been fairly made and prays the usual order thereon.

This sale is reported in the Circuit Court for Queen Anne's County because said property above described was included in the Mortgage proceedings which were instituted in the said Queen Anne's County Circuit Court.

Respectfully submitted,

Harrison W. Vickers  
Harrison W. Vickers, Attorney & Assignee

STATE OF MARYLAND,

KENT COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 11th day of February, in the year 1942, before me the subscriber, a Notary Public of the State of Maryland, in and for Kent County aforesaid, personally appeared Harrison W. Vickers, Attorney and Assignee and he made oath in due form of law that the matters and facts set forth in the foregoing Report of Sale are true to the best of his knowledge and belief.

AS WITNESS my hand and Notarial Seal.

Notary Public  
Seal.

Enna B. Lewis  
Enna B. Lewis, Notary Public

Filed Feb. 13th 1942.

.....  
N I S I S A L E  
Filed Feb. 13, 1942.

Harrison W. Vickers, Attorney and Assignee, vs Clara M. Ahern  
N I S I  
In the Circuit Court for Queen Anne's County in Equity Chancery No. 3307

ORDERED, This 13th day of February A. D. 1942, that the sale of real estate made and reported in this cause by Harrison W. Vickers, Attorney and Assignee, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 20th day of April next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 20th day of March next.

The Report states the amount of sales to be \$255.00

A. Sydney Gadd Jr. Clerk

Filed February 13, 1942.

.....  
REPORT OF SALE  
Filed June 30th 1942.

Harrison W. Vickers, Attorney and Assignee vs Clara M. Ahern, Widow  
In the Circuit Court for Queen Anne's County, Md. In Equity Nol 3307

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Harrison W. Vickers, Attorney named in the Mortgage and Assignee of the Mortgage from Clara M. Ahern, Widow to The Millington Bank of Maryland, dated November 30, 1932 and recorded among the Land Records for Queen Anne's County, Maryland in Liber B. H. T. No. 15, folio 495 and also recorded among the Land Records for Kent County, Maryland in Liber R. A. S. No. 9, Folio 400, as said Mortgage covers properties in both Queen Anne's County and Kent County, and default having occurred in the Mortgage by the non-payment of the Mortgage and interest when due and taxes, the said Harrison W. Vickers, Attorney and Assignee of said Mortgage, in conformity with the authority and power of sale in said Mortgage contained, and after having given Bond with security for the faithful performance of his trust and after giving notice of the time, place, manner and terms of sale by advertisement inserted in the Queen Anne's Record-Observer, a newspaper printed and published in Queen Anne's County, Maryland and in the Transcript and

Kent News, two newspaper printed and published in Kent County, Maryland, for a least twenty days before the day of sale, your Attorney and Assignee, did pursuant to said notice, offer in front of the Court House Door in Centreville, Queen Anne's County, Maryland on Tuesday, Debruary 10, 1942 between the hours of 2:00 P. M. and 3: P. M., the Farm located in Queen Anne's County, Maryland and did offer in front of the Court House Door in Chestertown, Kent County, Maryland on Wednesday, February 11, 1942 between the hours of 11:00 A. M. and 12 M., the Lumber Yard located in Kent County, Maryland, and not having received any bid on the Queen Anne's County Farm and not receiving a sufficient bid on the Lumber Yard in Kent County, Maryland, the Millington Bank of Maryland offered to purchase the properties for One Thousand Dollars each but said properties were held up to be sold at private sale in hopes of securing a better price and having failed to do so the said Millington Bank of Maryland purchased said properties on June 11, 1942 in and for the sum of One Thousand Dollars (\$1000.00) for the Farm in Queen Anne's County and in and for the sum of One Thousand Dollars (\$1000.00) for the Lumber Yard in Kent County.

The properties are described as follows:-

FIRST ( Farm in Queen Anne's County, Maryland)

ALL that farm or tract of land of which the late Charles B. Loper of Millington, Kent County, Maryland, died seized and possessed of, situate in the First Election District of Queen Anne's County, on the left side of the Public Road leading from Stull Town to Smyrna, known as "Pack Hickory Ridge " or by whatsoever name the same may be called or known adjoining the lands of John Biggs and others and contained within the following metes and bounds, courses and distances, to wit: BEGINNING at a stone in the middle of the aforesaid road and running with said road South 46 1/2 degrees West, 15.4 perches to the middle of the cross roads, thence with road to Millington, North 55 1/2 degrees West 7.6 perches to a point opposite a fence, thence with the fence North 42 1/2 degrees East 16.7 perches to a post, thence North 45 degrees West 195 perches to a stone, thence North 45 degrees East 202 perches to a stone, thence South 45 degrees East 208.9 perches to the public road leading to Smyrna, thence with said road reversed, South 46 1/2 degrees West 202 perches to the stone at the beginning, containing 261 Acres and 38 Perches of land, More or less.

SECOND:( Lumber Yard in Kent County, Maryland)

ALL Those lots or parcels of ground situate, lying and being in the Town of Millington, in the First Election District of Kent County, Maryland, laid down on a plot of the Severn Lots made by Henry Tonkin, Surveyor, which said plot is filed in the papers of the above entitled Cause. The said lot of land is described as Lots Nos. 2,3, and 4 on said Plot, and includes all of the Severn Lots except Lot No.1, heretofore conveyed to Fannie J. Lockerman, and lies on the Easterly side of the Queen Anne's and Kent Railway, subject to the Right of Way 12 feet for the benefit of said Fannie J. Lockerman Lot, over and across the Southerly end of the lot hereby conveyed, the said lot of land adjoins what was formerly known as the C. O. Cacy Farm on the North and East and the Railroad lot on the South, and includes what was known as the "Severn Basket Farctory, Dry House", etc. ALL that lot of land situate, lying and being in the Town of Millington, in the First Election District of Kent County, Maryland, and laid down on the plot of the "Severn Lot" prepared by Henry Tonkin, Surveyor, which said plot is filed in the papers of the Chancery Cause entitled "George Clough, et al vs. Henry Severn," on Plot said lot is designated as Lot No. 1, and fronts on waht is known or called by the name of "Railroad Lot " lying thereon 60 feet, and extending back 150 feet as laid down on said Plot; on the East it adjoins the lands now or formerly belonging to Charles O .Cacy, and on the West Lot No. 2 as laid down on said plot, said Lot being improved.

AND your Attorney and Assignee further reports the Millington Bank of Maryland has made satisfaction arrangments and settlement for said properties and he deems the said sales to have been fairly made and prays the usual order thereon.

Harrison W. Vickers  
Harrison W. Vickers, Attorney and Assignee

STATE OF MARYLAND, KENT COUNTY, to wit:

I HEREBY CERTIFY, that on this 11th day of June in theyear 1942, before me the subscriber, a Notary Public of the State of Maryland, in and for Kent County, Maryland, aforesaid, personally appeared Harrison W. Vickers, Attorney and Assignee and he made oath in due form of law that the matters and facts set forth in the aforegoing Report of Sale are true to the best of his knowledge and belief.

AS WITNESS my hand and Notarial Seal.

Notary Public  
Seal

Enna B. Lewis  
Enna B. Lewis , Notary Public

Filed June 30th 1942.

.....  
N I S I S A L E  
Filed June 30th 1942.

N I S I

Harrison W. Vickers, )  
Attorney and Assignee, ) In the Circuit Court for Queen Anne's  
vs ) County In Equity  
Clara M. Ahern, widow ) Chancery No. 3307

ORDERED, This 30th day of June A. D. 1942, that the sale of real estate made and reported in this cause by Harrison W. Vickers, Attorney and Assignee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the first day of September next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the first day of August next.

The Report states the amount of sales to be \$2,000.

A. Sydney Gadd Jr. Clerk

Filed June 30th 1942.

.....  
 CERTIFICATE OF PUBLICATION OF  
 ADVERTISEMENT OF SALE.  
 Filed June 30, 1942.

ATTORNEY AND ASSIGNEE'S SALE  
 OF VALUABLE  
 REAL ESTATE.

Under and by virtue of the power and authority contained in a Mortgage from Clara M. Ahern to The Millington Bank of Maryland dated November 30, 1932 and recorded among the Land Records for Queen Anne's County, Maryland in Liber B. H. T. No. 15, Folio 495 and also recorded among the Land Record for Kent County Maryland, in Liber R. A. S. No. 9, folio 400, as said Mortgage covers properties in both County; which said Mortgage was assigned to Harrison W. Vickers on January 10, 1942 for the purpose of foreclosure and collection, and the said Harrison W. Vickers is also named as Attorney in said Mortgage, default having occurred in said Mortgage, the undersigned Attorney will offer at public sale to the highest bidder in front of the Court House Door in Centreville, Queen Anne's County, Maryland on TUES. Feb. 10, 1942 between the hours of 2:00 P. M. and 3:00 P. M., all that Farm containing 261 ACRES 38 PERCHES of land, more or less on the road leading from Sudlersville to Blanco and more particularly described as follows:

ALL that farm or tract of land of which the late Charles P. Loper of Millington, Kent County, Maryland, died, seized and possessed of, situate in the First Election District of Queen Anne's County, on the left side of the Public Road leading from Stull Town to Smyrna, Known as "Pack Hickory Ridge" or by whatsoever name the same may be called or known adjoining the lands of John Biggs and others and contained within the following metes and bounds, courses and distances, to wit: BEGINNING at a stone in the middle of the aforesaid road and running with said road South  $46\frac{1}{2}$  degrees West, 15.4 perches to the middle of the cross roads, thence with road to Millington, North  $55\frac{1}{2}$  degrees West 7.6 perches to a point opposite a fence, thence with the fence North  $42\frac{1}{2}$  degrees East, 16.7 perches to a post, thence North 45 degrees West 195 perches to a stone, thence North 45 degrees East 202 perches to a stone, thence South 45 degrees East 208.9 perches to the public road leading to Symrna thence with said road reversed South  $46\frac{1}{2}$  degrees West 202 perches to the stone at the beginning, containing 261 Acres and 38 perches of land, more or less

THE IMPROVEMENTS consist of a two story frame dwelling, Cow Stable and other necessary out-buildings.

The said Undersigned will also offer at public sale to the highest bidder in front of the Court House Door in Chestertown, Kent County Maryland on Wed. Feb. 11, 1942. between the hours of 11:00 A. M. and 12 M., all the following lots of land and premises contained and described in said Mortgage, said lots of land situate in the Town of Millington and being commonly known and used as the Lumber Yard of the late John P. Ahern; which Lots are more particularly described as follows:

ALL those lots or parcels of ground situate, lying and being in the Town of Millington, in the First Election District of Kent County, Maryland, laid down on a plot of the Severn Lots made by Henry Tonkin, Surveyor, which said Plot is filed in the papers of the above entitled Cause. The said lot of land is described as Lots No. 2, 3 and 4 on said Plot, and includes/of the Severn Lots except Lot No. 1, heretofore conveyed to Fannie J. Lockerman, and lies on the Easterly side of the Queen Anne's and Kent Railway, subject to the Right of Way 12 feet for the benefit of said Fannie J. Lockerman Lot, over and across the Southerly end of the lot hereby conveyed, the said lot of land adjoins what was formerly known as the C. O. Cacy Farm on the North and East and the Railroad Lot on the South, and includes what was known as the "Severn Basket Factory, Dry house, etc.,

ALL that lot of land situate, lying and being in the Twon of Millington, in the First Election District of Kent County, Maryland, and laid down on the plot or the "Severn Lot" prepared by Henry Tonkins, Surveyor, which said plot is filed in the papers of the Chancery Cause entitled George Clough et al vs Henry Severn, on Plot said lot is designated as Lot No. 1, and fronts on what is known or called by the name of "Railroad Lot" lying thereon 60 feet, and extending back 150 feet as laid down on said Plot on the East it adjoins the land now or formerly belonging to Charles O. Cacy, and on the West Lot No. 2, as laid down on said plot, said Lot being improved.

THE IMPROVEMENTS on these lot consist of an office building lumber sheds, Basket factory building, storage building and a dwelling house now used as a storage house.

The undersigned will also offer at Chestertown on February 11, 1942 that lot situate on the East side of Sharp or Crane Street in the Town of Millington, Kent County, Maryland, which lot is more particularly described as follows:

BEGINNING for the same at point 154 feet 2 inches Northerly from the Northwest corner of the lot of land of John G. Moore, and running with said Street North  $16\frac{1}{2}$  degrees East 54 feet 2 inches, thence South 74 degrees East 217 feet to the Graveyard Lot belonging to the African M. E. Church, thence with said Graveyard Lot 17 degrees West 54 feet 2 inches, thence North  $73\frac{1}{2}$  degrees West 217 feet 6 inches to the aforementioned street and place of beginning,

THE IMPROVEMENTS on this lot consist of a one story frame storage shed adjoin-

ing the property of F. C. Numbers.

TERMS OF SALE

On e-third cash on day of sale, balance upon ratification of sale. Unpaid purchase money to bear interest. Title papers including stamps at cost of purchaser. Taxes to be adjusted to day of sale.

HARRISON W. VICKERS

Attorney named in the  
Mortgage and Assignee.

QUEEN ANNE'S RECORD - OBSERVER  
Centreville, Md. June 30, 1942

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO. hereby certifiesthat the Attorney and Assignee's sale of real Estate in the case of Clara M. Ahern a true copy of which is hereto annexed, was inserted in the QUEEN ANNE'S RECORD- OBSERVER, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week for four (4) successive weeks the first publication thereof having been made in said newspaper on the 15th day of January, 1942, being more than 25 days before the 10th day of February 1942.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO.

By Myrtle M. Lewis

Filed June 30, 1942.

.....  
ATTORNEY AND ASSIGNEE'S SALE  
OF VALUABLE REAL ESTATE  
Filed Aug. 7, 1942.

ATTORNEY AND ASSIGNEE'S SALE OF  
VALUABLE REAL ESTATE.

Under and by virtue of the power and authority contained in a Mortgage from Clara M. Ahern to The Millington Bank of Maryland dated November 30, 1932 and recorded among the Land Records for Queen Anne's County, Maryland in Liber B. H.T. No. 15, Folio 495 and also recorded among the Land Records for Kent County, Maryland in Liber R. A. S. No. 9, Folio 400, as said Mortgage covers properties in both Counties; which said Mortgage was assigned to Harrison W. Vickers on January 20, 1942 for the purpose of foreclosure and collection and the said Harrison W. Vickers is also named as Attorney in said Mortgage, defaults having occurred in said Mortgage, the undersigned Attorney and Assignee will offer at public sale to the highest bidder in front of the Court House Door in Centreville, Queen Anne's County, Maryland on TUESDAY, FEB. 10, 1942 between the hours of 2:00 P. M. and 3:00 P. M., all that Farm containing 261 ACRES 38 PERCHES of land, more or less on the road leading from Sudlersville to Blanco and more particularly described as follows:

ALL that farm or tract of land of which the late Charles B. Loper of Millington, Kent County, Maryland, died, seized and possessed of, situate in the First Election District of Queen Anne's County, on the left side of the Public Road leading from Stull Town to Smyrna, known as "Pack Hickory Ridge" or by whatsoever name the same may be called or known adjoining the lands of John Biggs and others and contained within the following metes and bounds, courses and distance, to wit: BEGINNING at a stone in the middle of the aforesaid road and running with said road South 46½ degrees West, 15.4 perches to the middle of the cross roads, thence with road to Millington, North 55½ degrees West 7.6 perches to a point opposite a fence, thence with the fence North 42½ degrees East, 16.7 perches to a post, thence North 45 degrees West 195 perches to a stone, thence North 45 degrees East 202 perches to a stone, thence South 45 degrees East 208.9 perches to the public road leading to Smyrna, thence with said road reversed South 46½ degrees West 202 perches to the stone at the beginning, containing 261 Acres and 38 perches of land, more or less.

THE IMPROVEMENTS, Consist of a two story frame dwelling, Cow Stable and other necessary out-buildings.

The said Undersigned will also offer at public sale to the highest bidder in front of the Court House Door in Chestertown, Kent County, Maryland on WEDNES., FEB. 11, 1942 between the hours of 11:00 A. M. and 12 M., all the following lots of land and premises contained and described in said Mortgage, said lots of land situate in the Town of Millington and being commonly known and used as the Lumber Yard of the late John P. Ahern, which Lots are more particularly described as follows:

ALL these lots or parcels of ground situate, lying and being in the Town of Millington, in the First Election District of Kent County, Maryland, laid down on a plot of the Severn Lots made by Henry Tonkin, Surveyor, which said Plot is filed in the papers of the above entitled Cause. The said lot of land is described as Lots No. 2, 3 and 4 on said Plot, and includes all of the Severn Lots except Lot No. 1, heretofore conveyed to Fannie J. Lockerman and lies on the Easterly side of the Queen Anne's and Kent Railway, subject to the Right of Way 12 feet for the benefit of said Fannie J. Lockerman Lot, over and across the Southerly end of the lot hereby conveyed, the said lot of land adjoins what was formerly known as the C. O. Cacy Farm on the North and East and the Railroad Lot on the South, and includes what was known as the "Severn Basket Factory, Dry-house, etc.

ALL that lot of land situate, lying and being in the Town of Millington, in the First Election District of Kent County, Maryland, and laid down on the plot of the "Severn Lot" prepared by Henry Tonkin, Surveyor, which said plot is filed in the papers of the Chancery Cause entitled George Clough et al vs. Henry Severn, on said lot is designated as Lot No. 1, and fronts on what is known or called by the name of "Railroad Lot 2 lying thereon 60 feet, and extending back 150 feet as laid down on said plot, on the East it adjoins the lands now or formerly belonging to Charles O. Cacy, and on the West Lot No. 2, as laid down on said plot, said Lot being improved.

THE IMPROVEMENTS on these lots consist of an office building, lumber, sheds, Basket factory building, storage building and a dwelling house now used as a storage house.

The undersigned will also offer at Chestertown on February 11, 1942 that lot situate on the East side of Sharp or Crane Street in the Town of Millington, Kent County, Maryland which lot is more particularly described as follows:

BEGINNING for the same at point 154 feet 2 inches Northerly from the Northwest corner of the lot of land of John G. Moore, and running with said street North 16 1/2 degrees East 54 feet 2 inches, thence South 74 degrees East 217 feet to the Graveyard Lot belonging to the African M. E. Church, thence with said Graveyard Lot 17 degrees West 54 feet 2 inches, thence North 73 1/2 degrees West 217 feet 6 inches to the aforementioned street and place of beginning.

THE IMPROVEMENTS on this lot consist of a one story frame storage shed adjoining the property of F. C. Numbers.

TERMS OF SALE one third cash on day of sale, balance upon ratification of sale. Unpaid purchase money to bear interest. Title papers including stamps at cost of purchaser. Taxes to be adjusted to day of sale.

Harrison w. vickers  
Attorney named in the Mortgage and Assignee

CHESTERTOWN, Md. July 3, 1942.

It is hereby certified that the annexed advertisement of sale was published in the Chestertown Transcript, a weekly newspaper printed and published in Chestertown, in Kent County, Maryland, for at least 4 weeks before the 10th day of February 1942, and the same was inserted and published on Jan 16, 23, 30 and Feb. 6, 1942.

R. H. COLLINS & Sons  
R. H. COLLINS Jr. Editor  
Filed Aug 7, 1942.

STATEMENT OF MORTGAGE INDEBTEDNESS  
Filed Aug 7, 1942.

Harrison W. Vickers, Attorney and Assignee  
vs  
Clara M. Ahern, Widow  
CLARA M. AHERN, Widow  
In the Circuit Court for Queen Anne's County, Maryland  
In Equity No. \_\_\_\_\_

TO the Millington Bank of Maryland, Mortgagee DR.

To amount due under Mortgage from Clara M. Ahern, Widow to The Millington Bank of Maryland dated November 30, 1932 and recorded among the Land Records for Queen Anne's County, Maryland in Liber E. H. T. No. 15, Folio 495 and also recorded among the Lands Record for Kent County, Maryland in Liber R. A. S. No. 9, Folio 400 ..... \$5515.12  
To amount of interest in arrears to the day of sale, February 10, 1942 ..... 18.77  
To amount of taxes paid on Queen Anne's County property..... 61.61  
To amount of taxes paid on Kent County property ..... 12.23  
TOTAL: ..... 5607.73

MILLINGTON BANK OF MARYLAND

By Merritt Brice  
Merritt Brice, President

STATE OF MARYLAND,  
KENT COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 6th day of August, in the year Nineteen Hundred Forty Two, before me the subscriber, a Notary Public of the State of Maryland, in and for Kent County aforesaid, personally appeared MERRITT BRICE, President of the Millington Bank of Maryland, Mortgagee and he made oath in due form of law that the above Statement of Mortgage Indebtedness is true to the best of his knowledge and belief. And at the same time the said Merritt Brice did also make oath that he is the duly authorized Agent to make

this affidavit.

AS WITNESS my hand and Notarial Seal.

Notary Public  
Seal

C. M. Melvin Jr.

Notary Public

Filed August 7, 1942.

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The following are a list of Promissory Notes secured by the Mortgage and hereby attached to the statement of Mortgage indebtedness are are to be taken as a part hereof:

John Wesley M. E. Church, Millington, Md. due March 24, 1942.	\$541.75
Abe and Annie Potts, due March 21, 1942	10.59
Elmer and Annie Tinsley, due Mar. 4, 1942.	282.15
Ella and Ray A. Thomas, due Mar. 9, 1942.	143.70
St. Pauls A. M. E. Church, Golt, Md. Due Feb. 19, 1942.	584.81
A. Woodall and Fonza Durham, due Feb. 16, 1942.	1110.00
Wm. W. and Mary E. Vansant, due Mar, 12, 1942.	20.00
John H. Ahern, due Jan. 1, 1942.	600.00
Over due interest	4.10
John P. Ahern, Est., due Jan 1, 1942.	947.12
Over due interest	6.64
John P. Ahern, Est., due Jan 1, 1942.	825.00
Over due interest	5.64
John P. Ahern, Est., due Jan 1, 1942	340.00
Over due interest	2.32
John H. Ahern, Est., due Feb. 6, 1942	110.00
Over due interest	.07
	<hr/>
	5515.12
Over due interest	18.77

Filed August 10, 1942.

.....

A F F I D A V I T  
Filed August 10, 1942.

AFFIDAVIT

STATE OF MARYLAND, KENT COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 8th day of August in the year 1942, before me the subscriber, a Notary Public of the State of Maryland, in and for Kent County aforesaid, personall appeared Merritt Brice, President of The Millington Bank of Maryland and made oath in due form of law that after diligent inquiry it has been found that Clara M. Ahern and is (are) about 75 years and --- years of age. The said Clara M. Ahern and --- is (Are) and reside in Kent County, State of Maryland The said Defendant is (are) not now in the military service of the United States as defined by the Soldiers' and Sailors 'Civil Relief Act of 1940 and Chapter 710 of the Laws of Maryland of 1941, nor have they been in such service within three months prior hereto.

(Notary Public Seal)

C. M. Melvin Jr.

Notary Public

Filed August 10, 1942.

.....

N I S I  
Filed August 10, 1942.

N ISI

Harrison W. Vickers,  
Attorney and Assignee,

vs

Clara M. Ahern

Y  
Y  
Y  
Y  
Y  
Y

In the Circuit Court for Queen  
Anne's County, In Equity  
Chancery No. 3307.

ORDERED, This 13th day of February A. D. 1942, that the sale of real estate made and reported in this cause by Harrison W. Vickers Attorney and Assignee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 20th day of April next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 20th day of March next.

The Report states/<sup>the</sup> amount of sales to be \$255.00

A. SYDNEY GADD JR.  
Clerk

True Copy

Test:

A. SYDNEY GADD JR.  
Clerk.

Filed February 13, 1942.

QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. August 7th 1942.

THE QUEEN ANNE'S RECORD and OESERVER PUBLISHING CO , Hereby certifies that the Order Nisi in the case of Harrison W. Vickers, Attorney and Assignee vs Clara M. Ahern a true copy of which is hereto annexed, was inserted in the QUEEN ANNE'S RECORD OBSERVER, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week for four (4) successive weeks the first publication thereof having been made in said newspaper on the 19th day of February 1942, being more than four (4) weeks before the 20th day of March 1942.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING CO.  
By Myrtle M. Lewis  
Filed August 10, 1942.

.....  
CORRECTED AND EXPLANATORY  
STATEMENT OF MORTGAGE INDEBTEDNESS  
Filed August 18, 1942.

Harrison W. Vickers,  
Attorney, and Assignee

vss

Clara M. Ahern, Widow

Clara M. Ahern, Widow

X In the Circuit Court for  
X Queen Anne's County, Md.  
X  
X In Equity , No.

TO The Millington Bank of Maryland, Mortgagee  
DR.  
CORRECTED AND EXPLANATORY STATEMENT OF MORTGAGE INDEBTEDNESS  
AS FOLLOWS:

To amount due under Mortgage from Clara M. Ahern, widow to The Millington Bank of Maryland, dated November 30, 1932 and recorded among the Land Records for Queen Anne's County, Maryland in Liber B. H. T. No. 15, Folio 495 and also recorded among the Land Record for Kent County, Maryland, in Liber R. A. S. No. 9, folio 400.	5515.12
To amount of taxes paid on Queen Anne's County property.	61.61
To amount of taxes paid on Kent County property	12.23
TOTAL:	5588.96

This mortgage in these proceedings is an indemnity mortgage and does not call for interest, but the holder of the mortgage is entitled to interest on said notes which the mortgage was given to secure. These notes are listed and a copy of each note is hereby annexed showing the amount of the indebtedness under said notes at the time and date of said sale. Payments have been made on some of these notes subsequent to the date of sale and are so marked on the back of each note as a credit on same. The Auditor will allow such credits and will be furnished any other evidence of same as may be required.

The following are a list of said notes:

John Wesley M. E. Church, Millington, Md. due March 24, 1942	\$541.75
Abe and Annie Potts, due March 21, 1942.	10.59
Elmer and Annie Tinsley, due Mar. 4, 1942.	282.15
Ella and Ray A. Thomas, due Mar. 9, 1942.	143.70
St. Paul's A. M. E. Church, Golt, Md. due Feb. 19, 1942.	584.81
A. Woodall and Fonza Durham, due Feb. 16, 1942.	1110.00
Wm, W. and Mary E. Vansant, due Mar. 12, 1942.	20.00
John H. Ahern, due Jan. 1, 1942.	600.00
John P. Ahern, Est, due Jan 1, 1942.	948.12
John P. Ahern, Est, due Jan, 1, 1942.	825.00
John P. Ahern, Est, due Jan, 1, 1942.	340.00
John H. Ahern, Est. due Feb. 6, 1942.	110.00
	5515.12

MILLINGTON BANK OF MARYLAND  
By Merritt Brice, President

STATE OF MARYLAND, KENT COUNTY, TO WIT:

I hereby certify that on this 15th day of August, in the year Nineteen hundred and forty two, before me the subscriber, a Notary Public of the State of Maryland, in and for Kent County aforesaid, personally appeared Merritt Brice, President of the Millington Bank of Maryland, Mortgagee and he made oath in due form of law that the above Statement of Mortgage Indebtedness is true to the best of his knowledge and belief, And at the same time the said Merritt Brice did also make oath that he is the duly authorized Agent to make this affidavit.

As witness my hand and Notarial Seal.

Notary Public Seal.  
Filed August 18, 1942.  
C. M. Melvin Jr.  
Notary Public

Attached hereto are copies of Notes and Notes secured by Mortgage.

ORDER OF COURT  
Filed Aug. 18, 1942

ORDER OF COURT

ORDERED by the Circuit Court for Queen Anne's County, in Equity, this 18th day of August, 1942, that the sale made and reported by Harrison W. Vickers, Attorney and Assignee as aforesaid, be and the same is hereby ratified and confirmed, no cause to the contrary having been shown, although due notices appears to have been given as required by the Order Nisi passed in said Cause, and the Attorney and Assignee is allowed the commissions provided for in said Mortgage and such proper expenses, not personal, as he shall produce vouchers for to the Auditor.

Wm. R. Horney  
Judge.

Filed Aug. 18, 1942.

AFFIDAVIT AS TO MILITARY SERVICE.  
Filed August 31, 1942

AFFIDAVIT

STATE OF MARYLAND, KENT COUNTY, to wit:

I HEREBY CERTIFY, that on this 29th day of Aug, in the year 1942, before me the subscriber, a Notary Public of the State of Maryland, in and for Kent County aforesaid personally appeared Merritt Brice Pres. of The Millington Bank of Maryland and made oath in due form of law that after diligent inquiry it has been found that Clara M. Ahern and is (are) 72 years and -----years of age. The said Clara M. Ahern and is (are) and reside in Baltimore City, State of Maryland. The said Defendant is (are) not now in the military service of the United States as defined by the Soldiers' and Sailors' Civil Relief Act of 1940 and Chapter 710 of the Laws of Maryland of 1841, nor have they been in such service within three months prior hereto.

AS WITNESS My hand and Notarial Seal.

Notary Public  
Seal.

C. M. Melvin Jr.  
Notary Public

N I S I  
Filed Sept. 2, 1942.

Harrison W. Vickers Attorney and assignee	N I S I                   	In the Circuit Court for Queen Anne's County In Equity Chancery No. 3307
vs		
Clara M. Ahern Widow.		

ORDERED, This 30th day of June A. D. 1942, that the sale of real estate made and reported in this cause by Harrison W. Vickers, Attorney and Assignee, be ratified and confirmed, unless cause to the contrary thereof be shown or or before the 1st day of September next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 1st day of August next.

The Report states the amount of sales to be \$2,000.

A. SYDNEY GADD JR.  
Clerk.

True Copy  
Test: A. SYDNEY GADD JR.  
Clerk

Filed June 30, 1942

QUEEN ANNE'S RECORD- OBSERVER  
Centreville, Md, August 31, 1942.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO, hereby certifies that the Order Nisi in the case of Harrison W. Vickers, attorney and assignee vs. Clara M. Ahern, Widow a true copy of which is hereto annexed, was inserted in the QUEEN ANNE'S RECORD-OBSERVER, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week for four (4) successive weeks the first publication thereof having been made in said newspaper on the 2nd day of July 1942, being more than four (4) weeks before the 1st day of August 1942.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO.  
By Myrtle M. Lewis

Filed Sept. 2, 1942.

ORDER OF COURT  
Filed Sept, 2, 1942.

ORDER OF COURT

ORDERED by the Circuit Court for Queen Anne's County, Maryland, in Equity, this 2nd day of September, in the year 1942, that the sale made and reported by Harrison W. Vickers, Attorney and Assignee as aforesaid, be and the same is hereby ratified and confirmed, no cause to the contrary having been shown, although due notice appears to have been given as required by the Order Nisi passed in said Cause, and the Attorney and Assignee is allowed the commissions provided for in said Mortgage and such



proper expenses, not personal, as he shall produce vouchers for to the Auditor.

Wm. R. Horney.  
Judge.

Filed Sept. 2, 1942.

.....  
A U D I T  
Filed Jan 30th 1943.

In the Circuit Court for Queen Anne's County, in Equity.

Harrison W. Vickers, attorney and assignee, ; Chancery Docket,  
versus ;  
Clara M. Ahern, widow, mortgagor, : Cause No. 3307

To the Honorable, the Judges of said Court:-

The Report of Madison Brown, your Auditor, unto your Honors respectfully sets forth:-

That at the request of Harrison W. Vickers, the vendor of this cause he has stated the within account.

The proceedings of the cause were instituted for the collection of the mortgage described in this cause by foreclosure of the mortgage and the proceeds of the sales of the mortgaged property are not sufficient to pay the indebtedness due under the mortgage in full.

In the within account the Auditor has charged said Harrison W. Vickers, the party selling the mortgaged real estate with the gross sales of the mortgaged property made by him per his several reports of sales filed in the cause.

Then the Auditor has allowed thereout unto him, the said vendor as follows, to wit:

His compensation for making the mortgage sales, per terms of the mortgage, the court costs of these proceedings, the cost of the bond filed by the vendors, the cost of advertising notices of the sales made by the vendor and of the several orders nisi of the cause, State, County and Town taxes on the property sold paid by the vendor, the charge of his auctioneer at the public sale made by him, costs incurred by him for affidavits required to papers filed by him, the costs of advertising order nisi to be passed as to this audit and the fee of the auditor.

The amounts of the sale so charged to the vendor remaining after the deduction therefrom of above mentioned allowances constitute the net mortgage sales and the amount due the mortgagee named in the mortgage mentioned in this cause and accordingly the net mortgage sales are distributed unto the mortgagee by direction of the said Harrison W. Vickers, assignee, vendor.

Which is respectfully submitted,

MADISON BROWN  
AUDITOR.

January 23, 1943.

CAUSE NO. 3307

The Proceeds of the sales of the mortgaged real estate of Clara M. Ahern, mortgagor making the mortgage mentioned in this cause, IN ACCOUNT WITH Harrison W. Vickers, assignee of said mortgage and the party making under said mortgage the sales of the mortgaged real estate herein reported.

1942	CR.	
Feb.		
11	By amount of the sale made this date of the of lot of land in Millington in Kent County, made in Kent County, per report of sale filed, (see Paper No. 4), to wit; the sum of .....	\$255.00
1942		
June		
11	By amount of the sale made this date of farm in Queen Anne's County, per report of sale filed, (see Paper No. 5) to wit: the sum of .....	\$1,000.00
1942		
June		
11	By amount of the sale made this date of lumber yard in Kent County, per report of sale filed, (see Paper No. 5,) to wit: the sum of .....	\$1,000.00
Total amount of these sales,.....		<u>2,255.00</u>

CAUSE NO. 3307

The proceeds of the sales of the mortgaged real estate of Clara M. Ahern, mortgagor making the mortgage mentioned in this cause, IN ACCOUNT WITH Harrison W. Vickers, assignee of said mortgage and the party making under said mortgage the sales of the mortgaged real estate herein reported.

DR.

1942	Compensation of Vendor.
June	
11	

To Harrison W. Vickers, the vendor making the sales of this cause, for the attorney's fee provided in the said mortgage to the party making the mortgage sale, for so doing, the sum of .....\$30.00  
 To same vendor, for the fee provided in said mortgage to party making the mortgage sale for preparing and furnishing the required bond, the sum of .....\$35.00  
 To same vendor, for his commissions per terms of mortgage, for making sale for \$255.00 described in Report (Paper No. 4) .....\$ 17.85  
 For making sales of \$2000.00, described in Report (Paper No. 5), .....\$122.50  
 Total compensation allowed vendor, .....\$205.35 \$205.35

## ALLOWANCE FOR COURT COSTS:

To same vendor, for the court costs of the proceedings of this cause as follows:  
 Costs of A.S. Gadd, Clerk, paid to him per receipted statement exhibited, .....\$25.00  
 Appearance fee of H.W. Vickers, per same statement.....\$10.00  
 Costs of Transcript of record of these proceedings for record in Kent County, paid A.S. Gadd, clerk, per receipted statement of same exhibited, sum of .....\$12.00  
 Costs of recording Transcript of record in Kent County per receipt of Robert Shall-cross, clerk, exhibited, .....\$15.00  
 Total allowances of these costs, .....\$62.00 \$62.00

## Cost of Bond.

To same vendor for costs of his bond filed in this cause paid corporate surety thereon per receipted account for same exhibited, the sum of, ..... \$28.00

## ADVERTISING COSTS:

To same vendor, for the costs of the several advertisements of this cause, as follows:  
 Costs of advertising notices of the sale in Queen Anne's County newspaper, per receipted account for same, exhibited, the sum of ..... \$ 93.60  
 Costs of advertising notices of sales in Kent News per receipted account for same exhibited, the sum of ..... \$ 44.00  
 Costs of advertising notices of sale in The Transcript, per receipted account for same exhibited, the sum of ..... \$ 44.00  
 Costs of advertising in Queen Anne's County newspaper two orders nisi on sales at \$5.00 each, per receipted accounts for same exhibited, the sum of. \$ 10.00  
 Total amount of advertising costs, ..... \$191.60 \$191.60

## ALLOWANCE FOR TAXES:

To same vendor, for state and county taxes on mortgaged property paid by him as follows:  
 Taxes on Queen Anne's County farm:  
 State and County taxes on this farm for year 1941 paid, per receipted tax bill for same exhibited, the sum of ..... \$61.61  
 for year 1942 paid, per receipted tax bill for same exhibited, the sum of ..... \$54.86  
 Taxes on Lumber Yard:  
 State and County taxes on this property for year 1940, per receipted tax statement for same exhibited, the sum of .... \$12.56  
 for year 1941, per receipted tax statement exhibited, the sum of ..... \$15.71  
 for year 1942, per receipted tax statement exhibited, the sum of ..... \$12.42  
 Taxes on Lot purchased by Numbers, State and County taxes on this property:  
 for year 1940, per receipted tax statement exhibited, the sum of ..... \$ 5.13  
 for year 1941, per receipted tax statement exhibited, the sum of ..... \$ 7.10  
 Town taxes of town of Millington, for year 1941, per tax statement receipted and exhibited, the sum of ..... \$ 1.59  
 Total allowance for taxes, ..... \$170.98 \$170.98

## CAUSE NO. 3307

## ALLOWANCE OF MISCELLANEOUS EXPENSES:

To same vendor for allowance to pay H. Stockton Startt, auctioneer for auction services at sale herein mentioned, the sum of .....\$15.00  
 To same vendor for allowance to pay Enna B. Lewis, Notary Public, for administering affidavits and Notarial Services rendered vendor, the sum of .....\$ 21.15  
 To same vendor for costs of advertising the order nisi to be passed as to this audit, the sum of .....\$ 3.50  
 To Madison Brown, auditor, for stating this account, the sum of .....\$18.00  
 Total allowance of miscellaneous expenses, ..... \$38.65 \$38.65  
 Total amount of disbursements allowed ..... \$ 696.58

RECAPITULATION:

Total amount of sales charged to said vendor, .....\$2,255.00  
 Total amount of disbursements allowed to said vendor, .....\$ 696.58  
 Amount of the net mortgage sales of this cause, .....\$1,558.42

DISTRIBUTION OF NET MORTGAGE SALE:

To the Millington Bank of Maryland, the mortgagee named in the mortgage mentioned in this cause and assignor assigning the mortgage unto Harrison W. Vickers, attorney, in trust for the purpose of foreclosure and collection, is distribution by direction of said Harrison W. Vickers this balance, the net mortgage sales, on account of the claim of said mortgagee under said mortgage, to wit: sum of .....\$ 1,558.42

MADISON BROWN  
 AUDITOR.

January 23, 1943.

CAUSE NO. 3307

Statement showing the amount due by the mortgagor to the mortgagee named in this proceeding after the application to the debt due on the day of sale of the net mortgage sales of this cause.

Clara M. Ahern, mortgagor making the mortgage mentioned below to the Millington Bank of Maryland, mortgagee, named in the mortgage mentioned below.....DR.

1942  
 June  
 11

To amount due under the mortgage mentioned which is dated November 30, 1932, and which is recorded in the land record books of Queen Anne's County in Liber B.H.T. No. 15, at folio 495 and in the land record books of Kent County in Liber R.A.S. No. 9, at folio 400, per Corrected Statement of Mortgage Indebtedness filed in this cause on August 18, 1942, on the day of sale of this cause, to wit: the sum of ..... \$5,515.12  
 By amount distributed to said mortgagee by the within account, to wit: the sum of ..... \$1,558.42  
 To Balance due by mortgagor to mortgagee under said mortgage, to wit; the sum of..... \$3,956.70

Note: The taxes, \$61.61 and \$12.23 mentioned in the corrected statement of debt filed above, after correction as to the taxes paid on Kent County property have been allowed in the foregoing account, page No 5.

January 23, 1943.

MADISON BROWN  
 AUDITOR.

.....  
 NISI AUDIT  
 Filed Jan 30th 1943.

NISI RATIFICATION OF AUDIT

Harrison W. Vickers, : IN THE CIRCUIT COURT FOR  
 attorney and assignee :  
 :  
 vs : QUEEN ANNE'S COUNTY.  
 :  
 Clara M. Ahern, : IN EQUITY.  
 widow, mortgagor. :  
 : Cause No. 3307

ORDERED, This 30th day of January in the year nineteen hundred and forty three that the Report and Account filed in these proceedings by Madison Brown, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 27th day of February, 1943, provided a copy of this order be published once a week in each of two successive weeks before the 20th day of February, 1943, in some newspaper printed and published in Queen Anne's County.

A. SYDNEY GADD JR. CLERK

Filed January 30th, 1943.

.....  
 NISI RATIFICATION OF AUDIT  
 Filed Feb. 24th 1943.

NISI RATIFICATION OF AUDIT

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY IN EQUITY. CAUSE No. 3307

Harrison W. Vickers,  
 Attorney and Assignee  
 vs  
 Clara M. Ahern  
 Widow, Mortgagor.

ORDERED, This 30th day of January in the year nineteen hundred and forty three that the Report and Account filed in these proceedings by Madison Brown, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 27th day of February, 1943; provided a copy of this order be published once a week in each of two successive weeks before the 20th day of February, 1943, in some newspaper printed and published in Queen Anne's County.

True Copy                    A. SYDNEY GADD JR.      Clerk  
 Test:                            A. SYDNEY GADD JR.      Clerk

Filed January 30th, 1943.

Michael W. Aker and George J. Steinfelt, the undersigned do hereby certify that they are the Publishers of a newspaper called THE QUEENSTOWN NEWS, which is published weekly on Friday of each week in Queen Anne's County, aforesaid, and we do further certify that Nisi Ratification of Audit Harvey W. Vickers Atty- Assign vs. Clara M. Ahern late of Queen Anne's County, aforesaid, deceased, a true copy of which is hereto annexed, appeared as an advertisement in that edition of The Queenstown News above named which issued to the public on the February 7 1943, and full six months before the 27th February 1943, the day named in said notice.

1st insertion February 7  
 2nd Insertion        "        14  
 3rd insertion  
 4th insertion

M. W. AKER  
 M.W. Aker

GEORGE J. STEINFELT  
 George J. Steinfelt

Filed Feb. 24th 1943.

C A U S E 3311

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Twenty First day of March in the year nineteen hundred and forty two, the following Order to Docket Suit was brought to be recorded, to wit:

WILLIAM MARVIN BARTON and WILLIAM EDWARD BARTON, co-partners, trading as BARTON BROTHERS, Plaintiffs, vs

JOSEPH W. COLLIER and LOUISE COLLIER, his wife, Lucy V. Melvin and FLOYD Melvin her husband, FLORENCE E. TARR and CLARENCE TARR, her husband. Jr. Mr. A. S. Gadd, Clerk of said Court,

In the Circuit Court for Queen Anne's County, In Equity Cause No. 3311.

Kindly docket suit as per above titling, enter my appearance for the plaintiffs, file Bill of Complaint and accompanying Exhibits No. 1 and 2, issue summons as prayed.

RICHARD T. EARLE Richard T. Earle, Atty. for Plaintiffs.

Filed March 21st, 1942.

..... BILL OF COMPLAINT Filed March 21st 1942.

WILLIAM MARVIN BARTON, and WILLIAM EDWARD BARTON, Co-partners, trading as BARTON BROTHERS, Plaintiffs, vs

JOSEPH W. COLLIER and LOUISE COLLIER, his wife, LUCY V. MELVIN and FLOYD MELVIN her husband, FLORENCE E. TARR AND CLARENCE TARR, her husband, Defendants,

In the Circuit Court for Queen Anne's County, In Equity. Cause No. 3311.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your orator, who sus as well for themselves as far all other creditors of Annie M. Colier, late of Queen Anne's County, Maryland, deceased, who will come in and contribute to the expenses of this suit, complaining, say:

- 1. That the said Annie M. Collier departed this life on or about the tenth day of March, 1942.
2. That there is due unto your orators the sum of Two Hundred and Thirty Five Dollars (\$235.00) for the funeral expenses of the deceased.
3. That the said Annie M. Collier died intestate seized of the hereinafter described real estate but possessed of no personal estate of sufficient value to pay the costs of administrating thereon and leaving surviving her no husband but the following children as her only heirs at at law, to wit;
A. Joseph W. Collier, a son, who is intermarried with Louise Collier and resides in Queen Anne's County, Maryland;
B. Lucy V. Melvin, a daughter, who is intermarried with Floyd Melvin and resides in Queen Anne's County, Maryland;
c. Florence E. Tarr, a daughter, who is intermarried with Clarence Tarr and resides in Queen Anne's County, Maryland;
4. That no letters of administration have been granted on the personal estate of the deceased and your orators are advised and so allege that none will be granted for that there is not sufficient personal estate to pay costs of said administration.
5. That inasmuch as there is not sufficient personal estate to pay the costs of administarion thereon, that the claim of your orators and other creditors of the deceased should be paid out of the sale of all, or such part as may be necessary, of the real estate of the deceased.
6. That your orators are advised and allege that the deceased died seized and possessed of the following real estate, to wit: ALL that lot of land situate in Grasonville, on the south side of the State road leading from Queenstown to Kent Island, adjoining the land now or formerly owned by Thomas Hornèy, James Horney, John Wallace and others containing three acres and 29 perches of land, more or less, being the land devised to the said Annie M. Collier by John T. Collier, her husband, by Will duly probated in The Orphans' Court for Queen Anne's County, and recorded in W. T. B. No, 3, folio 399, a Will Record Book for Queen Anne's County, a certified copy of which is filed herewith marked "Plaintiffs Exhibit No. 1", and made a part hereof; and being the same land and all the land granted and conveyed to the said John T. Collier, by deed dated Nov. 26th., 1892 from William B. Jones and Sarah C. Jones, his wife, and recorded in Liber L. D. No.1, folio 181 etc., a Land Record Book for Queen Anne's County, a certified copy of which marked "Plaintiffs Exhibit No. 2" filed herewith as a part hereof.

TO THE END, THEREFORE,

- 1. That the real estate of the said Annie M. Collier, deceased, or so much thereof as may be necessary for the purpose, may be sold for the payment of the claim of your orators and those of the other creditors of the said deceased.
- 2. That a notice to the creditors of the said deceased may be given by this Honorable Court as provided by law.
- 3. That your orators may have such other and further relief as their case may require.

MAY IT PLEASE YOUR HONORS to grant unto your orators the writ of subpoena against the said Joseph W. Collier and Louise Collier, his wife, Lucy V. Melvin and Floyd Melvin, her husband, and Florence E. Tarr and Clarence Tarr, her husband, all residents of Queen Anne's County, Maryland, commanding them and each of them to be and appear at some certain day to be named therein to answer the premises and abide by and perform such decree as may be passed therein.

And as in duty bound & etc.

Richard T. Earle  
Richard T. Earle,  
Atty. For Plaintiffs.

Filed March 21st 1942.

PLAINTIFFS EXHIBIT #1.  
Filed March 21st 1942.

I, John T. Collier, of Queen Anne's County, State of Maryland, being of sound and disposing mind, memory and understanding, do make, publish and declare this to be my last will and testament, in manner following, that is to say:

After the payment of all my just debts and funeral expenses, I give, devise and bequeath all my estate and property as follows:

ITEM ONE . All of my estate and property of every kind and description, real, personal and mixed, whenever acquired and wheresoever located, of which I die seized and possessed or in any way entitled to, I do hereby give, devise and bequeath to my wife, Annie M. Collier, absolutely and in fee simple.

ITEM TWO. I do hereby constitute and appoint my son, Joseph W. Collier, to be the Executor of this my last will and testament, hereby revoking all other wills and testaments heretofore made by me, and it is my wish and desire and I hereby direct that the said Joseph W. Collier shall be excused from the necessity of giving bond for the performance of his duties as such Executors.

ITEM THREE, I have not left my three children, namely, Florence E. Tarr, Lucy V. Melvin and Joseph W. Collier, anything because I feel that my wife, Annie M. Collier, is entitled to the whole of my estate to do with as she pleases.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my seal, this 11th day of April in the year nineteen hundred and thirty two:

John T. Collier (SEAL)

SIGNED, sealed and published and declared by the above named testator, John T. Collier, as and for his last will and testament, in the presence of us, who, at his request, in his presence, and in the presence of each other, have hereunto subscribed our names as witnesses thereto.

Samuel J. Price, M. D.

Eva B. Price

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

On the 19th day of July, A. D. 1932 came William R. Horney, Custodian of the within and foregoing instrument of writing, purporting to be the last will and testament of John T. Collier, late of Queen Anne's County, deceased, and made oath in due form of law, that the foregoing is the true and whole Will of said deceased, that has come to his hand and possession, and that he does not know nor has he heard of any other and that he received the same from John T. Collier on or about 11th day of April, A. D., 1932.

Sworn before

Norman S. Dudley  
Register of Wills for Queen Anne's County.

STATE OF MARYLAND, QUEEN ANNES COUNTY, TO WIT:

On the 2nd day of August, 1932, came Samuel J. Price and Eva B. Price of Queen Anne's County, Maryland, subscribing witnesses to the foregoing last will and Testament of John T. Collier, late of Queen Anne's County, deceased, and made oath in due form of law, that they did see the Testator sign and seal said Will; that they heard him publish, pronounce and declare the same to be his last Will and Testament, and that at the time of his so doing he was, to the best of their apprehensions of sound and disposing mind, memory and understanding; and that they together with each other subscribed their names as witnesses to said Will at his request in his presence and in the presence of each other.

Sworn in open Court  
Test:

Norman S. Dudley  
Register of Wills for Queen Anne's County.

STATE OF MARYLAND, SCT:

IN THE ORPHANS' COURT

FOR QUEEN ANNE'S COUNTY:

The foregoing Instrument of Writing, purporting to be the last Will and Testament of John T. Collier, late of Queen Anne's County, deceased, having been exhibited for probate, and no objection thereto having been made, although notice, according to law, appears to have been given to the next relations of said deceased:

The Court, after having examined the said Instrument of Writing and also the evidence adduced as to its validity, orders and decreeds, this 9th day of August, A. D. 1932, that the same be admitted in this Court as the true and genuine last will and Testament of the said John T. Collier, deceased.

Henry C. Bowen

W. Hopper Gibson

Clayton T. Cann

Judges of the Orphans' Court for Queen Anne's County.

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

The Register of Wills for Queen Anne's County, Maryland does hereby certify that the foregoing is a true and whole copy of the last Will and Testament of JOHN T. COLLIER, deceased, as filed in this office July 19th 1932 and admitted to probate by the Orphans' Court of Queen Anne's County, Maryland, on the 9th day of August, 1932, and recorded in Liber W. T. B. #3, folio 399 a Will Record Book for Queen Anne's County aforesaid.

In Witness Whereof I hereunto set my hand and affix the seal of my office this 18th day of March, 1942.

Seals  
Place.

Norman S. Dudley  
Register of Wills

Filed March 21st 1942.

\*\*\*\*\*  
CERTIFIED COPY OF DEED  
Plaintiffs Exhibit #2.  
Filed March 23rd 1942.

Queen Anne's County, to wit: Be it remembered that on the Seventeenth day of January, in the year One Thousand eight hundred and ninety three, the following Deed was brought to be recorded, to wit:

This Deed, made this 26th day of November, in the year Eighteen hundred and ninety two, by Wm. B. Jones and Sarah Jones, his wife, of Queen Anne's County, State of Maryland, Witnesseth: That in consideration of a House and lot of land, and the sum of Eighty five dollars, the said Wm. B. Jones and Sarah Jones, his wife, do grant and convey unto John T. Collier of Queen Anne's County, State of Maryland; All that lot of land, situated in Winchester, on the South side of the public road leading from Queenstown to Kent Island, and contained within the following metes and bounds, courses and distance, Beginning in the public road at a corner of Thomas Horneyslot of land, and running thence North eighty four degrees west Eighteen perches, thence South fifteen degrees East, twenty one perches, thence South sixty nine degrees fifteen minutes east eight perches and seven tenths of a perch, thence South five degrees east, nine perches and four tenths of a perch, thence South eighty four degrees east eight perches, and thence North eight degrees west thirty two perches to the place of Beginning, containing two acres, two roods and twenty nine perches of land, also all that lot of land, situated on the South side of the above described lot of land; and adjoining the land of Thomas Horney on the east, the land of James Horney on the South at a Stream; and the land of John Wallace on the west, and containing one half acre of land, more or less, Being the same lot of land conveyed by James Horney, and Frances Ann Horney, his wife by deed dated the first day of May, in the year Eighteen hundred and eighty nine, to Wm. B. Jones, And the said Wm. B. Jones and Sarah Jones his wife, covenant that they will warrant generally the property hereby granted and conveyed, and will execute such further assurances of title as may be requisite.

Witness their hands and seals/

his  
Wm/X B. Jones (SEAL)

Witness

JOHN O. PHILLIPS.

Mark  
SARAH C. JONES (SEAL)

State of Maryland, Queen Anne's County, to wit: I hereby certify that on this 26th day of November, Eighteen hundred and ninety two, before me the subscriber, a Justice of the Peace of the State of Maryland, in and for Queen Anne's County, personally appeared Wm. B. Jones and Sarah Jones, his wife, and did each acknowledge the foregoing Deed to be their respective act.

JOHN O. PHILLIPS, J.P.

STATE OF MARYLAND,

QUEEN ANNE'S COUNTY, TO WIT:

I hereby certify that the foregoing is truly taken and copied from Liber L.D. No. 1, folios 181, a Land Record Book for Queen Anne's County.

Seals  
Place.

In Testimony Whereof I have hereunto subscribed  
my name and affixed the Seal of the Circuit  
Court for Queen Anne's County this 21st day of  
March, in the year nineteen hundred and forty two.

A. Sydney Gadd Jr. Clerk

Filed March 21st 1942.

.....  
SUBPOENA FOR RESPONDENTS TO  
APPEAR AND ANSWER  
Filed April 6, 1942.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO

Joseph W. Collier and Louise Collier, his wife,

(Seal ) OF QUEEN ANNE'S COUNTY, GREETING:  
(Place.)

YOU ARE HEREBY COMMANDED, that all excuses set aside, you be and appear  
before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville,  
in said County, on the First Monday of April next, to answer the complaint of Wm.  
Marvin Barton and Wm. Edward Barton/against you in said court exhibited.  
co- partners trading as Barton Brothers.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephens R. Collins, Chief Judge of our said  
Court, the First Monday of March 1942.  
Issued the Twenty First day of March 1942.

A. Sydney Gadd Jr. Clerk

Richard T. Earle

Solicitor for Complainants

TO THE DEFENDANT: You are required to file your answer or other defense in  
the office of the Clerk of this Court within fifteen days of the first Monday of April  
next, being the Return Day.

A. Sydney Gadd Jr. Clerk

True Copy

Test: A. Sydney Gadd Jr. Clerk

And on the back of the foregoing is endorsed to wit:  
Non Est

Edward E. Coursey Sheriff.

.....  
SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
Filed April 6, 1942.

Queen Anne's County, to wit:

The State of Maryland

TO

Florence E. Tarr and Clarence Tarr, her husband

Corporate  
Seals  
Place.

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before  
the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in  
said County, on the First Monday of April next, to answer the complaint of Wm. Marvin  
Barton and Wm. Edward Barton co- partners trading as Barton Brother against you in  
said Court exhibited.

HEREOF fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins, Chief Judge of our said Court  
the First Monday of March 1942.  
Issued the Twenty First day of March 1942.

Richard T. Earle

A. Sydney Gadd Jr. Clerk

Solicitor for Complainants

TO THE DEFENDANT: You are required to file your answer or other defense in  
the office of the Clerk of this Court within fifteen days of the first Monday of April  
next, being the Return Day.

A. Sydney Gadd Jr. CLERK



And on the back of the foregoing is thus endorsed to Wit:  
Summoned Florence E. Tarr and Clarence Tarr April 31, 1942.

Edward E. Coursey  
Sheriff

.....  
SUBPOENA FOR RESPONDENTS TO APPEAR  
AND ANSWER  
Filed April 6, 1942.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO

Lucy V. Melvin and Floyd Melvin, her husband ,

Seals  
Place

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the First Monday of April next, to answer the complaint of Wm. Marvin Barton and Wm. Edward Barton co-partners trading as Barton Brother against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins, Chief Judge of our said Court, the First Monday of March 1942.  
Issued the Twenty First day of March 1942.

A. Sydney Gadd Jr. Clerk

Richard T. Earle  
Solicitor for Complainants

TO THE DEFENDANT: Your are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of April next, being the Return Day.

A. Sydney Gadd Jr. Clerk

And on the back of the foregoing is thus endorsed to wit:

Summoned Lucy V. Melvin and Floyd Melvin April 3, 1942  
Edward E. Coursey  
Sheriff

.....  
ORDER TO ISSUE SUBPOENA  
Filed April 23, 1942

William Marvin Barton et al

vs

Joseph W. Collier et al

X  
X  
X  
X  
X

In the Circuit Court for Queen Anne's County

in Equity

No. 3311  
Judgment  
Int, from  
Costs  
Credits  
Recorded in Liber fol.

Mr. A. S. Gadd Jr.  
Clerk of the Circuit Court for Queen Anne's County:

You will please issue Subpoena to Sheriff of Queen Anne's County to summons Joseph H. Collier and Louise Collier

Richard T. Earle  
Attorney for Plaintiffs

Filed April 23, 1942.

.....  
SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
Filed April 24th 1942.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO

Joseph W. Collier and Louise Collier, his wife

Seals  
Place

OF QUEEN ANNE'S COUNTY, GREETING:

YOUR ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the First Monday of May next, to answer the complaint of W. Marvin Barton and W. Edward Barton, co- partners trading as Barton Brothers.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins, Chief Judge of our said Court, the First Monday of April 1942. Issued the Twenty third day of April 1942.

CLERK

Richard T. Earle  
Solicitor for complainants

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of May next, being the Return Day.

A. Sydney Gadd Jr.  
Clerk

\*\*\*\*\*  
SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER

TO  
Louise Collier

Seals  
Place

OF ANNE ARUNDEL COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the first Monday of May next, to answer the complaint of W. Marvin Barton and William Edward Barton against you in said court exhibited. co-partners trading as Barton Brothers

Hereof fail not, as you will answer the contrary at your peril.

WITNESS , The Honorable Stephen R. Collins, Chief Judge of our said Court, the first Monday of April 1942. Issued the Twenty eight day of April 1942.

CLERK

Richard T. Earle  
Solicitor for Complainants

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of May next, being the Return Day.

A. Sydney Gadd Jr. Clerk

\*\*\*\*\*  
SUBPOENA DIRECTED TO  
LOUISE COLLIER  
Filed May 21st 1942.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO  
Louise Collier

Seals  
Place.

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the first Monday of June next, answer the complaint of W. Marvin Barton and W. Edward Barton t/a Barton Bros. against you in said Court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS , The Honorable Stephen R. Collins, Chief Judge of our said Court, the first Monday of May 1942 Issued the twentieth day of May 1942.

A. Sydney Gadd Jr. Clerk

Richard T. Earle  
Solicitor for Complainants

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of June next, being the Return day.

A. Sydney Gadd Jr. Clerk

\*\*\*\*\*  
ANSWER OF LUCY V. MELVIN AND FLOYD  
MELVIN, HER HUSBAND, AND MORENCE E. TARR  
AND CLARENCE TARR, Her husband

WILLIAM MARVIN BARTON AND  
W. EDWARD BARTON, Co- partners,  
trading as Barton Bros.

vs

Joseph W. Collier and Louise  
Collier, his wife.  
Lucy V. Melvin and Floyd Melvin

IN THE CIRCUIT COURT FOR QUEEN ANNE'S  
COUNTY IN EQUITY

Cause No. 3311

her husband,  
Florence E. Tarr and Clarence  
Tarr, her husband

X  
X  
X

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The answer of Lucy V. Melvin and Floyd Melvin, her husband, and Florence E. Tarr and Clarence Tarr, her husband, by John Palmer Smith, their attorney, to the bill of complaint filed in this against cause against them and others, say:

That they admit the matters and facts set forth in said bill of complaint and consent to the Passing of such a decree as may be right and proper.

John Palmer Smith  
Atty. for Lucy V. Melvin, et al

Filed June 10th 1942.

.....  
AFFIDAVIT AS TO MILITARY SERVICE  
Filed June 17th 1942.

Wm. Marvin Barton and W. Edward Barton,  
Co- partners, trading as Barton  
Brother,

X In the Circuit Court for  
X Queen Anne's County,  
X  
X in Equity.

vs

Joseph W. Collier, et al

X Cause No. 3311

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I, W. Edward Barton, one of the co- partners of Barton Brother, do hereby make oath in due form of law that Joseph W. Collier and Louise Collier, his wife, are residents of Churchville, Maryland, that they are both adults, and that neither are now or have been three months prior to the making of this affidavit engaged in the Military Service of the United States of America, to the best of my knowledge and belief.

Subscribed and sworn to before me this 17th day of June, 1942.

A. Sydney Gadd Jr.  
Clerk of the Circuit Court for Queen  
Anne's Co.

Filed June 17th 1942.

.....  
PETITION FOR DECREE PRO CONFESSO AGAINST  
JOSEPH W. COLLIER AND LOUISE COLLIER  
HIS WIFE,

Wm. Marvin Barton, and W. Edward  
Barton, Co- partners,  
trading as Barton Brother,.

X In the Circuit Court for  
X Queen Anne's County,  
X  
X In Equity

vs

Joseph W. Collier, et al

X Cause No. 3311.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of the plaintiffs by Richard T. Earle, their attorney, to your Honors respectfully shows:

1. That Joseph W. Collier, one of the defendant in this cause, although duly summoned has failed to either appear or answer within fifteen days from the return day of subpoena.
2. That Louise Collier, wife of the said Joseph W. Collier, has been duly summoned in this cause but has failed to enter appearance either by solicitor or in person within fifteen days after the return day under which she was summoned.

That your petitioner is entitled to a decree pro confesso against the said Joseph W. Collier and Louise Collier, his wife, for their failure to appear in person or by solicitor within fifteen days from the return day under which each was summoned and therefore your petitioner prays a decree against the said defendant for that reason.

Respectfully submitted

Richard T. Earle  
Atty. for Petitioners.

Filed June 17th 1942.

.....  
ORDER OF COURT  
Filed June 17th 1942.

ORDER OF COURT

The defendants, Joseph W. Collier and Louise Collier, his wife, having been summoned to appear to the bill of complaint filed in this cause and having failed to enter their appearance in person or by solicitor within in fifteen days from date of the return day of the respective subpoenas whereby they were summoned:

It is thereupon this 17th day of June, 1942, by the Circuit Court for Queen Anne's County, in Equity and by the authority of said Court, adjudged, ordered



2. Q. Mrs. Melvin do you know whether or not the estate of Mrs. Annie M. Collier has been administered on and if not, why not?  
 A. There has been no letters of administration granted on the estate of Mrs. Annie M. Collier for that she left no personal property of any value and the house and lot, the subject of this suit is the only thing of value that my nother, Anne's M. Collier, left.
3. Q. Mrs. Melvin do you know the fair valuation of this property?  
 A. I do not.

## EXAMINER'S SPECIAL

Answer to Examiners Special - No.

Lucy V. Melvin  
 Lucy V. Melvin

The next witness called upon the part of the plaintiff, Joseph H. Beecher, being of lawful age and having been sworn, deposes and says:

1. Q. Mr. Beecher, what is your age, where do you reside and what is your occupation?  
 A. I am 69 years of age, reside in Grasonville and make my living following the water.
2. Q. Do you know the property where John T. Collier and Annie M. Collier his wife, resided after the death of John T. Collier, occupied by Annie M. Collier alone, and if so, whose land does, it adjoin and the value thereof?  
 A. Yes I have known this property for years. It lays on the left hand side of the public road from Queenstown to Kent Island, contains about three acres of land, more or less, and adjoins the properties of Thomas Collier and Carey Jewell, and in my opinion is worth between Three Hundred and Three Hundred and Fifty Dollars. This land is improved by a two story dwelling house, only in fair condition.

## EXAMINERS, SPECIAL

Answer to Examiner's Special-No, I do not/

Joseph H. Beecher  
 Joseph H. Beecher

The next witness called upon the part of the plaintiff, William Thomas, being of lawful age and having been sworn, deposes and says:

1. Q. Mr. Thomas, state your name, age, residence, and occupation.  
 A. My name is William Thomas, I reside in Grasonville, I am thirty nine years of age and I am a waterman.
2. Q. Mr. Thomas, do you know the house and real estate upon which Annie M. Collier resided, if so, whose land does that adjoin and what in your opinion is the value thereof?  
 A. I know the land and improvements, which improvements consist of a two story frame dwelling only in fair condition, which land and improvements, in my opinion, is worth about three hundred and fifty dollars and adjoins the land of Thomas Collier and Carey Jewell.
3. Q. Mr. Thomas, do you know who are the heirs-at-law, of Mrs. Annie M. Collier and is she living or dead?  
 A. Yes, Mrs. Collier died on March 10, 1942, leaving as her only heirs at-law, Joseph W. Collier, who is married to Louise Collier, Lucy V. Melvin who is married to William Lloyd Melvin and Mrs. Florence E. Tarr, who is married to Clarence E. Tarr. They are the only heirs-at-law to my knowledge.

## EXAMINER'S SPECIAL:

Answer to Examiner's Special- No.

William Thomas  
 William Thomas

The next witness called upon the part of the plaintiff, William Marvin Barton, one of the co-partners of Barton Brother, being of lawful age and having been sworn, deposes and says:

1. Q. Mr. Barton, state your age, name, residence, occupation and connection to the suit involved?  
 A. My name is William Marvin Barton. I together with my brother, W. Edward Barton, constitute the co-partnership of Barton Brothers and am engaged in the undertaking business in the town of Centreville, and I am 54 year of age.
2. Q. Mr. Barton, did the firm of Barton Brothers conduct the funeral and take care of the remains of Mrs. Annie M. Collier and if so, when and what were the expenses of so doing, if you know?  
 A. Yes, we prepared the body of Mrs. Annie M. Collier for burial and took care of the funeral arrangements and our bill for so doing was Two Hundred and Thirty Dollars, Barton Brothers are the plaintiffs in this suit and at the time this suit was instituted this account had not been paid but was guaranteed by Mr. Clarence E. Tarr, who on June 20, paid the said account together with \$3.50 interest and the firm of Barton Brothers has assigned that account to Mr. Clarence E. Tarr.

## EXAMINER'S SPECIAL:

Answer to Examiner's Special- I do not.

William Marvin Barton  
 Co - partners of the Firm of Barton Brothers.

After taking the following testimony and being advised by Richard T. Earle, attorney for the plaintiff, that he had no further testimony to offer and the said John Palmer Smith, attorney for Lucy V. Melvin and husband, and Mrs. Clarence E. Tarr and husband, that he did not desire to take any further testimony, I submit herewith my report.

Mrs. Florence E. Tarr, witness fee, -----\$0.75  
 Mrs. Lucy V. Melvin, witness, fee -----:75  
 Joseph H. Beecher, witness fee -----:75  
 William Thomas, witness fee, -----:75  
 William Marvin Barton, witness fee, -----:75  
 Hilta T. Seward, stenographer -----5.00  
 Harry C. Butler, Examiner, -----8.00

TOTAL 16.75

Harry C. Butler  
 (Harry C. Butler )  
 Examiner

Filed June 26th 1942.

EXAMINERS EXHIBIT  
 Filed June 26th 1942.

June 10, 1942

Mr. Estate of Annie M. Collier

1942.  
 March 10, To funeral expenses for Annie M. Collier-  
 in full \$235.00  
 Int. from Mar. 11, to June 11. 3.53 238.53

Rec'd payment June 20th 1942.  
 from Clarence P. Tarr and  
 assigned to him without recourse  
 or guarantee

Barton Bros  
 By W. M. Barton

PETITION TO STRIKE THE NAME OF  
 CLARENCE TARR OUT AS ONE OF DEFENDANTS  
 AND ADDED AS ONE OF PLAINTIFFS  
 AND ORDER OF COURT THEREON.  
 Filed July 20, 1942.

WILLIAM MARVIN BARTON AND  
 WILLIAM EDWARD BARTON, CO\*  
 partners, TRADING AS BARTON BROS.

VS

JOSEPH W. COLLIER, ET AL

In the Circuit Court for  
 Queen Anne's County,  
 in Equity,  
 Cause No. 3311

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of William Marvin Barton and William Edward Barton,  
 Co- Partners, trading as Barton Brothers, by Richard T. Earle, their Attorney, and  
 Clarence Tarr by John Palmer Smith, his attorney, to your Honors, respectfully shows:

1. That this suit was begun as a creditor bill based on a bill due to the plaintiffs for funeral expenses of Annie M. Collier, who died seized and possessed of the real estate herein described.
2. That on June 20th 1942. after the decree pro confesso was secured, Clarence Tarr, one of the defendants in this cause, paid the aforesaid funeral bill and interest thereon to date to the plaintiffs, that said payment is shown by a copy of said funeral expense account and the assignment thereof to the said Clarence Tarr, filed before the examiner.
3. That the defendant Clarence Tarr should be stricken from said bill as one of the defendant and his name should be added to said bill of complaint and as plaintiff therein.

To the end that :

1. That the name of Clarence Tarr be stricken from said bill of complaint as one of the defendants in this cause and instead of defendant he should be named as one of the plaintiffs in this cause.
2. That your petitioners may have such other and further relief as may be right and proper in the premises.

Richard T. Earle  
 Atty. for Plaintiffs

Filed July 20, 1942.

John Palmer Smith  
 Atty, for Clarence Tarr.

ORDER OF COURT:

The foregoing petition having been read and considered together with the exhibit filed herein showing the payment of said funeral expenses by the said Clarence Tarr and assignment thereof to him, it is hereby ordered this 21st day of July, 1942, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that the name of Clarence Tarr be and it is hereby stricken from said Bill of Complaint as one of the defendants in this cause and the name of Clarence Tarr, assignee of Berton Brother be and it is hereby made one of the plaintiffs in this cause.

Wm. R. Horney  
 Judge.

FINAL DECREE  
Filed July 21st 1942.

WILLIAM MARVIN BARTON AND  
WILLIAM EDWARD BARTON, COPARTNERS,  
TRADING AS BARTON BROTHERS, AND  
CLARENCE P. TARR, ASSIGNEE OF BARTON  
BROTHERS,

VS.

JOSEPH W. COLLIER AND  
LOUISE COLLIER, HIS WIFE  
LUCY V. MELVIN AND FLOYD  
MELVIN, HER HUSBAND, AND  
FLORENCE E. TARR.

IN THE CIRCUIT COURT  
FOR QUEEN ANNE'S COUNTY  
IN EQUITY.

CAUSE NO. 3311

FINAL DECREE

This case standing ready for hearing and being submitted without argu-  
ment all the proceedings were read and considered.

It is thereupon this 21st day of July, in the year nineteen hundred  
and forty two, by the Circuit Court for Queen Anne's County in Equity, and by the  
authority of said Court, adjudged, ordered, and decreed, that the property mention-  
ed in these proceedings be sold; That Richard T. Earle of Queen Anne's County,  
Maryland, be and he is hereby appointed Trustee to make said sale, and that the course  
and manner of his proceedings shall be as follows: he shall first file with the Clerk  
of this Court a bond to the State of Maryland, executed by himself and surety or  
sureties, to be approved by this Court or the Clerk thereof; in the penalty of  
Five Hundred Dollars, if corporate surety be give, otherwise in double said amount  
conditioned for the faithful performance of the trust reposed in him by this decree,  
or to be reposed in him by any future decree or order in the premises; he shall then  
proceed to make said sale, having given at least three weeks previous notice by advert-  
isement inserted in a newspaper or newspapers published in Queen Anne's County,  
Maryland, and such other notice as he shall think proper, of the time, place and  
terms of sale, which terms shall be one third cash on day of sale the balance shall  
be paid upon the ratification of sale or all cash at the option of the purchaser, the  
credit payment to bear interest from the day of sale and to be secured to the satis-  
faction of the trustee, and such additional terms as the Trustees may deem proper to  
be announced on day of sale, and as soon as may be convenient after such sale, the  
said Trustees shall return to this Court a full and particular account of his proceed-  
ings relative to said sale with an annexed affidavit of the truth thereof and of the  
fairness of said sale, and on obtaining the Court's ratification of said sale and  
upon the payment of the whole purchase price and not before, the said trustee shall  
by a good and sufficient deed, to be executed and acknowledged and recorded accord-  
ing to law, convey to the purchaser or purchaser, his, her or their heirs, the  
property and estate to him, her or them sold, free, clear, and discharged from all  
claims of the parties hereto, plaintiffs and defendants, and those claiming by, from  
or under them or any of them; and the said Trustee shall bring into this Court the  
money arising from said sale and after deducting of the costs of this suit and such  
commissions to the said Trustee as this Court shall think proper to allow in con-  
sideration of thskill, attention and fidelity wherewith he shall appear to have dis-  
charged his trust, distribute the balance under a future order of this Court.

Wm. R. Horney  
Judge.

And the Trustees at the time of advertising said sale shall cause the  
following notice to creditors to be published, that is to say:

Filed July 21st 1942.

NOTICE TO CREDITORS  
Filed July 21st 1942.

NOTICE TO CREDITORS

ORDERED, this 21st day of July, 1942, by the Circuit Court for Queen  
Anne's County in Equity, and by the authority of said Court, that the creditors of  
ANNIE M. COLLIER, deceased, file their claims, propoerly authenticated, with the  
Clerk of said Court, on or before the 25th day of September, 1942, or be excluded  
from participation in the distribution of the proceeds of the sale of the real estate  
mentioned in this proceedings provided a copy of this order be inserted in a news-  
paper and published in Queen Anne's County, Maryland once a week for four successive  
weeks before the 25th day of August, 1942.

Wm. R. Horney  
Judge

Filed July 21st 1942.

CERTIFIED COPY OF BOND  
Filed July 22nd 1942.

Queen Anne's County to wit: Be it remembered that on this twenty  
second day of July in the year nineteen hundred and forty two. the following  
Bond was brought to be recorded to wit:

KNOW ALL MEN BY THESE PRESENTS: That we, Richard T. Earle of Queen  
Anne's County, State of Maryland, as principal, and Glens Falls Indemnity Company,  
a body corporate, duly authorized by its charter to become sole surety on bonds, as  
surety, are held and firmly bound unto the State of Maryland in the full and just sum  
of FIVE HUNDRED DOLLARS (\$500.00) current money to be paid to the said State or  
its certain attorney, to which payment we'll and truly to be made and done we bind

ourselves, our each of our heirs, personal representatives, successors and assigns, jointly and severally by these presents, sealed with our seals and dated this twenty second day of July in the year nineteen hundred and forty two.

WHEREAS, Richard T. Earle, the above bounden, by virtue of a decree of the Circuit Court for Queen Anne's County in Equity has been appointed trustee to sell the real estate mentioned in the proceedings in the case of William Marvin Barton et al vs. Joseph W. Collier et al, being cause No. 3311 in said Court, now pending.

Now the Condition of the above obligation is such that if the above bounden Richard T. Earle do and shall well and faithfully perform the trust reposed in him by said decree or that may be reposed in him by any future decree or order in the premises, then the above obligation shall be void, otherwise to be and remain in full force and virtue in law.

Signed, sealed and delivered in the presence of

Richard T. Earle (SEAL)  
(Richard T. Earle)

John Palmer Smith

GLENS FALLS INDEMNITY COMPANY

Filed July 22nd. 1942.

By L. Herman Meredith  
L. Herman Meredith,  
Attorney

Corp.  
Seals  
Place.

And on the back of the foregoing is thus endorsed to wit:  
Bond filed and Security approved July 22nd 1942.

A. Sydney Gadd Jr. Clerk

STATE OF MARYLAND

TO WIT:

QUEEN ANNE'S COUNTY,

I Hereby Certify that the foregoing is truly taken and copied from Liber W. H. C. No.1, folio 210 A Bond Record Book for Queen Anne's County. In Testimony Whereof I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County, this 22nd day of July in the year nineteen hundred and forty two.

Corporate  
Seals  
Place.

A. Sydney Gadd Jr. -Clerk

.....  
TRUSTEES SALE OF VALUABLE  
REAL ESTATE.  
Filed Aug. 18th 1942

The undersigned trustee, by virtue and in pursuance of a decree of the Circuit Court for Queen Anne's County in Equity, passed in a cause therein pending, entitled Marvin W. Barton et al vs. Joseph W. Collier et al, being cause No.3311 in said Court, will offer for sale in front of the Court House, between the hours of one and two o'clock P. M. on TUESDAY, AUG. 18, 1942.

ALL that lot or tract of land situate in the Fifth Election District of Queen Anne's County, Maryland, on the left side of the public road from Queenstown to Grasonville, adjoining the properties of Thomas Collier and Carey Jewell and contains three acres, two rods and twenty nine perches of land, more or less, improved by a two story frame dwelling house and other buildings, being the same land and all the land of which Annie M. Collier died seized and possessed.

Terms of Sale, One third of the purchase money on day of sale the balance to be paid upon ratification of sale, the credit payments to bear interest, from day of sale and to be secured to the satisfaction of the undersigned trustee or all cash on the date of sale as the purchase may elect, possession to be given upon the ratification of sale, taxes and insurance to be adjusted to day of sale, title papers and revenue stamps to be at the expense of purchaser.

Richard T. Earle  
Trustees

J. Elmer Anthony, Auctioneer

QUEEN ANNE'S RECORD OBSERVER  
Centreville, Md. August 18, 1942.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO. hereby certifies that the Trustees Sale of valuable Real Estate in the case of Marvin W. Barton et al vs Joseph W. Collier a true copy of which is hereto annexed was inserted in the QUEEN ANNE'S RECORD observer, a weekly newspaper printed and published at Centreville, QUEEN Anne's County, Maryland, once a week for four (4) successive weeks the first publication thereof having been made in said newspaper on the 23rd day of July 1942, being more than Three (3) weeks before the 18th day of August 1942.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO.  
By Myrtle M. Lewis

Filed Aug. 18th 1942.

.....  
REPORT OF SALE  
Filed Aug. 18th 1942.

Barton Brothers and  
Clarence P. Tarr, Assignee  
of Barton Brothers,

X  
X  
X

In the Circuit Court for  
Queen Anne's County,



vs. Joseph W. Collier et al In Equity, Cause No. 3311/

REPORT OF SALE

Your trustee having first file and approved bond in the penalty provided by the decree passed in this cause, and after having given at least three weeks previous notice of the time, place and terms of sale by advertisement inserted in the QUEEN Anne's County, as per certificate of publication attached hereto and made a part hereof, in conformity with the decree, did on Tuesday, August 18th 1942, in front of the Court House in Centerville, Queen Anne's County, Maryland, between the hours of one and two o'clock P. M. first read said advertisement and terms of sale and then through J. Elmer Anthony, Auctioneer offer the said real estate in these proceedings described, for sale to the highest bidder and did sell the same to Raymond F. and Margaret M. Horney, they being then and there the highest bidder for the same at and for the sum of THREE HUNDRED AND FIFTY DOLLARS (\$350.00) that they have made satisfactory settlement for same, paying the sum of One Hundred and Forty Dollars (\$140.00) and have agreed to pay the balance upon ratification of sale.

Respectfully submitted. Richard T. Earle Trustee.

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

I hereby certify that on this 18th day of August, 1942, personally appeared before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, Richard T. Earle, Trustee in Chancery No. 3311, and made oath in due form of law that the matters and facts set forth in the within and foregoing report of sale are true as therein stated and that said sale was fairly made.

A. Sydney Gadd Jr. Clerk of the Circuit Court for Queen Anne's County.

Filed Aug. 18th 1942.

\*\*\*\*\* NISI OF SALE Filed Aug. 18th 1942.

William Marvin Barton and William Edward Barton, co-partners, trading as Barton Brothers and Clarence Tarr, Assignee of Barton Brothers, vs Joseph W. Collier, et al In the Circuit Court for Queen Anne's County, In Equity Chancery No. 3311

ORDERED, This 18th day of August A. D. 1942, that the sale of real estate made and reported in this cause by Richard T. Earle, Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 22nd day of October next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 22nd day of September next.

The Report states the amount of sales to be \$350.00

A. Sydney Gadd Jr. Clerk

Filed August 18, 1942.

\*\*\*\*\* NOTICE TO CREDITORS Filed July 21st 1942.

NOTICE TO CREDITOR William Marvin Barton, and William Edward Barton, co-partners, trading as Barton Brother, and Clarence P. Tarr, Assignee of Barton Brothers, VS Joseph W. Collier and Louise Collier his wife, Lucy V. Melvin and Floyd Melvin, her husband and Florence E. Tarr In the Circuit Court for Queen Anne's County, in Equity, Cause No. 3311.

ORDERED, This 21st day of July, 1942, by the Circuit Court for Queen Anne's County in Equity, and by the authority of said Court, that the creditors of ANNIE M. COLLIER deceased, file their claims, property authenticated, with the Clerk of said Court, on or before the 25th day of September, 1942, or be excluded from participation in the distribution of the proceeds of the sale of the real estate mentioned in this proceeding; provided a copy of this order be inserted in a newspaper printed and published in Queen Anne's County, Maryland, once a week for four successive weeks before the 25th day of August, 1942.

Wm. R. Horney Judge.

True Copy Test: A. Sidney Gadd Jr. Clerk

Filed July 21st 1942.

QUEEN ANNE'S RECORD - OBSERVER  
Centreville, Md. August 18, 1942.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO. hereby certifies that the Notice of Creditors in the case of Barton Bros vs. Joseph W. Collier, et al a true copy of which is hereto annexed, was inserted in the QUEEN ANNE'S RECORD - OBSERVER, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland once a week for four (4) successive weeks the first publication thereof having been made in said newspaper on the 23rd day of July 1942, being more than four (4) successive weeks before the 25th day of August 1942.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO.  
By Myrtle M. Lewis

Filed Aug. 18th 1942.

.....  
N I S I  
Filed Oct 23, 1942.

William Marvin Barton and  
William Edward Barton, co-partners,  
trading as Barton Brothers and  
Clarence Tarr, Assignee of Barton  
Brothers,  
  
Vs.  
  
Joseph W. Collier, et al

N I S I  
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In The Circuit Court for Queen Anne's  
County in Equity.  
  
Chancery No. 3311

ORDERED, This 18th day of August A. D. 1942, that the sale of real estate made and reported in this cause by Richard T. Earle, Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 22nd day of October next, provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 22nd day of September next.

The Report states the amount of sales to be \$350.00

A SIDNEY GADD JR.  
Clerk

True Copy  
Test:

A. SIDNEY GADD JR.  
Clerk

Filed August 18, 1942.

QUEEN ANNE'S RECORD - OBSERVER  
Centreville, Md. October 23, 1942.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO. hereby certifies that the Order Nisi in the case of William Marvin Barton and William Edward Barton, co-partners vs. Joseph W. Collier, et al a true copy of which is hereto annexed, was inserted in the Queen Anne's Record Observer, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week for four (4) successive weeks the first publication thereof having been made in said newspaper on the 20th day of August 1942, being more than four weeks before the 22nd day of September 1942.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO.  
By Myrtle M. Lewis

Filed Oct 23, 1942.

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ORDER OF COURT  
Filed Oct 24, 1942.

William Marvin Barton, et al,  
  
vs  
  
Joseph W. Collier, et al

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In the Circuit Court for  
Queen Anne's County, in Equity  
  
Cause No. 3311

ORDERED this 24th day of October 1942, by the Circuit Court for Queen Anne's County in Equity and by the authority of said Court, that the sale made and reported in this cause by Richard T. Earle, Trustee, be and the same is hereby ratified and confirmed, no cause to the contrary having been shown, although notice appears to have been given in accordance with the previous order Nisi to the report of sale, and the trustee is allowed his regular commission and all expenses of said sale, not personal, upon the production of vouchers therefor, and the papers in this cause are hereby directed to the auditor of this Court for the purpose of stating an audit between the said trustee and the parties entitled to the distribution of the net proceeds of sale.

Wm. R. Horney  
Judge.

Filed Oct. 24, 1942.

REPORT AND ACCOUNT OF THE  
AUDIT  
Filed Nov. 3, 1942.

William Marvin Barton & William Edward Barton, Co- partners trading as Barton Brothers,	X X X X X X X X X	Cause No. 3311
vs		Chancery Docket
Joseph W. Collier, et al		

To the Honorable, the Judges of said Court:

The Report of Madison Brown, your auditor, unto Your Honrs respectfully setforth:-

(1) THAT the Bill of Caomplaint of this cause was filed herein by the above named plaintiffs for the sale of the real estate of Annie M. Collier for the payment out of the proceeds of the sale of the funeral expenses of the said Annie M. Collier, the plaintiffs as under-takers having furnished the casket for said funeral and other items of the funeral expenses according to the Bill of Complaint being in the sum of \$235.00.

(2) THAT an account of said funeral expenses was filed in this cause June 26, 1942 and shows an assignment of the same by the plaintiffs unto Clarence P. Tarr who according to said account has paid the amount thereof unto the plaintiff who in consideration thereof assigned their claim for said funeral expenses unto him.

(3) THAT in the within account states by your auditor he has charged Richard T, Earle, the trustee, appointed by the decree of this cause to sell said real estate with the gross amount of the sale made by him according to his report therefor filed in the cause and has then allowed out of the amount so charged as follows:

Unto said trustee, for his commissions for making the sale per rule of court, the Court costs of this cause, certain taxes paid by the trustee on the land sold, costs of advertising the notice to creditors, mentioned in the proceedings, costs of advertising notices of the sales and the several orders nisi of the cause, the amount paid to his auctioneer for crying the sale, the cost of the trustee's bond and the fee of the auditor.

(4) THAT the balance of the amount charged to the trustee, \$350.00 remaining after said allowances, \$163.33 constitutes the net proceeds of the sale and is the amount applicable to the payment of the funeral expenses, and the same, \$186.67 is by the within account distributed unto said Clarence P. Tarr, assignee as aforesaid on account of the claim for the funeral expenses.

Which is respectfully submitted,

Madison Brown  
AUDITOR

November 3, 1942.  
Filed Nov. 3, 1942.

Cause No. 3311

The proceeds of the sale of the real estate of Annie M. Collier deceased, mentioned in the proceedings of this Cause, in account with Richard T. Earle, the trustee appointed by the decree of sale passed in this cause to make sale of said real estate.

CR.

1942 August 18	By amount of the gross sale of said real estate per the Report of Sale filed herein by said Trustee, to wit:	\$350.00
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DR.

1942. August 18	To Richard T. Earle, trustee for his commissions for making said sale, per rule of Court, sum of .....	\$24.50
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To do., for the Court costs of this cause, per bill made by the clerk, appears:-		
Appearance of Richard T. Earle, .....	\$10.00	
Appearance of J. P. Smith, .....	10.00	
Costs of A. S. Gadd, Clerk .....	24.90	
Costs of Register of Wills, .....	2.25	
Costs of Sheriff- Queen Anne's County, ..	3.75	
Costs of H. C. Butler as Examiner, ..	13.00	
Costs of Witnesses before Examiner, ..	3.75	
Total of these costs, .....	\$ 67.65	\$67.65

To do., for that part of taxes on land sold for 1942, paid by him per tax receipt exhibited,	1.18	
To do., for costs of advertising the notice to the creditors of Annie M. Collier to file their claims, per receipted account exhibited,	5.00	
To do., for the costs of advertising notices of sale, per receipts, .....	28.35	
and for the cost of advertising the order nisi on sale and order nisi on this audit, per receipted account for same exhibited, .....	7.65	
Total per receipts, .....	36.00	\$36.00

To do., for amount paid J. E. Anthony for crying the sale made,  
 per his receipt exhibited,.....\$10.00

To do., for the costs of his bond filed herein paid corporate surety  
 thereon per receipted account of said corporate surety, sum  
 of .....\$10.00

To Madison Brown, for stating this account the sum of ..... 9.00

Amounts carried forward ..... 163.33 \$350.00

CAUSE NO. 3311

The proceeds of the sale of the real estate of Annie M. Collier, deceased, mentioned in the proceedings of this cause, in account with Richard T. Earle, the trustee appointed by the decree of sale passed in this cause to make sale of said real estate.

Amounts brought forward from preceding page,  
 No. 1, of this account.....DR. CR.  
 \$163.33 \$350.00

DR..

To Clarence P. Tarr, assignee of William M. Barton  
 and William Edward Barton, co-partners trading  
 as Barton Brothers, plaintiffs, on account of  
 the claim of the plaintiffs for the costs of the  
 funeral furnished by the plaintiffs, per funeral  
 account mentioned filed in this cause June 26, 1942  
 showing assignment by the plaintiffs to said Clarence  
 P. Tarr, this balance, to wit: .....186.67  
 350.00 350.00

November 3, 1942.

Madison Brown  
AUDITOR

Filed Nov, 3, 1942.

.....  
NISI RATIFICATION OF AUDIT  
Filed Nov. 3, 1942.

NISI RATIFICATION OF AUDIT

William Marvin Barton & William Edward Barton, CO+ partners trading as Barton Brother. X In the Circuit Court for  
 X Queen Anne's County,  
 Vs X in Equity  
 X Cause No. 3311.  
 Joseph W. Collier, et al X

ORDERED, This 3rd day of November in the year nineteen hundred and forty two that the Report and Account filed in these proceedings by Madison Brown, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 28th day of November 1942, provided a copy of this order be published once a week in each of two successive week s Before the 20th day of November, 1942, in some newspaper printed and published in Queen Anne's County.

A. Sydney Gadd Jr. Clerk

Filed Nov. 3, 1942.

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NISI RATIFICATION OF AUDIT  
Filed Nov. 3, 1942.

NISI RATIFICATION OF AUDIT

William Marvin Barton and Edward Barton, co-partners, trading as Barton Brothers, X In the Circuit Court for  
 X Queen Anne's County  
 vs X in Equity.  
 X Cause No. 3311  
 Joseph W. Collier, et al X

ORDERED, This 3rd day of November in the year nineteen hundred and forty two that the Report and Account filed in these proceedings by Madison Brown, Auditor, be ratified and confirmed, unless cause to the contrary be shown on or before the 28th day of November, 1942; provided a copy of this order be published once a week in each of two successive weeks before the 20th day of November, 1942, in some newspaper printed and published in Queen Anne's County.

A. SYDNEY GADD JR.  
Clerk

True Copy  
Test:

A. SYDNEY GADD JR.  
Clerk

Filed November 3, 1942.

QUEEN ANNE'S RECORD OBSERVER  
Centreville, Md. November 30, 1942.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate does hereby certify that the Nisi Ratification of Audit in the case estate of William Marvin Barton, et al vs. Joseph W. Collier et al. Cause No1 3311 in the Circuit

Court of Queen Anne's County in Equity a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD OBSERVER, a weekly newspaper printed and published at Centreville, in Queen Anne's County, Maryland, once a week for two(2) successive weeks before the 20th day of November 1942, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD OBSERVER was on the 5th day of November 1942, and the last insertion on the 12th day of November 1942.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

By Myrtle M. Lewis

Filed Nov. 30, 1942.

.....  
ORDER OF COURT  
Filed Nov. 30th 1942.

ORDER OF COURT

William Marvin Barton, et al      |      In the Circuit Court for Queen Anne's  
   |      County in Equity  
   |      Cause No. 3311  
Joseph W. Collier, et al         |

ORDERED this 30th day of November, in the year nineteen hundred and forty two, by The Circuit Court for Queen Anne's County in Equity, that the report and account filed herein by Madison Brown, Auditor, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, although notice appears to have been given in accordance with the previous order nisi. And Richard T. Earle, Trustee, is directed to make distribution in accordance there with together with whatever interest he may have received.

Wm. R. Horney  
Judge.

Filed Nov. 30th 1942.

## CAUSE NO. 3081

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this 18th day of May in theyear Nineteen Hundred and thirty six, the following Bill of Complaint was brought to be recorded, to wit:

Hampton E. Brown, Eliza F. Brown, Adelaide Brown  
H. B. W. Mithcell M. Madeleine Davidson, F. D.  
Lee Mitchell, Louise S. Mitchell, R. Mildred Mitchell  
Margaret Roberts, J. Franklin Roberts, Madison  
Brown, Charles W. Brown and Edith C. Jones,

vs.

Edith, C. Brown, and Madison Brown and Edwin  
H. Brown, Jr., Committee of her person and Trustees for  
the management of her property, Ida E. Hurst,  
Wilmer Emory, Margaret E. Bridgman, Victor H.  
Bridgman.

In the Circuit Court

for

Queen Anne's County

in Equity

No. 3081

To the Honorable, the judges of said Court:

Your orators, Hampton E. Brown, Eliza F. Brown, Adelaide Brown, H. B. W. Mitchell, M. Madeleine Davidson, F. D. Lee Mitchell, Louise S. Mitchell, R. Mildred Mitchell, Margaret Roberts, J. Franklin Roberts, Madison Brown Charles W. Brown and Edith C. Jones, to your Honor respectfully set forth;-

1. That Margaret W. Wright, late of Queen Anne's County, Maryland, deceased, departed this life some time in the year nineteen hundred and eleven, testate, leaving no children or descendants, but leaving a last will and testament dated March 2nd., 1901, and recorded in Liber R. W. T. No. 2, a will record book for Queen Anne's County, folio 30 &c., a certified copy of which said last will and testament is filed herewith as part hereof and Marked "Plaintiff's Exhibit NO. 1".

2. That by said last will and testament which has been duly admitted to probate by the Orphans' Court for Queen Anne's County and recorded as aforesaid, said Margaret W. Wright gave, devised and bequeathed all of her property, real personal and mixed unto Edith C. Brown during the term of her natural life and then provides as follows: "And from and after the death of the said Edith C. Brown then to my next of kin or heirs at law, exclusive of Howard McLane Brown and Marian W. Wright nee Brown, their heirs, personal representatives and assigns, and subject to the exclusion of Howard McLane Brown and Marian W. Wright, to such persons as would by the laws of the State of Maryland for the distribution of intestates' estate have become and been thereupon entitled thereto in case I had died intestate, my heirs to be ascertained as of the time of my death and not that of the life tenant.

3. That at the time of her death the said Margaret W. Wright was seized and possessed of the following real estate; A tract of land consisting at that time of two farms situated in the Sixth Election District of Queen Anne's County, Maryland, on the right hand side of the public road leading from the Centreville- Starr road to the road leading from the Centreville- Ruthsburg road to the Green Spring School House, adjoining the land of Isaac E. Dolby, the land of H. B. W. Mitchell and the land of the devisees of William McKenney, late of said county, deceased, containing in the aggregate 557 acres, 2 roods and 13 perches of land, more or less. This tract of land was during the life of Margaret W. Wright and for some time thereafter farmed and cultivated as two farms, was rented to and was in the possession of two tenants but since the dwelling house on one of these tracts of land was destroyed by fire your orators are advised there is only one tenant living on and in possession of the entire tract.

4. That at the time of the death of the said Margaret W. Wright she was survived by the following next of kin and heirs at law, to wit: a brother, Wilmer Emory, who has since died intestate leaving surviving him a son, Wilmer Emory, Jr., who has intermarried with Edith Emory, who have since been divorced and who resides in the City of Washington D. C., and two daughters Ida E. Hurst nee Emory, who was intermarried with Charles Hurst, who is not dead, and the said Ida E. Hurst is a widow and resides in Baltimore, Maryland, and Margaret W. Bridgman, who is intermarried with Victor H. Bridgman, and who reside in New Haven, Connecticut; Hampton E. Brown who is intermarried with Eliza F. Brown, and who reside in Queen Anne's County, Maryland, the children of Joel Brown, Jr., who was intermarried with Adelaide Brown, Howard McLane Brown ( who has since died intestate and unmarried) and Marian W. Wright nee Brown intermarried with William T. Wright, and the said Edith C. Brown, children of a sister of the said Margaret W. Wright who predeceased her; Charles J. B. Mitchell, Edith C. Jones, M. Ella Mitchell, H. B. W. Mitchell, M. Madeleine Davidson, F. D. Lee Mitchell who is intermarried with Louise S. Mitchell, and R. Mildred Mitchell, Children of a predeceased sister of said Margaret W. Wright.

5. That said Joel Brown, Jr., who predeceased said Margaret W. Wright, died intestate leaving surviving him his widow, Adelaide Brown, and a daughter Margaret intermarried with Franklin Roberts, who live and reside in Wyncote, Pennsylvania, and two sons, Madison Brown and Charles W. Brown, who reside in New York, New York, and a daughter, Mildred Brown, who has since died in infancy intestate and unmarried and without issue.

6. That the said Edith C. Jones died during the life time of said Margaret W. Wright intestate survived by her husband, Joseph Courtney Jones, who has since departed this life, and three children, two sons, Joseph Courtney Jones, Jr., and Harry Wilmer Jones, both of whom have since departed this life in infancy intestate, unmarried and without issue, and a daughter, Edith C. Jones, who lives and resides in Urbana, in the State of Illinois.

7. That the said Charles J. B. Mitchell and M. Ella Mitchell have since the death of said Margaret W. Wright died intestate, unmarried and without issue and are survived by said H. B. W. Mitchell, M. Madeleine Davidson, who was intermarried with Philip T. Davidson who is now dead; said F. D. Lee Mitchell and R. Mildred Mitchell, brothers and sisters of the said Charles J. B. Mitchell and M. Ella Mitchell and said Edith C. Jones, a niece, as their only heirs at law and next to kin,

8. That the said Edith C. Brown, who never has been married, has been adjudicated non compos mentis and is confined in Springfield State Hospital and Madison Brown and Edwin H. Brown, Esqs., have been appointed her Trustees and Committe by this Honorable Court.

9. Your Orators further represnt to your Honrs that the buildings on the aforesaid real estate have become dilapidated and the fencing has decayed and fallen down and the said real estate is in a very poor state of cultivation, The dwelling house on the main or most desirable of the two aforesaid farms has since the death of said Margaret W. Wright beendestroyed by fire and has not been rebuilt or replaced, and state and county taxes assessed against said property are due and in arrear and the said property has been sold to pay and satisfy state and county taxes and has been bid in by the County Commissions of Queen Anne's County, Exceptions have been filed to said tax sale, however, and it has not been ratified by the court. There is not money in the hands of said Trustees or Edith C. Brown to make necessary reparis to the buildings, fence the land or pay taxes assessed against the property that have become due and in arrear.

10. That your orators are advised and so allege that the said Trustees have been unable for several years and are now unable to procure tenants or a tenant for said land who are desirable and/or financially able to properly cultivate it and the proceeds of sales of crops coming into the hands of said Trustees from said land have been for several years and still are totally insufficient to pay the taxes against said land and the expenses nexessary to be borne by them as landlords, and that without the interposition of this Honorable Court the said property will deteriorate in value to the detriment of the said Edith C. Brown as well as your orators and the other parties to this suit who will ultimately be entitled to the said property in fee, and that is is to the advantage of all parties concerned that the said real estate be sold, and the proceeds of sale invested under the direction of this Honorable Court to enure to the same parties and in like manner as by the said last will and testament is provided.

To the end therefore:-

(1) That the said real estate may be sold and the proceeds invested for the benefit of the parties to this suit, accoding to their respective rights under the las t will and testament of Margaret W. W ight, deceased.

(2) That your orators may have such other and further relief as their case may require.

May it please your Honors to grant unto your orators the writ of subpoena directed to the said Edith C. Brown, who resides in Carroll County, State of Maryland, Ida E. Hurst, who resides in Baltimore City, in said State, Madison Brown and Edwin H. Brown, Jr., Committee and Trustees of Edith C. Brown, who reside in Queen Anne's County, in said State, commanding them, and each of them, to be and appear, either in person or by dolicator, in this court, on or before a certain day, to be named therein, to show cause, if any they have, why a decree ought not to be passed as payed; and also the order of publication giving notice of the said Wilmer Smory, who resides in the City of Washington, District of Columbia, as aforesaid, and who is a non- resident of this State, and said Margaret W. Bridgman and Victor H. Bridgeman, both of whom reside in the State of Connecticut as aforesaid, and who are non- residents of this State, of the object and substance of this bill, and warning them to appear in this Court, in person or by solicitor, on or before a certain day, to be named therein, to show cause, if any they have, why a decree ought not to pass as payed.

And as in duty bound, etc.

H. B. W. Mitchell  
Solicitor for complainants

Filed May 18th 1936.

.....  
SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER.  
Filed May 19, 1936

QUEEN ANNE'S COUNTY, towit:

~~The~~ STATE OF MARYLAND

TO Madison Brown and Edwin H. Brown, Jr., Committee and Trustees of Edith C. Brown.

Seals  
Place.

QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the First Monday of June next, to answer the complaint of Hampton E. Brown, et al. against you in said Court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable William Mason Shehan, Chief Judge of our said Court, the First Monday of May 1936  
Issued the 18th day of May 1936

H.b.w. Mitchell

Solicitor for Complainants

TO THE DEFENDANT: You are required to file <sup>your</sup> answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of June next, being the Return Day.

William H. Carter Clerk

ORDER OF PUBLICATION  
Filed May 20th 1936

Hampton E. Brown, et al  
vs  
Edith C. Brown, et al

X IN the Circuit Court for Queen Anne's  
X County, In Equity .  
X  
X No. 3081

The object of this suit is to procure a decree for the sale of certain property in Queen Anne's County, in this State, which was devised by Margaret W. Wright, late of said county, deceased, unto Edith C. Brown for and during the term of her natural life and then to the heirs at law of said Margaret W. Wright, said heirs at law to be ascertained at the time of the death of her, said Margaret W. Wright.

The bill states that the said Margaret W. Wright died testate in the year 1911, seized and possessed of a tract of land consisting of two farms situated in the Sixth Election District of Queen Anne's County aforesaid containing 557 acres, 2 roods 13 perches of land, more or less, and which is particularly described in said bill.

That said Edith C. Brown has been adjudged non compos mentis and is confined in Springfield State Hospital, and that Madison Brown and Edwin H. Brown, Jr., have been appointed her Committee and Trustees for the management of her property.

That said Margaret W. Wright was widow at the time of her death and left no descendants but was survived by a brother, Wilmer Emory, who has since died intestate leaving surviving him three children, Ida E. Hurst, a widow, who resides in Baltimore, Maryland, Wilmer Emory, who resides in Washington, D. C., and who is a non resident of this State now and Margaret W. Bridgeman, intermarried with Victor H. Bridgeman, who reside in New Haven, in the State of Connecticut, and who are non residents of this State; C. J. B. Mitchell, Edith C. Jones and M. Ella Mitchell, since deceased, H. B. W. Mitchell, M. Madeleine Davidson, F. D. Lee Mitchell and R. Mildred Mitchell, children of a deceased sister of said Margaret W. Wright, and Edith C. Jones, a daughter and only surviving descendant of the aforesaid Edith C. Jones, deceased, Hampton E. Brown, intermarried with Eliza F. Brown, who resides in Queen Anne's County, Maryland, the said Edith C. Brown, Marian W. Wright and Howard McL. Brown, children of a deceased sister, and Adelaide Brown, widow, and Margaret Roberts, intermarried with Franklin Roberts, Madison Brown and Charles W. Brown, children of Joel Brown, a son of a deceased sister who died intestate.

That the buildings on said land are in a dilapidated condition, the dwelling on main tract has been destroyed by fire and not replaced and the land is in a very poor state of cultivation and there is no money in hand to improve said land or pay State and County taxes which are due and in arrear and that it is to the advantage of all parties concerned that the said real estate be sold, and the proceeds of sale invested under the direction of the Circuit Court for Queen Anne's County, in Equity, to enure to the same parties and in like manner as by the said last will and testament is provided.

IT IS THEREUPON, this 20th day of May, 1936, ordered by the Circuit Court for Queen Anne's County, in Equity, that the plaintiffs, by causing a copy of this order to be inserted in some newspaper, published in said Queen Anne's County, once in each of four successive weeks before the 22nd day of June 1936, give notice to said absent defendants of the object and substance of this bill, warning them to appear in this court in person or by Solicitor, on or before the 10th day of July next, to show cause, if any they have, why a decree ought not to be passed as prayed.

William H. Carter, Clerk

Filed May 20th 1936.

ANSWER OF IDA E. HURST  
Filed May 23rd, 1936

Hampton E. Brown, et al  
vs  
Edith C. Brown, et al

X In the Circuit Court for  
X Queen Anne's County, in Equity,  
X  
X No. 3081.

To the Honorable, the Judges of said Court:

The answer of Ida E. Hurst to the bill of complaint against her exhibited in the aforesaid cause at the suit of Hampton E. Brown et al, said cause being No. 3081 in this Court, this defendant admits the averments and allegations of said bill of complaint and consents to the passage of such decree in the premises as to said Court may seem proper.

Ida E. Hurst

ANSWER OF WILMER EMORY  
Filed May 25th, 1936

Hampton E. Brown, et al  
vs

X In the Circuit Court for Queen Anne's  
X County,



Edith C. Brown, et al Y No. 3081

To the Honorable, the Judges of said Court:

The answer of Wilmer Emory to the bill of complaint against him exhibited in the aforesaid cause at the suit of Hampton E. Brown and others, said cause being No. 3081 in this Court, this defendant admits the averments and allegations of said bill of Complaint and consents to the passage of such decree in the premises as to said Court may seem proper.

Wilmer Emory

.....  
SUBPOENA FOR RESPONDENT TO APPEAR  
AND ANSWER  
Filed May 30th 1936

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Edith C. Brown

Seals Place.

CARROLL COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the First Monday of June, next, to answer the complaint of Hampton E. Brown, et al against you in said Court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable William Mason Shehan, Chief Judge of our said Court, the First Monday of May 1936  
Issued the Eighteenth day of May 1936.

William H. Cater, Clerk

H. B. W. Mitchell

Solicitor for Complainants

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of May, next, being the Return Day.

William H. Carter Clerk

.....  
SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER TO BE LEFT WITH  
Filed June 5th 1936

QUEEN ANNES COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Edith C. Brown

CARROLL COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, At Centreville, in said county, on the first Monday of July next, to answer the complaint of Hampton E. Brown against you in said Court Exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable William Mason Shehan, Chief Judge of our said Court, the First Monday of June 1936  
Issued the First day of June 1936

William H. Carter Clerk

H. B. W. Mitchell

Solicitor for Complainant

TO THE DEFENDANT: You are required to file your answer or the other defense in the office of the Clerk of this Court within fifteen days of the first Monday of June next, being the Return Day.

Wm. H. Carter Clerk

And on the back of the foregoing is truly endorsed to wit:

Summoned Edith C. Brown June 4th 1936, and copy of within writ left with Dr. Ira A. Darling, Superintendent of the Springfield State Hospital at Sykes-vill, Carroll County, Md. wherea the said Edith C. Brown is confined.

Fee: \$1.05

Filed June 5th 1936.

John A. Shipley  
Sheriff of Carroll County, Md.

ANSWER OF MARGARET E. BRIDGEMAN AND VICTOR H. BRIDGEMAN, JR. Filed June 11th 1936

Hampton E. Brown et al vs Edth C. Brown, et al In the Circuit Court for Queen Anne's County, in Equity No.

To the Honorable, the Judge of said Court:

The answer of Margaret E. Bridgman and Victor H. Bridgman Jr., her husband, to the bill of complaint against them exhibited in the aforesaid cause at the suit of Hampton E. Brown et al., said cause being No. in this Court, these defendants and each of them admit the averments and allegations of said bill of complaint and consent to such decree in the premises as to said Court may seem proper.

Margaret Emory Bridgeman

Victor H. Bridgman, Jr.

Filed June 11th 1936.

SUBPOENA FOR RESPONDENT TO APPEAR AND ANSWER Filed June 19th 1936.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Seals Place. Ida E. Hurst

BALTIMORE CITY GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the First Monday of June next, to answer the complaint of Hampton E. Brown, et al against you in said Court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable William Mason Shehan, Chief Judge of our said Court, the First Monday of May 1936 Issued the Eighteenth day of May 1936.

William H. Carter Clerk

H. B. W. Mitchell Solicitor for Complainants

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of June next, being the Return Day.

William H. Carter Clerk

And on the back of the foregoing is thus endorsed to wit: Non Est

Joseph C. Deegan Sheriff

PETITION FOR APPOINTMENT OF SPECIAL EXAMINER AND FOR ORDER REFERRING PROCEEDINGS TO HIM FOR TAKING TESTIMONY Filed Sept. 10th 1936.

Brown et al vs Brown et al In the Circuit Court for Queen Anne's County, in Equity. No. 3081

To the Honorable, the Judges of said Court;

The petition of the plaintiffs in the aforesaid cause to your Honors respectfully sets forth:

1. That the parties defendant to the aforesaid cause having been summoned or having answered or been brought into this Honorable Court by the publication of the order of publication passed in said cause and the time having expired within which they should have shown cause why a decree should not be passed as prayed, and your petitioners desiring to take testimony in support of the allegations of the bill of complaint, and the Examiner of this Honorable Court being disqualified to take such testimony, being the Solicitor for the plaintiffs, it will be necessary for a Special Examiner to be appointed to take such testimony.

Your petitioners, therefore, pray your Honors to pass an order appointing a Special Examiner to take testimony in said cause and referring the proceedings to such Special Examiner to take such testimony

Respectfully submitted

H. B. W. Mitchell Attorney for Petitioners.

ORDER OF COURT:  
Filed Sept. 14, 1936

ORDERED, this 14th day of September 1936, by the Circuit Court for Queen Anne's County, in Equity, on the foregoing petition, that Richard T Earle be, and he is hereby, appointed Special Examiner to take testimony in the aforesaid cause of Brown et al vs, Brown et al., said cause being No. 3081 in this Court, and the proceedings of said cause are hereby referred to him, said Richard T. Earle as such Special Examiner for the purpose of taking testimony in said cause.

Filed Sept. 14, 1936.

Thos. J. Keating

CERTIFICATE OF PUBLICATION  
Filed Sept, 10, 1936

ORDER OF PUBLICATION

Hampton E. Brown et al vs Edith C. Brown, et al In the Circuit Court for Queen Anne's County, in Equity. No. 3081

The object of this suit is to procure a decree for the sale of certain property in Queen Anne's County, in this State, which was devised by Margaret W. Wright, late of said county, deceased, unto Edith C. Brown for and during the term of her natural life and then to the heirs at law of said Margaret W. Wright, said heirs at law to be ascertained at the time of the death of her, said Margaret W. Wright.

The bill states that the said Margaret W. Wright died testate in the year 1911, seized and possessed of a tract of land consisting of two farms situated in the Sixth Election District of Queen Anne's County aforesaid containing 557 acres, 2 roads and 13 perches of land, more or less, and which is particularly described in said bill.

That said Edith C. Brown has been adjudged non composmentis and is confined in Springfield State Hospital, and that Madison Brown and Edwin H. Brown, Jr., have been appointed her Committee and Trustees for the management of her property.

That said Margaret W. Wright was a widow at the time of her death and left no descendants but was survived by a brother, Wilmer Emory, who has since died leaving surviving him three children, Ida E. Hurst, a widow, who resides in Baltimore, Maryland, Wilmer Emory, who resides in Washington D. C., and who is a non-resident of this State, and Margaret W. Bridgeman, intermarried with Victor H. Bridgeman, who reside in New Haven, in the State of Connecticut, and who are non-residents of this State; C. J. B. Mitchell, Edith C. Jones and M. Ella Mitchell, since deceased, H. B. W. Mitchell, M. Madleine Davidson, F. D. Lee Mitchell and R. Mildred Mitchell, children of a deceased sister of said Margaret W. Wright, and Edith C. Jones, a daughter and only surviving descendent of the aforesaid Edith C. Jones, deceased, Hampton E. Brown, intermarried with Eliza F. Brown, who reside in Queen Anne's County, Maryland, the said Edith C. Brown, Marian W. Wright, and Howard McL. Brown, children of a deceased sister, and Adelaide Brown, whidow and Margaret Roberts, intermarried with Franklin Roberts, Madison Brown and Charles W. Brown, children of Joel Brown, a son of a deceased sister who died intestate.

That the buildings on said land are in a dilapidated condition, the dwelling on the main tract has been destroyed by fire and not replaced and the land is in a very poor state of cultivation and there is no money in hand to improve said land or pay State and County taxes which are due and in arrear and that it is to the advantage of all parties concerned that the said real estate be sold, and the proceeds of sale invested under the direction of the Circuit Court for Queen Anne's County, in Equity to enure to the same parties and in like manner as by the said last will and testament is provided.

IT IS THEREUPON, This 20th day of May, 1936, ordered by the Circuit Court for Queen Anne's County, in Equity, that the plaintiffs, by causing a copy of this order to be inserted in some newspaper, published in said Queen Anne's County, once in each of four successive weeks before the 22nd day of June, 1936, give notice to said absent defendant of the object and substance of this bill, warning them to appear in this Court in person or by Solicitor, on or before the 10th day of July next, to show cause, if any they have why a decree ought not to be passed as prayed.

True Copy Test: William H. Carter Clerk  
William H. Carter Clerk  
Filed May 20th 1936.

THE QUEEN ANNE'S RECORD  
CENTREVILLE, MARYLAND  
Sept. 10th 1936

THE QUEEN ANNE'S PUBLISHING CO, INC., hereby certifies, that the Order of Publication in the case of Hampton E. Brown, et al vs. Edith C. Brown, et al a true copy of which is hereto annexed, was inserted in THE QUEEN ANNE'S RECORD an weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week for 4 successive weeks before the 22nd day of June 1936, being more than 4 weeks before the 22nd day of June 1936, the Last insertion having been inserted more than 15 days before the 10th day of July, 1936.

THE QUEEN ANNE'S PUBLISHING CO., Inc.  
By Mary W. Parks

.....  
 CERTIFIED COPY OF WILL OF MARGARET W. WRIGHT  
 EXHIBIT NO.1,

I, Margaret W. Wright, of Queen Anne's County, State of Maryland, but now temporarily residing at Millwood, Clarke County, Virginia, do make this my last will and testament, in manner following, that is to say:

After the payment of all my just debts and funeral expenses, I give, devise and bequeath my estate as follows:

I give, devise and bequeath unto Edith C. Brown, my niece, all my property real, personal and mixed, to have and to hold the same unto the proper use and benefit of the said Edith C. Brown, during the term of her natural life, and from and after the death of the said Edith C. Brown, then to my next of kin or heirs at law, exclusive of Howard McLane Brown and Marian W. Wright mee Brown, their heirs, personal representatives and assigns, I do not provide for Howard McLane Brown or Marian W. Wright because I feel that, as they reside a long distance from the situs of any property which I own, if they were to take or be entitled to any interest therein it would greatly delay and add to the expense of settling my estate, and because I do not believe they are as much in need of pecuniary aid as my other relatives, I therefore devise and bequeath my estate to be distributed, from and after the death of Edith C. Brown, aforesaid, as though Howard McLane Brown and Marian W. Wright were not and never had been in existence.

And subject to the exclusion and exception of Howard McLane Brown and Marian W. Wright, as aforesaid, I give devise and bequeath my entire property, real personal and mixed, from and after the death of Edith C. Brown, to such persons as would, by virtue of the laws of the State of Maryland for the distribution of intestates' estates, have become and been thereupon entitled thereto in case I had died intestate, my heirs to be ascertained as of the time of my death and not that of the life tenant.

I constitute and appoint H. B. W. Mitchell, my nephew, to be the executor of this my last will and testament, hereby revoking all other wills and codicils by me heretofore made.

In testimony whereof I have hereunto subscribed my name and affixed my seal this 12th day of March, in the year nineteen hundred and one.

Margaret Wilmer Wright (SEAL)

Signed, sealed, published and declared by the above named testatrix as and for her last will and testament in the presence of us, who, at her request, in her presence, and the presence of each other, have hereunto subscribed our names as witnesses.

I. R. Nunn  
Jas. W. Foley

County of Clarke, to wit: I Jas. W. Foley, a notary Public for County aforesaid state of Virginia do certify that Margaret W. Wright whose name is signed to the within will dated March 12, 1901 has acknowledged the same before me in my county aforesaid, Given under my hand this 12th day of March- 1901 .

Jas. W. Foley  
 Notary Public

STATE OF MARYLAND,

QUEEN ANNE'S COUNTY, SCT:

5th day of December A. D. 1911,

Then came H. B. W. Mitchell and in the presence of Almighty God he did solemnly promise or declare, with uplifted hand, in due form of law that he does not know or any Will or Codicil to a Will of Margaret Wilmer Wright late of said county, deceased other than the aforesaid Instrument of Writing, and that he received the same from Margaret Wilmer Wright on or about the year nineteen hundred and one.

Cert: per

Robt. W. Thomas  
 Register of Wills for Queen Anne's  
 County, Md.

STATE OF MD., QUEEN ANNES COUNTY, to wit:-

Then came H. B. W. Mitchell, December 5th, 1911, and made oath that to the best of his knowledge and belief I. R. Nunn and Jas. W. Foley, the attesting witnesses to the last will and testament of Margaret Wilmer Wright, are not, or either of them, residents of the State of Maryland but are, or were at the time of the execution of said will residents of the State of Virginia, and are beyond the jurisdiction of this Honorable Court.

Robert W. Thomas  
 Register of Wills.

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, SCT:  
 5th day of December, A. D. 1911.

Then came Walter T. Wright and J. Fletcher Rolph and did each make oath that they were familiar with the handwriting and signature of Margaret Wilmer Wright, late of Queen Anne's County, deceased, having seen her writing and signature many times and that to the best of their knowledge and belief the signature to the Will now offered for probate dated March 12th, 1901, as and for the last will and testament of Margaret Wilmer Wright is the true signature of said Margaret Wilmer Wright, late of Queen Anne's County, deceased.

Cert: per

Robert W. Thomas  
 Register of Wills for Queen Anne's County,  
 Md.

## IN THE ORPHANS' COURT FOR QUEEN ANNE'S COUNTY:

The foregoing last will and Testament of Margaret Wilmer Wright late of Queen Anne's County, deceased, having been exhibited for Probate, and no objection thereto having been made, although notice according to the direction of the Court, appears to have been given to the next relations of said deceased:  
The Court, after having carefully examined the said Will and also, the evidence adduced as to its validity, Orders and decrees, this 5th day of December, 1911 that the same be admitted in this Court as the true and genuine last will and Testament of the said Margaret Wilmer Wright, deceased.

W. J. Price Jr.  
Jos. B. Cook  
Harry Clark  
Judges of the Orphans' Court for Queen  
Anne's County.

## IN THE ORPHANS' COURT FOR QUEEN ANNE'S COUNTY, MARYLAND, SCT:

The Register of Wills for Queen Anne's County, Maryland, does hereby certify that the within and foregoing is a true copy of the Last Will and Testament of Margaret W. Wright, deceased, as filed Nov. 21, 1911 and passed in this office on December 5- 1911 and recorded in liber R. W. T. No. 2 Folio 30 etc. in the Orphan's Court for Queen Anne's County, Maryland

Corporate  
Seals Place.

In testimony whereof I hereunto subscribe my name and affix the seal of my office this 25th day of September 1936.

Norman S. Dudley  
Register of Wills for Queen Anne's County, Maryland

.....  
CERTIFIED COPY OF WILL OF PERE  
WILMER  
Exhibit No. 2

In the name of God, Amen, I, Pere Wilmer of Queen Anne's County being of sound and disposing mind memory and understanding do make, publish and declare, this to be my last will and testament revoking all former wills by me heretofore made and ratifying and confirming this as my only last will and testament.

Item- It is my will and desire that all the rents of my lands and all the hire of my negroes for the year in which I shall die shall go to my Executor as part of my personal estate for the payment of debts and legacies and also give to my Executor for the same purpose the hire of my negroes for the payment of debts and legacies until it shall be ascertained that there is a sufficient sum to pay debts and legacies without the sale of my negroes or any part if my real estate.

Item- I give and devise to my Nephew Pere Wilmer (Junior) his heirs and assigns forever the following lands to wit, my home plantation generally known by the name of "Lansdown composed of the following tracts of land viz: "Upper Deal", "Wrights Chance", "Nats Adventure" & "Hazard " All my land, which I purchased of Col John Tilghman Trustee for the sale of the real estate of John T. Miers that lies on the north side of the public road leading from Centreville, to Colgans X Roads- Also all that portion of the property which I purchased of Philemon Starr lying on the North side of said public road also my tract of land I purchased of Ben Thomas, also all the land I purchased of Joshua Kennard, also all the land I purchased from Robert Wright and wife and Clinton & Henry Wright also the land I purchased of Clinton Wright being woodland and nay other land which I may now have adjoining the lands aforesaid which may lie on the north side of the aforesaid public road, to be held by him the said Pere Wilmer in fee simple, and I also give and bequeath to my said nephew Pere Wilmer the following negroes to wit: Charles Campbell, Frisby Frigusson, John Harris, Joe Williams, Jim Anderson, Sharp Woodland, Joe Woodland, Charles Handy, George Handy, Kitty and her children named Jim, Henry, Perry, and Billy Luvina's Children, Joshua and Jim Henry, old Julia - Mary Woodland and her daughter Harriett and young Julia grand daughter of old Julia. It is further my will and desire that my negroes shall none of them be sold in any event and be subject to the first Item if this will, and in case of the death of my said Nephew Pere Wilmer without issue that the negroes bequeathed to him be divided between my nephew Henry Wilmer and my nieces Margaret & Catherine and the children of my niece Frances equally, the children to have one fourth part to be divided between them and I wish and direct that the negroes which may be allotted to Henry Wilmer and my nieces Margaret McLearn and Catherine Emory and the children of my niece Frances Emory be held in trust for their respective uses by D. C. H. Emory (seni) and that their issue shall not be sold. It is further my will and desire that in case of the death of the said Pere Wilmer without issue of his body that the lands devised to him be divided between my nieces Margaret McLearn and Catherine Emory and the children of my Nephew Henry Wilmer and my deceased Niece Frances A. Wilmer as follows one fourth to Margaret, one fourth to Catherine one fourth to the children of Henry and the other fourth to the children of Frances and their heirs, But it is my will that whatever may be divided to my nieces Margaret & Catherine or held in trust for them separate benefit by the said D. C. H. Emory during their respective lives for their use and benefit and after their death to their children in fee simple. It is also my will and I hereby direct my nephew Pere Wilmer to pay to my cousin Horace Ringgold for and during the natural life of the said Horace, Eighty dollars annually and in quarterly payments which I charge upon the Lands devised to the said Pere Wilmer and further that that my Nephew Pere shall permit the said Horace to have the use and benefit of the House & Lot now occupied by the said Horace at Colgans X Roads free of rent & to furnish the said Horace with five cors of wood annually to be delivered at said House, the use of the House and lot and the supply of wood to continue during the lifetime of the said Horace- It is further my will and desire that in case it should so happen that my nephew Pere Wilmer should die before me and I should not make another will that his wife Issabella shall

have her regular dower in the lands devised to him for and during her natural life and if he survives me nothing in this will shall operate to deprive her of her right of dower in his estate.

Item- I give, devise, and bequeath to my Nephew Pere Wilmer and his heirs in trust for my Nephew Henry Wilmer all the lands I purchased from Robert C. Baynard, also a lot of land purchased of George F. Mason, Trustee for the sale of William Seth's Land, also my farm occupied by G. Mullikin, which embraces all the land I purchased of the Heirs of Samuel T. Pratt- also a lot of woodland purchased of D. James K. Harper adjoining the lands I sold to Samuel R. Clayland, also all my interest in the Granary at the Centreville Wharf and also all the land I purchased of George and Washington Finley now occupied by William Holland, and it is my will that my said Nephew Pere Wilmer hold all the said lands in trust for the use and benefit of my Nephew Henry Wilmer during the Natural life of the said Henry and that he receive the rents issues and profits thereof and pay the same for the support of the said Henry Wilmer and his family, and upon the death of the said Henry I give and devise the same lands to his children & their heirs equally share and share alike, to be held however by my nephew Pere in trust for their separate use and benefit as aforesaid, and it is my will that upon the death of my said Nephew Henry Wilmer living his wife Jane Wilmer she shall have her dower in said lands during widowhood as if the same had not been left in trust, And I also give to my said Nephew Pere Wilmer in trust as aforesaid the following negroes to wit: Isaac, Washington and Rebecca and all her children, the said Pere Wilmer to hold the said negroes in trust for the said Henry during his life and afterwards for his (Henry's Children) Subject however to the first Item of this my will and not to be sold at any time or be liable for the debts of the said Henry or of his children.

Item- I give and devise to my Nephew Pere Wilmer and his heirs in trust for my niece Margaret McLearn my Tavern House in Centreville and the lot of Ground attached thereto including the Dwelling House, offices and stables- Also my Dwelling House in the City of Baltimore on the corner of Libert and Lexington Streets, she the said Margaret to receive the rents issues and profits thereof during her life for the support of herself and children and upon her death it is my will that if her daughter Eugenia shall be living that the said property shall go to her and the heirs of her body, but if she should die without such heirs or should not be living herself at the death of her mother it is then my will that the said lands shall belong to her half brother Pere W. Hanson and her half sister Catherine Hanson & their heirs forever, It is further my will and I hereby bequeath to my said Nephew Pere Wilmer in trust for my niece Margaret the following negroes, Minty and all her children and upon the death of the said Margaret in further trust for the benefit of Pere W. Hanson and Catherine Hanson subject to the first Item of this my will and not to be sold for their or either of their debts. It is my will and I do hereby direct that the above property shall be and continue in the possession, control and management of the said Trustee or such person or persons as he shall appoint during the life of her the said Margaret and during her life that the profits thereof shall be paid to the said Margaret and that any receipts or writings witnessing the payment of such hire, rents, issues and profits to her the said Margaret and signed by her (though covert) shall be sufficient discharges for such hire, rents, issues and profits and not otherwise.

Item- I give and devise to Pere Wilmer Hanson and Catherine Hanson children of my niece Margaret aforesaid and their heirs all my right, title and claim to the lands in Kent County Maryland which belonged to their father George Hanson upon condition that they relinquish their claims against me as their Guardian or otherwise:-

Item- I give and devise unto my Nephew Pere Wilmer and his heirs in trust for the use and benefit of my niece Catherine Emory wife of Wm. I Emory All the following lands to wit:- My farm generally called "the Pickering" composed of the following tracts of land to wit:- Abingdon, Lercester fields, Pleasant Park, Pleasant Park Addition", Burks Forrest, and Pratts Chance purchase of Philip Wallis, also a tract of land called Pratts resolve, also a tract called Pratts Chance and Pratts Lot, also the Land I purchased from the commissioners for the division of the Heathers Land and also the lands purchase of Thomas B. Booker, and Sarah Trupin, also the farm I purchased of P. B. Hooper Trustee for the Sale of the lands of Samuel Smith, Except the thirty acres of woodland being part of Hazard already devised to my Nephew Pere Wilmer- Also the land I purchased of I. K. Cook and George C. Palmer with all lands I may own adjoining any of said lands, also the farm I purchased of D. Enock George and wife, also the farm purchased of the Heirs of Solomon E. Wright sold by commissioners, and also the lands which I hold contiguous or adjoining the last mentioned tracts included by the road leading from Colgans X Roads to Ruthsburg, beginning where my land intersect the lands of Daniel Newman and running thence with the public road aforesaid to Ruthsburg cross roads and then by and with the road leading from Ruthsburg to Centreville until it intersects the land of Joseph K. Cook and then with Cooks land until it intersects the lands purchased of D. E. George & wife except the lot deeded to the Methodist Protestate Church- also a piece or parcel of land which I purchased of Daniel Newman adjoining the lands of Solomon E. Wrights heirs- To be held by the said Pere Wilmer and his heirs in trust for the use of my said niece Catherine during her life and upon her death I give and devise the same in further trust for the use of the Children of my said niece Catherine as tenants in common, and I also give and bequeath to my said Nephew Pere Wilmer in trust for my said niece Catherine and her children and the following negroes viz: John Anderson, Andrew Johnson, Sally Ann, Henry Chew & Eliza his wife and all their children & Teney Pipes, neither the negroes named nor their issue to be sold for her or their debts but to be subject to the first Item of this my will. and it is my wish and I do hereby direct that all said real and personal property so devised and bequeathed for the use of my said niece Catherine as above shall be and continue under the control and management of my said Nephew Pere or such person or persons as she may appoint during the lifetime of the said Catherine and that during her life the hire, rents, issues and profits thereof shall be paid to the said Catherine in person- and that any receipts or writings witnessing the payment of the same to her and signed by her (though Covert) shall be sufficient discharges for such hire, rent &c, and not otherwise, And I further give and bequeath to my said niece Catherine all my household and kitchen furniture for her sold and separate use without being subject to the control of her present or any future husband and without being subject to his debts and also the sum of .....in money to be paid to her in person by my Executor for the support of herself and children in equal quarterly payments during the first year after my deceased and any receipt or writing signed by her shall be a sufficient discharge.

Pere Wilmer (SEAL)

Signed, sealed, published and declared by Pere Wilmer above named testator as and for a Codicil to his last will and testament in our presence, who at his request and in his presence and in the presence of each other have hereto set out names as witnesses thereto

W. C. Tilghman  
C. C. Harper  
Wm. McKenney

Queen Anne's County, Sct:  
May 10th 1866

Then came Wm. C. Tilghman, C. C. Harper and Wm. McKenney, the subscribing witnesses to the foregoing Codicil, and made oath on the Holy Evangely of Almighty God, that they did see Pere Wilmer, the within named Testator sign his name to the foregoing Codicil, that they heard him, pulish, pronounce and declare the same to be a Codicil to his last will and testament, that at the time of so doing he was to the best of their apprehension of sound and disposing mind, memory and understanding, that they subscribed their names as witnesses to the said Coðicil in the presence of each other, in the presence of the Testator and at his request.

W. A. Johnson, Reg. Wills for  
Queen Anne's County

Queen Anne's County, Sct.  
May 10th, 1866.

Then came D. C. H. Emory the Executor within named, and made oath on the Holy Evan gely of Almighty God, that the foregoing Instrument of Writing is the true and whole last will and testament and Codicil of Pere Wilmer, late of Queen Anne's County, deceased, that has come to his hands or possession, and that he does not know of any other.

W. A. Johnson, Reg. Wills for  
Queen Anne's County

IN THE ORHPANS' COURT FOR QUEEN ANNE'S COUNTY, MARYLAND SCT:

The Register of Wills for Queen Anne's County, Maryland, does hereby certify that the within and aforøgoing is a true copy of Last Will and Testament and Codicil thereto of Pere Wilmer deceased as file and passed in this office on May 10 1866 and recorded in Liber S. T. G. No. 1 Foliø 336 in the Orphans' Court for Queen Anne's County, Maryland.

Corporate  
Seals Place

In testimony whereof I hereunto subscribe my name and affix the seal of my office this 25th day of September 1936

Norman S. Dudley  
Register of Wills for Queen Annels County, Maryland

.....  
CERTIFIED COPY OF COMMISSION  
FINDINGS  
Filed Sept. 26th 1936

And on the fifth day of November in the year aforesaid the following return was filed with accompanying plats as follows, to wit:

In the Circuit Court for Queen Anne's County in Equity.

S. Collins Wright and others ) Cause No. 1093. To the Honorable the  
Plaintiffs ) Judges of said Court. The undersigned be  
vs ) ing four of the Commissioners appointed  
) by a commission issued out of your  
) Honorable Court in a cause in which  
Charles I. B. Mitchell and others ) S. Collins Wright and others are plaintiffs  
Defendants ) and Charles I. B. Mitchell and others are  
Defendants ( being the above entitled cause) and which commission is herewith returned do hereby certify that we took the oath annexed to said commission and having given notice of the time and place of our meeting that we met pursuant to said Notice and thereafter agreeably to adjournment and having walked riden over and examined said several parcels of land and having caused the same to be surveyed by Benjamin S. Elliott a competent surveyor and platted and divided by him do herewith return said Plats and Divisions with the certificates of said survey or accompanying the same as a part of this Report. And we further certify First: that all those tracts parts of tracts or parcels of land called "Kinderhook" or by whatsoever other name the same may be called or known situate in the Sixth Elcetion District of Queen Anne's County aforesaid containing two hundred and seventy three acres two roods and six perches of land fully described on lot and Certificate marked A as Lot No. 1, together with all that Lot or parcels of woodland also situate in said District containing thiry one acres and twenty six perches of land and fully described in Plat and Certificate marked " B" as Lot No.1 we valued at ten thousand and nine hundred and twenty one dollars and allotted the same to Wilmer Emory one of the Plaintiffs as his part of the lands named in said Commission charged with the payment to be made by him of the sum of Twelve hundred and seventy four dollars and ninety cents in equal parts to the Defendants, Charles I. B. Mitchell, Edith Cathørine Mitchell, M. Ella Mitchell, R. Mildred Mitchell, M. Madeline Mitchell, Francis D. Lee Mitchell and Harry B. W. Mitchell, share and share alike and of the further sum of nine hundred and ninety eight dollars and ten cents in equal parts to the Defendants Marian W. Brown, Joel Brown Jr., Howard McLean Brown, Hampton E. Brown and Edith Catherine Brown share and share like as herein after also set forth to equalize divisions thus giving to the said Wilmer Emory independent of the aforesaid sums and charges in vluè eight thousand six hundred and forty eight dollars in land and which in our judgment and opinion is equal in quantity and quality to one fourth of all the lands named in said commission. Second that all these farms, tracts, parts of tracts or parcels of land by whatsoever name or names the same may be called or known situate in said Sixth Election District of said County containing five hundred and fifty seven acres, two roods and thirteen perches of land and fully described in Plat and certificate

marked "C" as Lot No. 2 we valued at nine thousand two hundred and twenty four dollars and allotted the same to Margaret W. Wright one of the Plaintiffs as her part of the lands named in said commission charged with the payment to be made by her of the sum of Three hundred and twenty three dollars and ten cents in equal parts to the said Defendants, Charles I. B. Mitchell, Edith Catherine Mitchell, M. Ella Mitchell, R. Mildred Mitchell, M. Madeline Mitchell, Frances D. Lee Mitchell and Harry B. W. Mitchell share and share alike as hereinafter also set forth and of the further sum of Two hundred and fifty two dollars and ninety cents in equal parts to the said Defendants, Marian W. Brown, Joel Brown Jr., Howard McLean Brown, Hampton E. Brown and Edith Catherine Brown as hereinafter also set forth to equalize divisions thus giving to the said Margaret W. Wright, independent of the aforesaid sums and charges in value eight thousand six hundred and forty eight dollars, in land and which in our judgment and opinion is equal in quantity and quality to one fourth of all the lands named in said Commission. Third that all these farms, tracts, parts of tracts or parcels of land by whatsoever name or names the same may be called or known situate in said Sixth Election District of said County, containing five hundred and ninety six acres one rood and thirteen perches of land and fully described in Plat and Certificate marked " D " as Lot No. 3 we valued at seven thousand and fifty dollars and allotted the same to the said Defendants, Charles I. B. Mitchell, Edith Catherine Mitchell, M. Ella Mitchell, R. Mildred Mitchell, M. Madeline Mitchell, Frances D. Lee Mitchell and Harry B. W. Mitchell, as tenants in common as their part of the lands named in said commission which with the sum of twelve hundred and seventy four dollars and ninety cents which we award to be paid to be paid to them by said Wilmer Emory as aforesaid and the further sum of three hundred and twenty three dollars and ten cents which we award to be paid to them by said Margaret W. Wright as aforesaid share and share alike in order to equal divisions will make in value eight thousand six hundred and forty eight dollars allotted and awarded to the said Charles I. B. Mitchell, Edith Catherine Mitchell, M. Ella Mitchell, R. Mildred Mitchell, M. Madeline Mitchell, Frances D. Lee Mitchell and Harry B. W. Mitchell as tenants in common and which in our judgement and opinion is equal in quantity and quality and value to one fourth of all the lands named in said commission and Fourth that all that farm, tracts, parts of tracts or parcels of land commonly known as " The Birch Farm " or by whatsoever other name or names the same may be called or known situate in the said Sixth Election District of said County containing three hundred and sixty nine acres and three quarters of an acre of land and fully described in Plat and Certificate marked "E" as Lot No. 4 we value at seven thousand three hundred and ninety seven dollars and allotted the same to the said Defendants Marian W. Brown, Joel Brown, Jr., Howard McLean Brown Hampton E. Brown and Edith Catherine Brown as tenants in common as their part of the lands named in said Commission which with the sum of nine hundred and ninety eight dollars and ten cents which we award to be paid them by said Wilmer Emory as aforesaid and the further sum of two hundred and fifty two dollars and ninety cents which we award to be paid to them by said Margaret W. Wright as aforesaid share and share alike in order to equalize divisions, will make in value eight thousand six hundred and forty eight dollars allotted and awarded to the said Marian W. Brown, Joel Brown Jr., Howard McLean Brown, Hampton E. Brown and Edith Catherine Brown as tenants in common and which in our judgement and opinion is equal in quantity and quality and value to one fourth of all the lands named in said commission. And we further certify that in making the aforesaid division and allotments any right of way for the lands of the owners thereof across or through the aforesaid lands called "Kinderhook" is no longer to exist as same is not necessary by reason of the public roads which have been opened and which furnish the necessary outlets and ways to said land. And we further make known to your honors that we were a majority of the commissioners who made the divisions and allotments in the previous cause which has now been dismissed by reason of the loss of the papers as will appear from the proceedings in this cause of the same lands among the same parties and we are advised that the parties in the last of 1890 in the belief that said divisions allotments and awards which were identical with those hereinbefore made would be finally ratified by the Court entered into the possession of said lands in accordance therewith and have received and enjoyed the rents and profits if would be but just and right that the several sums of money awarded as aforesaid to equalize said divisions should bear interest from the first day of January in the year eighteen hundred and ninety one and we would suggest that the said principal sums should be required to be paid in two equal annual instalments from the first day of January in the year eighteen hundred and ninety three. All which proceedings with Plats of said lands and the divisions thereof by courses and distances and the aforesaid Commission we return closed under our hands and seals this fifth day of November in the year eighteen hundred and ninety two.

Wm. McKenney (SEAL)  
 Jos. W. Watson (SEAL)  
 W. L. Lowe (SEAL)  
 John W. Perry (SEAL)  
 Commissioners

Expenses

Wm. McKenney Comrs. 7 days & )	0	
for postage & Telegrams, 75 )		14.75
Jos W. Watson 5		10.00
John W. Perry 5		10.00
Wrightson L. Lowe 5		10.00
Benjamin S. Elliott Surveyor		89.00
Leml. P. Wright Chain Carrier		5.00
A. J. Collins " "		5.00

143.75

State of Maryland,

Queen Anne's County, to wit:

Thereby certify that the foregoing is truly taken and copied from Liber W. D. No. 3, folios 213, etc., a Judgement Record In Extensio for Queen Anne's County aforesaid.

Seals  
 Place.

In testimony whereof I have hereunto subscribed my name and affixed the seal of the Circuit Court for Queen Anne's County this Eighteenth day of September, in the year nineteen hundred and thirty six.

William H. Carter Clerk



Item- I give and devise to William I. Emorty the sum of money which he owas me and also to Henry Wilmer the sum of money he owes me.

Item- I give and evise unto Lydia, Mary Elizabeth, D. Hopper, Maggie John and Fannie children of my lat niece Frances A. Emory, wife of D. C. H. Emory and their heirs all the following property to wit:- The Brick Store House in Centreville now in the Occupancy of McKenney & Co on the main street and near the Court House yard- also the House and lot in Centreville purchased from John Gordon, also my farm adjoining Ruthsburg called Timber Neck purchased of William Kemble and wife, also my farm now oċcupied by J. W. Sylvester adjoining the lands of John B. Thomas and the Alms House property, Also my farm occupied by Daniel Faulkner being all the lands which I purchased of William Prāce and I give and bequeath to the said D. C. H. Emory for the use and benefit of his said children being also the children of my said niece France, the money which I have advanced to him, and also the Sum of Seven Thousand Dollars out of my estate making the Sum of Twelve thousand dollars, and it is my will that the lands divided to the said Lydia, Mary Elizabeth Hopper, Maggis John and Fannie, and the said Twelve thousand dollars being first invested in real estate, and the rents issues and profits thereof shall be divided between them, when and as their aforesaid father shall think proper and in case of no such division by him then equall share and share alike, and he is hereby released from any responsibility to them as their agent to make the investment or distribution, I also give and bequeath to the said D. C. H. Emory in trust for his said children the following negroes to wit: Joe Rayal, George Brown, Charles & Washington purchased of A. Emory, Ann and her children and Sarah and her children, Said negroes not to be liable for the debts of said children or any of them, but to be subject to the first Item in this my will.

Item \* I give and devise to my Nephew Pere Wilmer in trust for Henry Driver son of my deceased niece Mary Elizabeth all the lands following to wit, All those tracts and parts of tracts of land , which I hold and own on the south side of the road leading from Ruthsburg to BridgeTown and on the East side of the road leading from Ruthsburg to Hillsborough, adjoining the lands of the late Alumbly Jump, John B. Thomas & Christopher Wilkinson, now in the occupancy of James Frckey, Cooper Brush, & also a lot of woodland purchased by J. B. Thomas of Edwin W. Pratt and the land of the late James Baynard and part of E. W. Pratts, Tully Neck Farm Also the farm the said Henry now occupied which embraces all the land on the south side of the road that I purchased of Philemon Starr, Also all on the south side of said road (which leads from Centreville to Colgans X Roads) that I purchased of Co. Tilghman Trustee for the sale of the real estate of John T. Meirs called " Robinson Farm" and "Guilfrads Addition" to be held in Trust by the said Pere Wilmer for my said grand nephew Henry Driver his heirs & assign But if the said Henry Driver should die without issue living at the time of his death is is my wish and desire that the lands so devised to him shall be divided between my nephew Henry Wilmer and Pere Wilmer and my niece Margaret McLearn and Catherine Emory and the children of my lat niece Frances Emorty the last named taking one fifth- their heirs and assigns, and in such case the propertion allotted to Henry, Margaret & Catherine to be held in trust for them as is provided for in the lands devised above to them- And I also give to my said nephew Pere Wilmer in trust for the said Henry Driver the following negroes, Ellen and all her children, boy John and his sister Ellen, not to be sold or held liable for the debts of the said Henry or any one claiming under him but to be subject to the first Item of this will. It is my will that Elizabeth Driver shall receive from the land herein devised to Henry Driver the sum of one hundred dollars annually during her natural life and I hereby charge the same on the land so devised.

Item \* I hereby order and direct that my nephew Pere Wilmer shall pay to his mother Margaret Wilmer annually the sum of two hundred dollars during her natural life out of the rents and profits if the lands devised to him, the further sum of two hundred Dollars as aforesaid out of the rents and profits of the land devised to him as Trustees of Henry the further sum of two Hundred dollars as aforesaid out of the rents & profits of the lands devised to Margaret, two Hundred dollars out of the lands rents & Profits devised to Catherine's use and also one hundred dollars as aforesaid out of the rents and profits of the lands devised in trust for Henry Driver and that D. C. H. Emory pay the sum of two hundred Dollars annually out of therents and profits of the land devised to his children so that the said Margaret Wilmer shall receive annually the sum of eleven Hundred dollars during her natural life from the several sources named and that said amounts shall be charges upon the lands respectively, and I will that the said Margaret Wilmer shall be entitled to a home at Lansdowne in addition so long as she may live.

Item - It is my will and desire that in case of the death of either of my nieces Margaret and Catherine leaving their husbands, that their said husbands shall receive during their lives out of the lands devised to their wāves three hundred dollars annually to be paid to them and no other person and not to be liable for their debts or subject to attachment, and also that the said D. C. H. Emory shall retain annually during his life the sum of three hundred dollars out of the rents and profits of the land devised to his children and it is my will that Luvenia Driver wife of Henry Driver shall be entitled to dower interest in the lands devised to the use of the said Henry Driver in the same manner as if the same were devised directly to him.

Item. All the rest and residue of my estate real, personal and mixed I give and devise as follows nīz: to my nephew Pere Wilmer one fifth part, to said Pere Wilmer in trust for Henry Wilmer, one fifth - to said Pere in trust for Margaret McLearn, one fifth to said Pere in trust for Catherine Emory, one fifth, and to D. C. H. Emory for his children being also the children of my late niece Frances, one fifth to be held as the property hereinbefore devised for their use respectively. And I further will and direct that if my grand nephew Henry Driver shall die without issue living at the time of his death that the negroes bequeathed to him shall be divided to the same persons and in the manner as the residue of my estate is directed to be divided, And I also will and direct that the issue of, all the above & foregoing named negroes belong to the persons to whom the mother belongs and be held in like manner.

Item: It is my will and I do hereby authorize the said Pere Wilmer Trustee of my niece Margaret and Catherine to sell the whole or any part of the real estate edvised to their use and reinvest the same upon the like uses and trust if they or either of them shall request him so to do and that the said D. C. H. Emory shall also have power to sell the lands devised to his children and reinvest the proceeds for them if he shall think proper.

Item- It is my will that my Nephew Pere Wilmer Trustee as above shall not be held responsible exċept for wilfull negligence and for no monies that do not act-

ually come into his hands or possession.

Lastly I do hereby constitute and appoint D. C. H. Emory of Baltimore to be sole Executor of this my last will and testament, In Testimony whereof I have hereunto set my hand and affix my seal this sixteenth day of August in the year Eighteen Hundred and sixty.

PERE WILMER (SEAL)

Singed, sealed, published and declared by Pere Wilmer the above named testator as and for his last will and testament in the presence of us who at his request, in his presence and in the presence of each other subscribed our names as witnesses thereto

(Stamps Place) ( Stamps Place)  
( 10.00 ) ( 10.00 )

Lloyd Tilghman  
Wm. McKenney  
J. L. Goldsborough

(Stamps Place) (Stamps Place )  
( 10.00 ) ( 10.00 )

(Stamps Place ) ( Stamps Place )  
( 10.00 ) ( 10.00 )

(Stamps Place ) ( Stamps Place)  
( 10.00 ) ( 10.00 )

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Queen Anne's County, Sct:  
May 8th 1866

Then came Lloyd Tilghman, Wm. McKenney and J. L. Goldsborough, the subscribing witnesses to the foregoing will, and made oath on the Holy Evangelical of Almighty God, that they did see Pere Wilmer, the within named testator sign his name to the foregoing Will, that they heard him publish, pronounce and declare the same to be his last Will and testament, that at the time of so doing he was to the best of their apprehension of sound and disposing mind, memory and understanding, that they subscribed their names as witnesses to the said will in the presence of each other, in the presence of the testator, and at his request.

W. A. Johnson, Reg. of Wills  
for Queen Anne's County.

Whereas I Pere Wilmer of Queen Anne's County in the State of Maryland am desirous to add to and in some respects to change the provisions of my last will and testament dated on the sixteenth day of August in the year Eighteen hundred and sixty I do hereby make this Codicil thereto- Whereas since the making of my said last will and testament I have executed and delivered to my Nephew Pere Wilmer Hanson and my niece Catherine Richardson wife of William A. Richardson a deed of the farm in Kent County which I had devised to them, I do therefore now ratify and confirm the said deed according to its terms and the provisions thereof and adopt the same in lieu and stead of the provisions in my said will and the three Hundred dollars in said deed provided to be paid to my niece Margaret A. McLearn wife of W. H. McLearn in intended and hereby declared to be given to her and made payable by said Pere and Catherine in addition to the provisions made for her in my said will.

And whereas I omitted to dispose of my negro girl " Tilly " in my said will I do hereby give and bequeath her the said " Tilly " unto my nephew Pere Wilmer and whereas also since the execution my said will several negro children have been born and others may be born and being desirous to prevent the separation of families as much as possible it is my wish and I do so direct and bequeath that the children of my several negro women born since the making of my said will or such as may hereafter be born shall go to and be the property of such of my legatees as are entitled to the mother and upon the same terms and for the same uses and trust.

And whereas I omitted to dispose of a small farm in Tuckahoe which I purchased of and was conveyed to me by Charles Murry and wife, it is my wish and I do hereby devise that the said farm shall be sold by my Executor and the proceeds applied as my personal estate and the residue of my estate.

And whereas since the making of my said will I have purchased from Mrs. Charlotte a Wright and others about seventy five acres of land as will more fully appear by reference to their deed dated April the third Eighteen hundred and sixty three, I do hereby give and bequeath the said land to my nephew Pere Wilmer and Henry W. Driver on the same terms and for the same uses, trust and purposes as stipulated in regard to the other property devised to them and for their use in my said last will and testament - To be divided between them as it is now divided by the road leading from the public through said land to the woods, all on the west side of said dividing road, I give to my nephew Pere Wilmer, and all the east side to Henry W. Driver to be held as aforesaid.

And whereas in my said last will and testament the amount intended to be given to Catherine P. Emory for the support of herself and family for the year in which I may die is left blank and no sum is mentioned I now fill up said blank with five hundred dollars and direct that the said sum of five hundred dollars be paid to her as there provided.

And whereas the property devised and bequeathed for the use and benefit of my said niece Catherine P. Emory is devised to Pere Wilmer my nephew in trust for her and as it is my wish that she shall have the free and full use of the same I do hereby direct and declare that my said niece Catherine shall have the full control and management of the property so devised and bequeathed for her use without the interference of any one whatever except my executor to carry out the provisions entrusted in him in my last will,

With the additions and alterations above specified and particularly set forth I do hereby ratify and confirm my said last will and testament.

In testimony whereof I have hereunto set my hand and affixed my seal this fifth day of January Eighteen hundred and sixty four.

And afterwards to wit: on the twenty sixth day of January in the year nineteen hundred and ninety three the following final decree was passed, to wit;

In the Circuit Court for Queen Anne's County, in Equity.

S. Collins Wright and others  
Plaintiffs

vs

Charles I. B. Mitchell and others  
Defendants.

) Cause No. 1093. This cause standing  
) ready for hearing and being submitted  
) without argument the proceedings were  
) read and considered. It is thereupon  
) this 26<sup>th</sup> day of January in the year  
) eighteen hundred and ninety three by  
) the Circuit Court for Queen Anne's

County in Equity and by the authority of said Court, adjudged, ordered and decreed that the return of four of the Commissioners appointed to make partition of the real estate in the proceedings in this cause mentioned and the partition thereof by them made be and the same are hereby finally ratified and confirmed. And it is further adjudged, ordered and decreed that from and after the passing of this decree the complainants, Margaret W. Wright and Wilmer Emory, shall each hold in severalty and not jointly or in common with themselves or the defendants in this cause except as may hereinafter be provided the several parcels or tracts of land described in the said return of the aforesaid commissioners and the Plats accompanying the same as being allotted to said Margaret W. Wright and Wilmer Emory respectively and that Charles I. B. Mitchell, Edith Catherine Mitchell, M. Ella Mitchell, R. Mildred Mitchell, M. Madeline Mitchell, Frances D. Lee Mitchell, Harry B. W. Mitchell shall hold in common along themselves but not jointly or in common with the Plaintiffs and the other defendants in this cause the several parcels or tracts of land described in the said Return of the aforesaid Commissioners and the Plats accompanying the same as being allotted to them in common as aforesaid; and that Marian W. Brown, Edith Catherine Brown, Joel Brown Jr., Howard McLean Brown and Hampton E. Brown shall hold in common among themselves but not jointly or in common with the Plaintiffs, and the other defendants in this cause, the several parcels or tracts of land described in the said return of the aforesaid commissioners and the Plats accompanying the same as being allotted to them in common as aforesaid. And it is further adjudged, ordered and decreed that the said Wilmer Emory pay unto the Defendants Charles I. B. Mitchell, Edith Catherine Mitchell, M. Ella Mitchell, R. Mildred Mitchell, M. Madeline Mitchell, Frances D. Lee Mitchell and Harry B. W. Mitchell in equal parts the sum of Twelve hundred and seventy four dollars and ninety cents in two equal annual instalments from the 1st day of January 1893 with interest on same from January 1st 1891 to be due and payable on January 1st 1893 and annually thereafter and unto the defendants Marian E. Brown, Edith Catherine Brown, Joel Brown Jr., Howard McLean Brown, and Hampton E. Brown in equal parts the sum of nine hundred and ninety eight dollars and ten cents in two equal annual instalments from the 1st day of January 1st 1891 to be due and payable on January 1st 1893 and annually thereafter. And it is further adjudged, ordered and decreed that the said Margaret W. Wright pay unto the Defendants Charles I. B. Mitchell, Edith Catherine Mitchell, M. Ella Mitchell, R. Mildred Mitchell, M. Madeline Mitchell, Frances D. Lee Mitchell and Harry B. W. Mitchell in Equal parts the sum of three hundred and twenty three dollars and ten cents in two equal annual instalments from January 1st 1893 with interest on same from January 1st, 1891 to be due and payable on January 1st 1893 and annually thereafter and unto the Defendants Marian W. Brown Edith Catherine Brown, Joel Brown, Jr., Howard McLean Brown and Hampton E. Brown in equal parts the sum of two hundred and fifty two dollars and ninety cents in two equal annual instalments from January 1st 1893 with interest on same from January 1st, 1891 to be due and payable on January 1st, 1893 and annually thereafter, And it is further adjudged, ordered and decreed that each and every of the aforesaid sums of money and the interest thereon until fully paid be and the same are hereby declared to be a lien and charge on those parts of said lands allotted to the aforesaid parties hereinbefore directed and required to pay the same respectively. And it is further adjudged ordered and decreed that the mortgage from Wilmer Emory and wife now held by Charles F. Nolan, a defendant by assignment and of which Exhibit B is a certified copy and the lien and operation thereof, be and the same are hereby restricted and confined and alone operate upon the lands allotted to said Wilmer Emory and hereby decreed to be had and held by him in severalty, subject however to the aforesaid liens and charges created by this decree for the aforesaid sums and interests to be paid by him as aforesaid as though only said lands and the fee therein, subject to said liens and charges had been conveyed by said mortgage and that the residue of said lands not allotted to said Wilmer Emory as aforesaid shall in no wise be bound by or subject to the operation of lien of said mortgage or the money secured thereby but are hereby fully released therefrom. And it is further adjudged, ordered, and decreed that the costs of the aforesaid partition and other costs of this suit including a fee of three hundred dollars to the complainant's Solicitor to be taxed by the Clerk of this Court be paid as follows one fourth by Wilmer Emory one fourth by Margaret W. Wright one fourth by Charles I. B. Mitchell and his co-tenants and one fourth by said Marian W. Brown and her cotenants, And it is further adjudged, ordered and decreed that the rents accruing from the aforesaid lands being the corn rents of 1890 and all rents thereafter for reasons set forth in said Return and this Decree shall belong to parties respectively to whom said lands are hereby decreed and which produced the same.

Frederick Stump

State of Maryland,

Queen Anne's County, to wit:

I hereby certify that the foregoing is truly taken and copied from Liber W. D. No. 3, folios 221, etc., a Judgment Record In Extenso for Queen Anne's County aforesaid.

Seals Place.

In testimony whereof, I have hereunto subscribed my name and affixed the seal of the Circuit Court for Queen Anne's County this Eighteenth day of September, in the year nineteen hundred and thirty six.

William H. Carter Clerk

DEPOSITIONS  
Filed Sept. 26th 1936

Hampton E. Brown et al	Y	In the Circuit Court for Queen
vs	Y	Anne's County, in Equity
Edith C. Brown et al	Y	No. 3081.

To the Honorable, the Judges of said Court:

Your Special Examiner having been appointed by this Honorable Court to take testimony in the above entitled cause, after having qualified by taking the oath as such Special Examiner, and having been notified by H. B. W. Mitchell, Solicitor for the plaintiffs, that he desired to take testimony in said cause in his office in Centreville, Maryland September 25th, 1936, at half past two o'clock p.m. -----  
-----did attend at the office of said H. B. W. Mitchell, Esq., in Centreville, Maryland, on said date, September 25th., 1936, at half past two o'clock p.m. -----there being present H. B. W. Mitchell, Esq., M. Madeleine Davidson, R. Mildred Mitchell, Hampton E. Brown and Edwin H. Brown, Esq., and proceeded to take the following testimony, to wit:

M. Madeleine Davidson,

The first witness, of lawful age, after having been first sworn, deposes and says:

By Mr. Mitchell:

1 Q. Please state your name, age and place of residence?

My name is M. Madeleine Davidson, I am 65 years old and reside in Queen Anne's County Maryland.

2 Q. Are you married or single? If you have been married state who your husband was?  
I am a widow. My husband was Philip T. Davidson, who is now dead.

3 Q. Are you a party to this suit, and if so, are you plaintiff or defendant?  
I am a party plaintiff to this suit.

4 Q. Do you know the parties to this suit, other than yourself, or any of them, if so, state which of them you know and whether they are adults or infants and their places of residence, so far as you know?

I know H. B. W. Mitchell, who is my brother, and R. Mildred Mitchell, who is my sister, and Hampton E. Brown and his wife Eliza F. Brown, all of whom reside in Queen Anne's County, Maryland, and F. D. Lee Mitchell, who is my brother, and his wife, Louise S. Mitchell, who reside in Trenton, New Jersey, Ida E. Hurst, who resides in Baltimore, Maryland, Wilmer Emory, who resides in Washington, D. C., Adelaide Brown and her daughter, Margaret Roberts, and her husband, Franklin Roberts, who reside in Wyncote, Pennsylvania, Edith C. Brown, who is at this time in Carroll County, Margaret Bridgman, and Victor H. Bridgman, who reside in New Haven Conn., Madison Brown and Edwin H. Brown, Esqs., who reside in Centreville, Md., and Edith C. Jones, who resides in Urbana, Ill., All adults.

5 Q. Please state whether or not you knew Margaret W. Wright and, if so, whether she is living or dead?

A. I knew Margaret W. Wright. She is dead.

6 Q. Did Margaret W. Wright die testate or intestate?

A. She died testate.

7 Q. I now hand you paper writing marked " Exhibit No. 1" will you please state what this paper writing is?

A. It is a certified copy of the last will and testament of the said Margaret W. Wright, deceased.

The Solicitor for the plaintiffs now hands the said paper writing, being a certified copy of the last will and testament of Margaret W. Wright, deceased, to the Special Examiner to be filed as evidence and as an exhibit in these proceedings and the is filed by the Special Examiner and marked " Special Examiner's Exhibit A. "

8 Q. Please state whether or not Margaret W. Wright was seized and possessed of any real estate at the time of her death and if so give brief description of it?

A. Margaret W. Wright at the time of her death was seized and possessed of a tract of land or two tracts of land situated in the Sixth Election District of Queen Anne's County, which I am advised contains 557 acres, 2 roods and 13 perches of land, and which is on the right hand side of the public road leading from the Centreville-Starr public road to the road leading from the Centreville-Ruthsburg road to the Green Spring School House, adjoining the land of Isaac E. Dolby, the land of H. B. W. Mitchell and the land of the devisees of William McKenney, late of Queen Anne's County, deceased, This tract of land for a good many years was cultivated as two farms, but I am advised that the dwelling house on one of these farms was destroyed by fire a good many years ago and has never been replaced and that since the destruction of this dwelling house there has been only one dwelling house for the use of the whole tract of land and that consequently there has been only one tenant of the whole tract of land in recent years. My information is that the outbuildings and fence on this land are in a dilapidated condition.

9 Q. Will you please state how Margaret W. Wright acquired the real estate you have described?

A. She acquired it under and by virtue of the last will and testament of Pere Wilmer, late of Queen Anne's County, deceased, after the death of Catherine P. Emory, late of said county, deceased, who was left a life estate in it. The said Catherine P. Emory was the said Margaret W. Wright's mother and was my grandmother, being the mother of my mother.

10. Q. Please state the heirs at law and next of kin of the said Margaret W. Wright living at the time of the death of said Margaret W. Wright and which of them, if any have since died, and heirs at law and next of kin of those who have died since the death of Margaret W. Wright, if you know, and which of those, if any, who have died since the death of Margaret W. Wright died testate and which died intestate?

A. Margaret W. Wright was a widow at the time of her death, her husband having predeceased her, and she never married again. She was survived by a brother, Wilmer Emory,

who has since died intestate, and his widow has since died intestate. He was survived by a son, Wilmer Emory, Jr., who is still living, and who was intermarried with Edith Emory, but they have since been divorced absolutely, and he resides in the City of Washington, D. C. , and two daughters, Ida E. Hurst, nee Emory, who was intermarried with Charles Hurst, who is now dead. The said Ida E. Hurst is a widow and resides in Baltimore, Maryland, and Margaret W. Bridgman, who is intermarried with Victor H. Bridgman, and who resides in New Haven, Connecticut; Hampton E. Brown, who is intermarried with Eliza F. Brown, who reside in Queen Anne's County, Maryland; the children of Joel Brown, Jr., who was intermarried with Adelaide Brown, Howard McLane Brown, who has since died intestate and unmarried, Marian W. Wright nee Brown intermarried with William T. Wright, who reside in Brazil, South America and the said Edith C. Brown, child of a sister of the said Margaret W. Wright who predeceased her. The said Joel Brown, Jr., predeceased the said Margaret W. Wright and died intestate, leaving surviving him his widow, Adelaide Brown, and a daughter, Margaret Roberts intermarried with Franklin Roberts, who live and reside in Wyncote, Pennsylvania, and two sons, Madison Brown and Charles W. Brown, who are unmarried and reside in New York, New York, and a daughter, Mildred Brown who has since died in infancy intestate, unmarried and without issue: Charles J. B. Mitchell, who has died since the death of said Margaret W. Wright, unmarried, intestate, and without issue; Edith C. Jones nee Mitchell who was intermarried with J. Courtney Jones, she predeceased the said Margaret W. Wright and was survived by her husband, J. Courtney Jones, who has since departed this life intestate, and three children, two sons, Joseph Courtney Jones, Jr., and Harry Wilmer Jones, both of whom have since departed this life in infancy intestate, unmarried and without issue, and a daughter, Edith C. Jones, who resides in Urbana, in the State of Illinois, M. Ella Mitchell, who has died since the death of said Margaret W. Wright, intestate, unmarried and without issue, H. B. W. Mitchell, myself, F. D. Lee Mitchell and R. Mildred, children of a predeceased sister of Margaret W. Wright, said predeceased sister was Georgis Mitchell nee Emory who died about fifty or sixty years ago.

11 Q. Who was the other predeceased sister you have spoken of, the mother of Joel Brown, Jr., and his brother and sisters?

A. She was Priscilla Brown nee Emory, She died more than fifty years ago.

12 Q. What do you know of the general condition of this tract of land and the improvements thereon, and the income derived from them.

A. I have not been on the farm for a great many years but I have received information that the farms are in a run down condition, that the buildings and fencing are in a dilapidated condition, that it is difficult if not impossible to get a desirable tenant on them or either of them and that the income derived from them for a good many years has been totally insufficient to pay the taxes assessed against them, pay expenses and keep up the improvements.

13. Q. Under all the circumstances do you think it would be for the benefit and to the advantage of all the parties concerned, including the said Edith C. Brown, the life tenant, and those who will ultimately be entitled to said land in fee, for said land to be sold and the proceeds of sale invested under the direction of the Circuit Court for Queen Anne's County, in Equity, to enure to the same parties and in like manner as by the said last will and testament of Margaret W. Wright, deceased, is provided?

A. I certainly do think so.

14 Q. Give reasons for your last answer.

A. Because, as I have stated, I am informed that this tract of land or these farms are in a very run-down condition, that the buildings and fencing is in dilapidated condition, That it is difficult if no impossible to get a desirable tenant for them, that the income derived from them for several years has been totally inadequate to pay the taxes assessed against them and pay the expenses and keep up improvements, and I have been informed that this land has actually been sold for unpaid taxes but that the sale has not been ratified, I, therefore feel sure that if the farms are not sold they will continue to deteriorate and that ultimately they will have little or no value and in that event little or nothing could be derived from them by sale or otherwise for any of the parties concerned.

15 Q. When and where did the said Margaret W. Wright die?

A. She died in Centreville, Maryland, on or about the year nineteen Hundred and eleven.

Examiner's Special Interrogatory?

A. No.

M. Madeleine Davidson

Miss R. Mildred Mitchell, the second witness, of lawful age, after having been duly sworn, deposes and says:

1 Q. State your name, age, and place of residence?

A. R. Mildred Mitchell, 60 years old, residence, Queen Anne's County, Maryland.

2 Q. Do you know the parties to this suit?

A. Yes, I do.

3 Q. Did you know Margaret W. Wright, if so, is she living or dead, and if dead, did she die testate or intestate?

A. Yes, I knew Margaret W. Wright, she is dead, She died testate.

4 Q. Was the said Margaret W. Wright related to you and, if so, how?

A. Yes, the said Margaret W. Wright and my mother were sisters and they were daughters of Catherine P. Emory, late of Queen Anne's County, deceased. The said Margaret W. Wright was my aunt.

5 Q. Are you a party to this suit?

A. Yes, I am one of the plaintiffs,

6 Q. At the time of the death of the said Margaret W. Wright, please state by whom she was survived as her heirs at law and next of kin and if any of those who survived her as her heirs at law and next of kin have since died, state who survived them as their heirs at law and next of kin, and state, if you know, whether those who have since died, if any, died testate or intestate, and state, so far as you know the place of residence of the present surviving heirs at law and next of kin of the said Margaret W. Wright, deceased?

A. Margaret W. Wright was a widow at the time of her death, She was survived by a brother, Wilmer Emory, who has since died intestate, He was a married man at the time of his death. His wife was never married but once. She survived him but has since died intestate. The said Wilmer Emory was survived by a son, Wilmer Emory, Jr., who resides in Washington, D. C. and two daughters, Ida E. Hurst, Who was intermarried with Charles Hurst, who is now dead. The said Ida E. Hurst, is a widow and resides in Baltimore, Maryland, and Margaret W. Bridgman, who is intermarried with Victor H. Bridgman, and they reside in New Haven, Connecticut; Hampton E. Brown, who is intermarried with Eliza F. Brown, who resides in Queen Anne's County, Maryland, the children of Joel Brown,

Jr., deceased, who was intermarried with Adelaide Brown; Howard McLane Brown, Marian W. Wright, intermarried with William T. Wright, and the said Edith C. Brown, who is in Springfield State Hospital, in Carroll County, Maryland, children of Priscilla Brown, a sister of said Margaret W. Wright, who died many years before the said Margaret W. Wright. The said Marian W. Wright and William T. Wright reside in Brazil, South America. The said Joel Brown, Jr. predeceased the said Margaret W. Wright, and is survived by his widow, Adelaide Brown, and a daughter, Margaret Roberts intermarried with Franklin Roberts, who reside in Wyncote, Pennsylvania, and two sons, Madison Brown and Charles W. Brown, and a daughter, Mildred Brown, who has since died in infancy intestate, unmarried and without issue; Charles J. B. Mitchell, who has died since the death of the said Margaret W. Wright, unmarried, intestate and without issue; Edith C. Jones nee Mitchell, who was intermarried with J. Courtney Jones, she predeceased the said Margaret W. Wright and was survived by her husband, J. Courtney Jones, who has since departed this life intestate, and three children, Joseph Courtney Jones, Jr., and Harry Wilmer Jones, both of whom have since departed this life in infancy intestate, unmarried and without issue, and a daughter, Edith C. Jones, who resides in Urbana, Illinois. The said J. Courtney Jones did not leave any issue except the said Edith C. Jones, his two sons, the said Joseph Courtney and Harry Wilmer Jones, having predeceased him; M. Ella Mitchell, who has died since the death of said Margaret W. Wright, intestate, unmarried and without issue; H. B. W. Mitchell, who resides in Queen Anne's County, Maryland F. D. Lee Mitchell, intermarried with Louise S. Mitchell, who reside in Trenton, New Jersey, M. Madeleine Davidson and myself, children of Georgia Mitchell, a deceased sister of said Margaret W. Wright, and who died many years before the said Margaret W. Wright.

7 Q. Are those you have mentioned all of the heirs at law and next of kin of the said Margaret W. Wright, deceased?

A. Yes, they are.

8 Q. Are those you have mentioned all of the parties to this suit?

A. No, Mr. Madison Brown and Mr. Edwin H. Brown, Jr., Committee for the person and Trustees for the management of the property of the said Edith C. Brown, are parties defendant to this suit.

9 Q. When and where did the said Margaret W. Wright die?

A. She died in Centreville, Maryland, in the year nineteen hundred and eleven.

#### Examiner's Special Interrogatory

Do you know, or can you state, any other matter or thing which may be of benefit or advantage to the parties to this cause, or either of them, or that may be material to the subject of this your examination, or the matters in question between the parties? If yea, state the same fully and at large in your answer.

A. No.

R. Mildred Mitchell

Hampton E. Brown, the next and third witness, of lawful age, after having been duly sworn, deposes and says:

By Mr. Mitchell,

1 Q. Please state your name, age and place of residence?

A. My name is Hampton E. Brown, years years old, residence Centreville, Md.

2 Q. Are you a party to this suit and, if so, are you plaintiff or defendant?

A. I am a party plaintiff to this suit.

3 Q. Do you know the other parties to this suit or any of them, if so state which of them you know and whether they are adults or infants and their places of residence, so far as you know?

A. Yes, I know the parties to this suit. They are all adults, My wife, Eliza F. Brown, H. B. W. Mitchell and M. Madeleine Davidson and her sister, R. Mildred Mitchell reside in Queen Anne's County, Maryland, F. D. Lee Mitchell and his wife, Louise S. Mitchell, reside in Trenton, New Jersey, Ida E. Hurst resides in Baltimore, Md., Wilmer Emory, Jr., resides in Washington D. C., Adelaide Brown, Margaret Bridgman and Victor H. Bridgman reside in New Haven, Connecticut, I have heard that Madison Brown and Charles W. Brown, sons of Joel Brown, Jr., deceased, reside in New York City but I do not know this of my own knowledge, Edith C. Brown is in Springfield State Hospital, in Carroll County, Edith C. Jones resides in Urbana, Illinois, Margaret Roberts and Franklin Roberts reside in Wyncote, Pennsylvania, and Madison Brown and Edwin H. Brown, Committee of the person and Trustees for the management of the property of Edith C. Brown, reside in Queen Anne's County, Maryland.

4 Q. Did you know Margaret W. Wright, if so, is she living or dead and, if dead, did she die testate or intestate?

A. Yes, I know Margaret W. Wright, she was my aunt, my mother's sister, she is dead and she died testate.

5 Q. State, if you know, who were the heirs at law and next of kin of the said Margaret W. Wright at the time of her death and who are now her heirs at law and next to kin?

A. Wilmer Emory was one of her heirs at law at the time of her death. He is now dead. He is survived by three children, the said Wilmer Emory, Ida E. Hurst, Margaret Bridgman, intermarried with Victor H. Bridgman, Charles J. B. Mitchell and M. Ella Mitchell, two children of a deceased sister of the said Margaret W. Wright, have died since her death intestate, unmarried and without issue, and they are survived by two brothers and two sisters, children of the same deceased sister, H. B. W. Mitchell, M. Madeleine Davidson, F. D. Lee Mitchell and R. Mildred Mitchell; myself, Marian W. Wright, Edith C. Brown and the children of Joel Brown, Jr., my deceased brother, and Howard McLane Brown; children of Priscilla Brown, a deceased sister of said Margaret W. Wright, my mother, said Priscilla Brown, died about fifty years ago, and she predeceased said Margaret W. Wright, Howard McLane Brown died subsequent to the death of Margaret W. Wright. The said Joel Brown, Jr., predeceased the said Margaret W. Wright intestate survived by his widow, Adelaide Brown, and four children, Margaret Roberts, Madison Brown, Charles W. Brown and Mildred Brown. The said Mildred Brown died in infancy intestate, unmarried and without issue, and Edith C. Jones.

6 Q. Are these all of the heirs at law and next of kin of the said Margaret W. Wright?

A. Yes.

7 Q. Did the said Margaret W. Wright die seized and possessed of any real estate, if so, give brief description of it.

A. Yes, the said Margaret W. Wright at the time of her death owned a tract of land, at that time cultivated as two farms, situated in the Sixth Election District of Queen

Anne's County, on the public road leading from the Centreville \* Starr public road leading from the Centreville- Ruthsburg road to Green Spring School House, adjoining the land of Isaac E. Dolby, the devisees of William McKenney, late of Queen Anne's County, deceased, containing about 557 acres, 2 rods, and 13 perches of land. This land in recent years owing to the dwelling house on one part of it being destroyed by fire, has been so I am advised, cultivated as one farm.

8 Q. What is the general condition of this land?

A According to my information it is in run down condition, poor state of cultivation and the buildings and fencing are dilapidated.

9 Q. What have you to say about the income that is derived from this tract of land, so far as you know?

A I am advised that the income from this tract of land is not sufficient and has not been sufficient for several years to pay the taxes assessed against it and keep up expenses and make repairs, as a consequence I have been advised this land has actually been sold for taxes but understand the sale has not been ratified by the Court.

10. Q. I now hand you paper writing marked " Exhibit No. 2", please state what this is?

A It is a Certified copy of the last will and testament of Pere Wilmer, late of Queen Anne's County, deceased.

The Solicitor for the plaintiffs now hands the paper writing marked " Exhibit No. 2", being a certified copy of the last will and testament of Pere Wilmer, late of Queen Anne's County, deceased, to the Special Examiner and request that it be introduced and filed as evidence and the same is filed in these proceedings as requested and marked " Special Examiner's Exhibit No. 2".

11 Q. Do you or not think under all the circumstances that it is to the advantage of all parties concerned that the said real estate be sold, and the proceeds of sale invested under the direction of the Circuit Court of Queen Anne's County, in Equity, to enure to the same parties and in like manner as by the said last will and testament of Margaret W. Wright, deceased, is provided? Give reasons for your answer?

A. My opinion is that it would be for the benefit and to the advantage of all parties concerned for the said real estate to be sold and the proceeds invested under the direction of the Court to enure to the same parties and in like manner as is provided by the last will and testament of Margaret W. Wright, deceased, and the reason I have this opinion is that from information I have the land is in very bad, run-down condition, buildings and fencing are dilapidated, it is practically impossible to procure a desirable tenant for the land, the land is not bringing in enough revenue to pay taxes and other expenses, the land is continuing to deteriorate in value, and if it is not sold in the near future, in my opinion, there would not be enough left from proceeds of a sale of it, after payment of accumulated taxes, to be of very much benefit to any one.

12 Q. I now hand you paper writing marked " Exhibit No. 3", please state what it is?

A It is a certified copy of the return of the Commission appointed, by the Court to divide the real estate left by Pere Wilmer, late of Queen Anne's County, deceased to Catherine P. Emory for life, and then to her children and the order of the Court finally ratifying the said return.

The solicitor for the plaintiffs now hands the paper writing Marked " Exhibit No. 3" to the Special Examiner to be filed evidence in these proceedings and the same is filed in the proceedings by the Special Examiner and marked by him "Special Examiner's Exhibit No. 3".

13 Q. Do you know, or can you state, any other matter or thing which may be of benefit or advantage to the parties to this cause, or either of them, or that may be material to the subject of this your examination, or the matters in question between the parties: If yea, state the same fully and at large in your answer.

No.

Hampton E. Brown

Edwin H. Brown, Jr., the fourth witness, of lawful age, after having been duly sworn, deposes and says:

By Mr. Mitchell.

1 Q. Please state your name and place of residence?

A Edwin H. Brown, Jr., Centreville, Maryland

2. Q. Are you a party to this suit?

A Yes, as Committee of the person and Trustee for the management of the property of Edith C. Brown, together with Madison Brown, I am a party defendant.

3 Q. Are you qualified to testify as to the value of farm land in Queen Anne's County?

A Yes, I own residential property in Centreville, Md., and an undivided interest in farm land in Queen Anne's County, and as fiduciary I have sold and handled real estate in Queen Anne's County, and feel that I am qualified to testify as to the value of real estate - farm land and residential property in Queen Anne's County,

4 Q. Did you know Margaret W. Wright and, if so, is she living or dead and if dead did she die testate or intestate?

A Yes, I knew her. She is dead and she died testate.

5 Q. What, if any real estate did she seized and possessed of?

A She died seized and possessed of a tract of land, at the time of her death cultivated as two farms, situated in the Sixth Election District of Queen Anne's County, situated on the right hand side of the public road leading from the Centreville,- Starr public road to the road leading from the Centreville- Ruthsburg public road to Green Spring School House.

6 Q. You, together with Mr. Madison Brown, as Committee and Trustees have had the management of the real estate mentioned, have you not?

A Yes, we have.

7 Q. Please state what is the general condition of this real estate and the improvements on it and whether the income derived from it has been sufficient to pay the taxes assessed against it, keep up improvements and pay the expenses of it.

A The land is in a run down condition, the buildings and fencing are in a dilapidated condition - the dwelling house on one of the farms was destroyed by fire several years ago and has not been replaced - it has been partially impossible to get a desirable tenant for this land and the income derived from it for the last several years has been totally insufficient to pay the taxes assessed against it, keep up improvements and make repairs.

8 Q. Are there past due and unpaid taxes assessed against this real estate and, if so,

what has been the result of the taxes not having been paid?

A. Yes, there are past due and unpaid taxes assessed against this land and the land has been sold for taxes but the sale has not been ratified by the Court.

9 Q. Are you related to any of the other parties to this suit?

A. Yes, I am a first cousin to Madison Brown, Esq., who is committee and Trustee with me, and I am first cousin to Dr. Hampton E. Brown and his brothers and sisters. Their father and my father were brothers.

10 Q. Under all the circumstances would it or not in your opinion be for the benefit and to the advantage of all the parties concerned for said land to be sold and the proceeds of sale invested under the direction of the Circuit Court for Queen Anne's County, in Equity, to enure to the same parties and in like manner as by the last will and testament of Margaret W. Wright, late of Queen Anne's County, deceased, is provided? Give reasons for your answer?

A. In my opinion it would be without doubt for the benefit and to the advantage of all the parties concerned for the said real estate to be sold and the proceeds of the sale thereof invested under the direction of the Circuit Court for Queen Anne's County, in Equity, to enure to the same parties and in like manner as is provided by the last will and testament of Margaret W. Wright, late of Queen Anne's County, deceased, because, as I have stated, the land is in a run-down condition, the buildings and fencing are dilapidated, the income derived from said land is totally insufficient to pay taxes assessed against it, keep up improvements and pay expense. We have not been able to get a desirable tenant for this land and unless some disposition of it is made through the interposition of the Court there will be nothing left for any one.

11 Q. In your opinion what is the value of this real estate, consisting of 557 acres, 2 rods and 13 perches of land, more or less?

A. In my opinion, the said land is worth about five thousand dollars.

Special Examiner's Special Interrogatory.

Do you know, or can you state, any other matter or thing which may be of benefit or advantage to the parties to this cause or either of them, or that may be material to the subject of this our examination, or the matters in question between the parties? If yes, state the same fully and at large in your answer.

A. No.

Edwin H. Brown, Jr.

After taking the testimony of Edwin H. Brown, Jr., Esq., the taking of further testimony was postponed at Saturday, September 26th., 1936, at 11 o'clock a.m. and at that time the taking of testimony was resumed at the office of H. B. W. Mitchell, Esq., in Centreville, Md., there being present H. B. W. Mitchell, Esq., Solicitor for the plaintiffs.

Isaac E. Dolby, the next witness, of lawful age, after having been duly sworn, deposes and says:

By Mr. Mitchell,

1 Q. Please state your name, place of residence and business?

A. Isaac E. Dolby, Centreville, Md., I am in the coal business and I manage farms that I own.

2 Q. Do you know the real estate that Margaret W. Wright was seized and possessed of at the time of her death, if so, give brief description of it?

A. At the time of her death she owned a tract of land containing between 500 acres and 600 acres and which at the time of her death was cultivated as two farms but since then the dwelling house on one of these farms has been destroyed by fire and has not been replaced and since then this tract of land has been cultivated as one farm. It is situated in the Sixth Election District of Queen Anne's County on the road leading from the Centreville-Starr road to the road leading from the Centreville - Ruthsburg road to what was formerly known as Green Spring School House. The land is in a run down, condition, part of it that should have been cultivated has been allowed to grow up in bushes, it is in a poor state of cultivation, the buildings and fences are dilapidated.

3 Q. Is it or not difficult to get a desirable tenant for a farm alike this?

A. Yes, it is very difficult.

4 Q. Do you own land adjoining the land you have mentioned as being owned by Margaret W. Wright, deceased, at the time of her death?

A. Yes, I own a farm adjoining it.

5 Q. Do you feel that you are qualified to testify as to the value of farm land in Queen Anne's County?

A. Yes, I own, as I have stated, a farm adjoining this land, a farm in the Second District of Queen Anne's County and residential property in Centreville, Maryland.

6 Q. What in your opinion is the value of the real estate in the Sixth Election District of Queen Anne's County that was owned by Margaret W. Wright at the time of her death.

A. In my opinion, \$5,000.00.

7 Q. Under all the circumstances do you think it would be for the benefit and to the advantage of all the parties concerned for said land to be sold and the proceeds of sale invested under the direction of the Circuit Court for Queen Anne's County, in Equity, to enure to the same parties and in like manner as by the last will and testament of Margaret W. Wright, late of Queen Anne's County, deceased, is provided? Please give reasons for your answer?

A. Yes, I think it would be for the benefit and to the advantage of all parties concerned for the land to be sold and the proceeds invested under the direction of the Court to enure to the same parties and in like manner as is provided by the last will and testament of Margaret W. Wright, deceased, for the reason that the land and the improvements on it are in a run-down condition and it is difficult if not impossible to obtain a desirable tenant for it, a tenant who is able and equipped to cultivate it as it should be cultivated, and from information I have received I understand the income from said land is totally insufficient to pay the taxes assessed against it, pay the expenses and keep up improvements, and if it is left as it is it will continue to depreciate in value.

8 Q. Are you familiar in a general way with the terms and provisions of the last will and testament of Margaret W. Wright, deceased?

A. Yes, I am, I have been certified copy of it. I have heard it discussed and have had it explained to me.

EXAMINER'S SPECIAL INTERROGATORY



Do you know, or can you state, any other matter or thing which may be of benefit or advantage to the parties to this cause, or either of them, or that may be material to the subject of this your examination or the matters in question between the parties? If Yea, state the same fully and at large in your answer.

A No.

Isaac E. Dolby

There being no other witnesses to be examined or further testimony to be taken, and neither party desiring further time for the production of evidence, your Special Examiner makes his return and certifies that he was engaged as such Special Examiner in taking this testimony two days and examined five witnesses, making the costs chargeable in these proceedings:

Richard T. Earle, Special Examiner ,	-----	\$8.00
M. Madeleine Davidson, Witness,	-----	.75
R. Mildred Mitchell, Witness	-----	.75
Hampton E. Brown, Witness	-----	.75
Isaac E. Dolby , Witness	-----	.75
Edwin H. Brown, Jr., Esq. Witness ,	-----	.00
		8.00

Richard T. Earle  
Special Examiner

Filed Sept. 26th 1936.

.....  
DECREE  
Filed Nov. 21st 1936

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY,  
IN EQUITY.

Hampton E. Brown, Elixia Brown, Adelaide Brown, H. B. W. Mitchell, M. Madeine Davidson F. D. Lee Mitchell, Louise S Mitchell, R. Mildred Mitchell, Margaret Roberts, J. Franklin Roberts, Madison Brown, Charles W. Brown and Edith C. Jones, plaintiffs,  
vs  
Edith C. Brown, and Madison Brown and Edwin H. Brown, Jr., Committee of her person and Trustees for the management of here property: Ida E. Hurst, Eilmer Emory, Margæet W. Bridgman and Victor H. Bridgman, defendants.

FINAL DECREE

This cause standing ready for hearing and being submitted without argument, all the proceedings and testimony were read and considered.

It is thereupon, this 21st day of November in the year nineteen hundred and thirty six, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, adjudged, ordered, and decreed that the property mentioned in these proceedings be sold; that H. B. W. Mitchell, of Queen Anne's County, Maryland, be, and he is hereby appointed Trustee to make said sale, and that the course and manners of his proceedings shall be as follows: He shall first file with the Clerk of this Court as bond to the State of Maryland, executed by himself and a surety or sureties, to be approved by this Court or the Clerk thereof, in the penalty of Five Thousand Dollars if corporate security to given, otherwise in double said amount conditioned for the faithful performance of the trust reposed in him by this decree, or to be reposed in him by any future decree or order in the premises; he shall then proceed to make the said sale, having given at least three weeks previous notice by advertisement, inserted in a newspaper or newspaper published in Queen Anne's County, Maryland, and such other notice as he shall think proper, of the time, place, manner and terms of sale which terms shall be one third cash, one third in six months and one third in one year from day of sale, or all cash at the option of the purchaser or purchasers, the credit portions to bear interest and to be secured to the satisfaction of the Trustee, and, as soon as may be convenient after such sale or sales, the said Trustee shall return to this Court a full and particular account of his proceedings relative to such sale, with an annexed affidavit of the truth thereof and of the fairness of said sale; and, on obtaining the Court's ratification of the sale, and on the payment of the whole purchase money (and Not before), the said Trustee shall, by a good and sufficient deed, to be executed, acknowledged and recorded according to law, convey to the purchaser or purchasers, his her or their heirs, the property and estate to him, her or them sold, free, clear and discharged from all claim of the parties hereto, plaintiff and defendant, and those claiming by, from or under them, or either of them, and the said Trustee shall bring into this Court the money arising from said sale, to be re-invested or distributed according to law under the direction of this Court, after deducting the costs of this suit and such commission to the said Trustee as this Court shall think proper to allow in consideration of the skill, attention and fidelity wherewith he shall appear to have discharged his trust.

Thos. J. Keating

Filed November 21st 1936

REPORT OF SALE  
Filed May 24th 1937

Hampton E. Brown, et al  
vs  
Edith C. Brown, et al

In the Circuit Court for  
Queen Anne's County, in  
Equity No. 3081

To the Honorable, the Judges of said Court:

The report of H. B. W. Mitchell, Trustee under the decree passed on the 21st day of November, 1936, in the aforesaid cause to make sale of the property mentioned in said decree, to your Honors respectfully set forth:

That after giving notice of the time, place, manner and terms of sale in The Queen Anne's Record- Observer, a newspaper printed and published in Queen Anne's County, State of Maryland, for more than four weeks previous to the day of sale, and after filing an approved bond for the faithful performance of his trust, said Trustee did attend in front of the Court House Door in Centreville, Maryland, at the hour of 1.30 o'clock p.m., Tuesday February 9th, 1937, and offered at public auction, first, all that farm and tract of land known as "Marl Hill", adjoining the land of the devisees of William McKenney, deceased, the land of H. B. W. Mitchell and the tract of land hereinafter described, containing 303.23 acres of land, more or less, and second, all that farm or tract of land known as the "Chance Farm" adjoining the land of Isaac Dolby and the land herein first above described, containing 254.3 acres of land, more or less, and after having offered said two tracts of land separately and having received bids of not more than fifteen hundred dollars in the aggregate for both of said tracts of land, your Trustee offered the said tracts of land as a whole, and described as situated in the Sixth Election District of Queen Anne's County, Maryland, on the southeast side of the public road leading from Starr- Centreville road to the Ruthsburg- Starr road, of which Margaret W. Wright, late of Queen Anne's County, deceased, died seized and possessed, and containing 557 acres, 2 roods and 13 perches of land, more or less, and after the Auctioneer has cried the sale of said land for some time and only twenty five hundred dollars was bid therefor ( for the whole tract) your Trustee withdraw the same and made public statement at the time that said land could be bought at private sale.

That your Trustee after talking with numerous persons who he thought might be interested in said land and might be induced to purchase, it, has sold said tract of land as a whole, containing 557 acres, 2 roods and 13 perches, more or less to Handy Robinson and J. Fletcher Clark, at and for five thousand dollars they being the highest bidders and their bid being the highest bid he has had, for said land, either in separate parcels or as a whole, and this being more than he has been offered for said land by any body else although he has had other offers, Said Handy Robinson and J. Fletcher Clark have paid one thousand dollars on account of the purchase money and your Trustee feels satisfied they will comply with their terms of sale as prescribed by the decree. It is understood that the vendees are to have the privilege of cutting certain timber from said tract of land, provided, that the entire proceeds from timber and lumber sold from said land are to be paid to your Trustee to be applied on account of payment of the purchase money, and other lumber cut from said land is to be used to repair the buildings on said land, and the vendees are to pay all taxes assessed against said land for the year nineteen hundred and thirty seven.

All of which is respectfully submitted,

H. B. W. Mitchell

State of Maryland, Queen Anne's County, to wit:

I hereby certify that on this 24th day of May, 1937, before me the subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared H. B. W. Mitchell, Trustee, and made oath that the matters and things stated in the within and foregoing report of sale were true as therein set forth and that the sale was fairly made.

Wm. H. Carter  
Clerk of the Circuit Court  
for Queen Anne's County.

Filed May 24th 1937

CERTIFICATE OF ADVERTISEMENT  
Filed May 24th 1937

TRUSTEES SALE OF REAL ESTATE.

Under and by virtue of a decree of the Circuit Court for Queen Anne's County, in Equity, the undersigned will sell at public sale in front of the Court House door in Centreville, Maryland, on TUESDAY, FEB, 9, 1937 beginning at 1:30 o'clock P. M. all those two farms and tracts of land commonly known as the "Collins Wright Farms" situated in the Sixth Election District of Queen Anne's County, on the southeast side of the public road leading from Starr- Centreville road to the Ruthsburg-Starr road, of which Margaret W. Wright, late of Queen Anne's County, deceased, died, seized and possessed, and which were devised by her to Edith C. Brown for and during her natural life and described as follows:

FIRST, all that farm and tract of land known as "Marl Hill" adjoining the land of the devisees of William McKenney, deceased, the land of H. B. W. Mitchell and the tract of land hereinafter described, containing 303.28 acres of land more or less. The woodland of this farm extends to the Centreville Starr road.

SECOND, All that farm or tract of land known as the "Chance Farm" adjoining the land of Isaac Dolby and the land herein first above described, containing 254.3 acres of land, more or less.

The last mentioned farm is improved by a frame dwelling house and out-buildings and the first mentioned farm is improved by stable with loft above. The

dwelling having been destroyed by fire.

These two tracts of land will first be offered separately and when as a whole and will be sold in the way they bring the most money.

TERMS OF SALE AS prescribed by the Decree: One third of the purchase money to be paid in cash at the time of the sale and the balance in two equal installments of six and twelve months from day of sale. Deferred payments to bear interest from day of sale and to be secured by the notes of the purchaser or purchasers to the satisfaction of the undersigned. Title papers and revenue stamps to be at the expense of the purchaser.

H. B. W. Mitchell  
Trustee

QUEEN ANNE'S RECORD - OBSERVER  
Centreville, Md. May 24, 1937

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO hereby certifies that the Trustees Sale of Real Estate in the case of H. B. W. Mitchell, Trustee, a true copy of which is hereto annexed, was inserted in the QUEEN ANNE'S RECORD \* OBSERVER a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week for four successive weeks the first publication thereof having been made in said newspaper on the 14th day of January 1937, being more than twenty days before the ninth day of February 1937

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO.  
By Bertha G. Durney

.....  
N I S I  
Filed May 24, 1937

N I S I

Hampton C. Brown, et al           X           In the Circuit Court for  
  X           Queen Anne' s County, in Equity  
  O  
  X  
Edith E. Brown, et al           X           Chancery No. 3081

ORDERED, This 24th, day of May A. D. 1937, that the sale of the real estate made and reported in this cause by H. B. W. Mitchell, Trustee be ratified, and confirmed, unless cause to the contrary thereof be shown on or before the 28th day of July next; provided a copy of this order by inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 28th day of June next.

The Report states the amount of sales to be \$5,000.

William H. Carter Clerk

Filed May 24, 1937.

.....  
CERTIFICATE OF NISI  
Filed Nov 2, 1937

NISI

Hampton E. Brown , et al       O           In the Circuit Court for Queen Anne's  
  O           County, in Equity.  
  X  
Edith C. Brown, et al       X           Chancery No. 3081

ORDERED, This 24th day of May A. D. 1937, that the sale of the real estate made and reported in this cause by H. B. W. Mitchell, Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 28th day of July next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 28th day of June next.

The Report states the amount of sales to be \$5,000.

WILLIAM H. CARTER, Clerk

True Copy  
Test:

WILLIAM H. CARTER, Clerk

Filed May 24, 1937.

QUEEN ANNE'S RECORD OBSERVER  
Centreville, Md. November 2, 1937

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO. hereby certifies that the Order Nisi in the case of Hampton E. Brown, et al vs Edith C. Brown, et al a true copy of which is hereto annexed, was inserted in the QUEEN ANNE'S RECORD - OBSERVER, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week for four successive weeks the first publication thereof having been made in said newspaper on the 24th day of May 1937, being more than four weeks before the 28th day of June 1937.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING CO.  
By Bertha G. Durney

Filed Nov. 2, 1937.

ORDER OF COURT:  
Filed Nov. 3rd. 1937

ORDERED, by the Circuit Court for Queen Anne's County, in Equity, this 3rd day of November, in the year 1937, that the sale of the real estate made and reported by H. B. W. Mitchell, Trustee, in the aforesaid cause of Hampton E. Brown et al vs. Edith C. Brown, et al., No. 3081 in this Court, be, and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, although due notice appears to have been given as required by the preceding order nisi. The Trustee is allowed the usual commissions and all expenses not personal, upon producing vouchers therefor before the Auditor.

J. Owen Knotts  
Judge.

Filed Nov. 3rd, 1937.

PETITION OF THE COUNTY COMMISSIONERS  
OF QUEEN ANNE'S COUNTY, ET AL.,  
FOR ORDER FOR PAYMENT OF TAXES.  
Filed Dec. 9th 1937.

HAMPTON E. BROWN, ET AL : IN THE CIRCUIT COURT FOR QUEEN  
VS : ANNE'S COUNTY, IN EQUITY.  
EDITH C. BROWN, ET AL : CHANCERY CAUSE NO. 3081

TO THE HONORABLE, THE JUDGES OF SAID COURT:-

The Petition of The County Commissioners of Queen Anne's County, a municipal corporation of the State of Maryland, and J. William Keith, County Treasurer for Queen Anne's County, unto your Honors respectfully represents:

1. That your Petitioner, The County Commissioners of Queen Anne's County was at all times hereinafter mentioned and now is, a municipal corporation existing under the law of the State of Maryland.
2. That your Petitioner, J. William Keith, is the duly elected and present County Treasurer for Queen Anne's County.
3. That, as will appear fully from the proceedings in this Cause, on or about the year 1911, one Edith Catherine Brown of Queen Anne's County, under and by virtue of the last will and testament of one Margaret W. Wright, became seised and possessed of a life estate in and to the real estate and property in these proceedings mentioned and described, and on or about said time this said property became assessed in the name of the said Edith Catherine Brown for purposes of taxation.
4. That the life estate of the said Edith Catherine Brown, in and to the aforesaid property came under the control of this Court on or about the 14th day of January, 1925, as will appear by the proceedings in this Court entitled " In the Matter of the Lunacy of Edith Catherine Brown," being Chancery Cause No. 2581, being a proceedings instituted on behalf of the said Edith Catherine Brown, non compos mentis, and by the Decree of this Court passed on January 14th, 1925, in said Cause No. 2581, Edwin H. Brown, Jr., and Madison Brown were appointed the Committee of the said Edith Catherine Brown, n,c,m, and so qualified as such Committee on or about the 15th day of April, 1925.
5. That it appears as a matter of fact and from the depositions taken in this Cause that no sufficient proceeds, funds or revenues came into the hands of the said Committee of Edith Catherine Brown to pay the State, County and School taxes levied upon and payable in respect of said property for the years 1930, 1931, 1932, 1933, 1934, 1935 and 1936.
6. That on the 21st day of November, 1936, by a Decree of this Court in these proceedings, H. B. W. Mitchell was appointed Trustee to sell in the aggregate all the qualified interests in said real estate and property in these proceedings mentioned and described, and, after duly qualifying as said Trustee, the said H. B. W. Mitchell, acting pursuant to said decree, did, on or about the 24th day of May, 1937, sell said real estate and property in these proceedings at private sale for \$5,000.00, as will fully appear by the Report of Sale filed in these proceedings, and has received in hand on account of the purchase price the approximate sum of \$13,00.00, and proper security for the unpaid balance of the purchase price.
7. That the State, County and School taxes with accrued interest thereon to the date of the filing of this Petition for the years 1930, 1931, 1932, 1933, 1934, 1935, and 1936, totally the sum of \$982.41 have not been entirely paid.
8. That on November 2nd., 1937, the said H. B. W. Mitchell, Trustee, paid to the County Commissioners of Queen Anne's County the arrearage taxes and accrued interest thereon on the aforesaid property for the years 1933 and 1934 in the sum of \$209.96.
9. That on December 8th. 1937, the said H. B. W. Mitchell, Trustee, paid to J. William Keith, County Treasurer for Queen Anne's County, the arrearage taxes and accrued interest thereon on the aforesaid property for the years 1935 and 1936 in the sum of \$206.52.

10. That of the total of \$982.41 arrearage taxes and accrued interest thereon due and payable for the years 1930, 1931, 1932, 1933, 1934, 1935 and 1936, the said H. B. W. Mitchell, Trustee, has paid the sum of \$416.48 ( being the total of the sums set forth in Paragraph 8 and 9 of this Petition) on account, covering as aforesaid the years 1933 and 1934, and the years 1935 and 1936, leaving still due and unpaid the sum of \$565.93, which balance of \$565.93 represents the total now due for taxes in arrears and accrued interest thereon for the years 1930, 1931, and 1932. All of which will fully appear by the itemized statement filed herewith marked " Petitioners'

Exhibit A", and prayed to be taken as part hereof.

11. That your Petitioners are informed that the said H. B. W. Mithcell, Trustee, has in his possession as Trustee in this Cause more then sufficient funds arising from the sale of the aforesaid real estate to pay the balance of \$565.93 due for the State, County and School tacies levied upon and payable in respect of said property for the years 1930, 1931, and 1932.

12. That your Petitioners hereby make application to this Court to order payment of taxes due on the property mentioned and described in these proceedings for the years 1930, 1931, and 1932, which taxes in arrears and accufed interest thereon to the date of the filing of this Petition total the sum of \$565.93.

TO THE END THEREFORE:

1. That H. B. W' Mitchell, Trustee in this Cause, be ordered by this Court to pay to your Petitioners from the funds in his hands and taxes and the accrued interest thereon due on and levied upon the real estate and property mentioned and described in these proceedings for theyear 1930, 1931 and 1932 as aforesaid.

2. That your Petitioners may have such other and further relief as their cas may require,

And as in duty bound, etc.,

JOHN PALMER SMITH  
Solicitor for Petitoners

State of Maryland, Queen Anne's County, to wit:-

I hereby certify that on this 9th day of December, 1937, before the Subscriber, Clerk of the Circuit Court for Queen Anne's County, Personally appeared J. Elmer Larrimore, Clerk to the Board of County Commissioners of Queen Anne's County, and Dorothy Keith, Deputy County Treasurere for Queen Anne's County, and did each make oath in due form of law that the matters and things above set forth in the aforegoig Petition to be true as therein stated to the best of their respective knowledge and belief.

WM. H. Carter  
Clerk of the Court.

Filed Dec. 9th, 1937.

.....  
PETITIONER'S EXHIBIT "A"  
Filed Dec. 9th 1937

TO QUEEN ANNE'S COUNTY , AND  
J. WM. KEITH, TREASURER

Edith Catherine Brown  
% H. B. W. Mitchell, Trustee  
Centreville, Maryland.

1930 Taxes, interest & Costs to 1/1/38-----	\$200.19	
1931 Taxes, interest & Costs to 1/1/38-----	\$193.24	
1932 Taxes, interest & Costs to 1/1/38-----	\$172.50	
1933 & 1934 Taxes, interest & Costs to 1/1/37-	\$209.96	
1935 & 1936, Taxes, interest & Costs to 1/1/38-	\$206.52	
Total:		\$982.41
Credit		
Nov. 2 1933 & 1934 Taxes, interest & Cost paid	-----\$209.96	
Dec. 8 1935 & 1936 Taxes, interest & Cost paid	-----\$206.52	\$416.48
Balance Due-----		\$565.93

.....  
ORDER OF COURT:  
Filed Dec. 10th 1937

ORDER OF COURT

ORDERED, This 10th day of December, 1937, by the Circuit Court for Queen Anne's County, in Equity, upon/aforegoing Petition, that H. B. W. Mitchell, Trustee in these proceedings, show cause, on or before the 31st day of December, 1937, why the prayer of the aforegoing Petition should not be granted ; provided a copy of this Petition and Order be served on the said H. B. W. Mitchell, Trustee, on or before the 13th day of December, 1937.

J. Owen Knotts  
Judge.

Filed December 10th, 1937.

.....  
COPY OF THE PETITION OF THE COUNTY  
COMMISS OF QUEEN ANNE'S CO. ET AL  
FOR ORDER FOR PAYMENT OF TAXES TO BE SERVED  
ON H. B. W. MITCHELL, TRUSTEE.  
Filed Dec. 10th, 1937

Hampton E. Brown, et al : In the Circuit Court for  
:   
vs : Queen Anne's County, in Equity.  
:   
Edith C. Brown, et al. : Chancery Cause No. 3081

TO THE HONORABLE, THE JUDGES OF SAID COURT:-

The Petition of The County Commissioners of Queen Anne's County, a

municipal corporation of the State of Maryland, and J. William Keith, County Treasurer for Queen Anne's County, unto your Honors respectfully represents:

1. That your Petitioner, The County Commissioners of Queen Anne's County was at all times hereinafter mentioned and now is a municipal corporation existing under the laws of the State of Maryland.
2. That your Petitioner, J. William Keith, is the duly elected and present County Treasurer for Queen Anne's County.
3. That, as will appear fully from the proceedings in this Cause, on or about the year 1911, one Edith Catherine Brown of Queen Anne's County, under and by virtue of the last will and testament of one Margaret W. Wright, became seised and possessed of a life estate in and to the real estate and property in these proceedings mentioned and described, and on or about said time this said property became assessed in the name of the said Edith Catherine Brown for purposes of taxation.
4. That the life estate of the said Edith Catherine Brown, in and to the aforesaid property came under the control of this Court on or about the 14th day of January, 1925, as will appear by the proceedings in this Court entitled "In the Matter of the Lunacy of Edith Catherine Brown", being Chancery Cause No. 2581, being a proceeding instituted on behalf of the said Edith Catherine Brown, non compos mentis, and by the Decree of this Court passed on January 14th., 1925, in said cause No. 2581, Edwin H. Brown, Jr., and Madison Brown were appointed the Committee of the said Edith Catherine Brown, n.c.m., and so qualified as such Committee on or about the 15th day of April, 1925.
5. That it appears as a matter of fact and from the depositions taken in this Cause that no sufficient funds or revenues came into the hands of the said Committee of Edith Catherine Brown to pay the State, County and School taxes levied upon and payable in respect of said property for the years 1930, 1931, 1932, 1933, 1934, 1935 and 1936.
6. That on the 21st day of November, 1936, by a Decree of this Court in these proceedings, H. B. W. Mitchell was appointed Trustee to sell in the aggregate all the qualified interests in said real estate and property in these proceedings mentioned and described, and, after duly qualifying as said Trustee, the said H. B. W. Mitchell, acting pursuant to said decree, did, on or about the 24th day of May, 1937, sell said real estate and property in these two proceedings at private sale for \$5,000.00, as will fully appear by the Report of Sale filed in these proceedings, and has received in hand an account of the purchase price the approximate sum of \$1800.00, and proper security for the unpaid balance of the purchase price.
7. That the State, County and School taxes with accrued interest thereon to the date of the filing of this Petition for the years 1930, 1931, 1932, 1933, 1934, 1935, and 1936, totalling the sum of \$982.41 have not been entirely paid.
8. That on November 2nd, 1937, the said H. B. W. Mitchell, Trustee, paid to the County Commissioners of Queen Anne's County the arrearage taxes and accrued interest thereon on the aforesaid property for the years 1933 and 1934 in the sum of \$209.96.
9. That on December 8th. 1937, the said H. B. W. Mitchell, Trustee, paid to J. William Keith, County Treasurer for Queen Anne's County, the arrearage taxes and accrued interest thereon on the aforesaid property for the years 1935 and 1936 in the sum of \$206.52.
10. That of the total of \$982.41 arrearage taxes and accrued interest thereon due and payable for the years 1930, 1931, 1932, 1933, 1934, 1935 and 1936, the said H. B. W. Mitchell, Trustee, has paid the sum of \$416.48 (being the total of the sums set forth in Paragraph 8 and 9 of this Petition) on account, covering as aforesaid the years 1933 and 1934, and the years 1935 and 1936, leaving still due and unpaid the sum of \$565.93, which balance of \$565.93 represents the total now due for taxes in arrears and accrued interest thereon for the years 1930, 1931, and 1932, All of which fully appear by the itemized statement filed herewith marked "Petitioners Exhibit A", and prayed to be taken as part hereof.
11. That your Petitioners are informed that the said H. B. W. Mitchell, Trustee, has in his possession as Trustee in this Cause more than sufficient funds arising from the sale of the aforesaid real estate to pay the balance of \$565.93 due for the State, County and School taxes levied upon and payable in respect of said property for the years 1930, 1931 and 1932.
12. That your Petitioners hereby make application to this Court to order payment of the taxes due on the property mentioned and described in these proceedings for the years 1930, 1931, and 1932, which taxes in arrears and accrued interest thereon to the date of the filing of this Petition total the sum of \$565.93.

TO THE END THEREFORE:-

1. That H. B. W. Mitchell, Trustee in this Cause, be ordered by this Court to pay to your Petitioners from the funds in his hands the taxes and the accrued interest thereon due on and levied upon the real estate and property mentioned and described in these proceedings for the years 1930, 1931 and 1932 as aforesaid.
2. That your Petitioners may have such other and further relief as their case may require.

And as in duty bound, etc.,

John Palmer Smith  
Solicitor for Petitioners.

State of Maryland, Queen Anne's County, to wit:-

I hereby certify, that on this 9th day of December, 1937, before the subscriber, Clerk of the Circuit Court for Queen Anne's County, personally appeared J. Elmer Larrimore, Clerk to the Board of County Commissioners of Queen Anne's County, and Dorothy Keith, Deputy County Treasurer for Queen Anne's County, and did each make oath in due form of law that the matters and things above set forth in the foregoing Petition to be true as therein stated to the best of their respective knowledge and belief.

Wm. H. Carter  
Clerk of the Court.

Filed Dec. 9th 1937

ORDER OF COURT:

ORDERED, this 10th day of December, 1937, by the Circuit Court for Queen Anne's County, in Equity, upon the foregoing Petition, that H. B. W. Mitchell, Trustee,

in these proceedings, show cause, on or before the 31st day of December, 1937, why the prayer of the aforesaid Petition should not be granted; provided a copy of this Petition and Order be served on the said H. B. W. Mitchell, Trustee, on or before the 13th day of December, 1937.

J. Owen Knotts  
Judge

Filed December 10th 1937

True Copy  
Test: William H. Carter

.....  
DEMURRER AND EXCEPTIONS  
Filed Dec. 27th., 1937

Hampton E. Brown, et al : In the Circuit Court for Queen  
vs : Anne's County, In Equity,  
Edith C. Brown, et al : No. 3081.

The demurrer and exceptions of H. B. W. Mitchell, trustee of this cause, to the petition filed herein by the County Commissioners, a municipal corporation, seeking to have paid to petitioner out of proceeds of sale of this cause taxes claimed to have been assessed against the land sold but not paid.

To the Honorable, the Judges of said Court:

The petition mentioned is based upon an account of the petitioner against Edith C. Brown marked "Exhibit A." filed with the petition as part of the same.

DEMURRER

H. B. W. Mitchell, the trustee, demurs to that part of said exhibit which relates to the taxes of years 1933, 1934, 1935 and 1936, and says that the said exhibit so far as the same relates to taxes for said years is insufficient in law for the reason that said Exhibit contains a charge against Edith C. Brown for taxes of the years mentioned in the sum of \$416.48 and at the same time gives her credit for the payment of the same taxes in the sum of \$416.48 so that the charge and credit mentioned balance each other resulting in no claim and an absurdity.

And for the further reason that the petition states that the taxes for the years 1933, 1934, 1935 and 1936 have been paid.

EXCEPTIONS

H. B. W. Mitchell, the Trustee, excepts to said Exhibit and states that the same is insufficient in law for the following reasons, to wit:

1. Because said Exhibit does not state what properties have been assessed in the name of Edith C. Brown nor the amount of the assessments thereof.
2. Because said Exhibit states that
 

(A) 1930 taxes, interest and costs to January 1, 1938,	
to be the arbitrary sum of	\$219.19
(B) 1931 taxes, interest and costs to January 1, 1938,	
to be the arbitrary sum of	193.24
(C) 1932 taxes, interest and costs to January 1, 1938	
to be the arbitrary sum of	172.54

 without stating what part of said sums represent taxes, what part of said sums represent interest and without stating what part of said sums represent costs.
3. Because said Exhibit does not state what part of 1930 taxes, what part of 1931 taxes nor what part of 1932 taxes charged therein represent taxes levied as state taxes for the benefit of the State of Maryland and therefore does not state.
  - (a) When state taxes included in said sums became due
  - (b) Does not state when state taxes included in said sums began to bear interest.
  - (c) Does not show how much interest nor what manner of interest is included in the charge of "Interest on State Taxes".
4. Because said Exhibit does not state what part of the taxes charged therein for years 1930, 1931, and 1932 represent taxes levied against the property of the said Edith C. Brown for county taxes for use of Queen Anne's County and therefore does not give necessary information
  - (a) to show when said county taxes were levied,
  - (b) to show when said county taxes became due,
  - (c) to show when the county taxes began to bear interest under the law of Maryland.
5. Because said Exhibit does not state what costs and what manner of costs are included in the charge of "Costs" made in Exhibit.
6. And this Trustee respectfully suggests to the Court that if the petitioner desires the payment by this trustee of any taxes levied against said Edith C. Brown claimed to be unpaid out of the sales of this cause, the petitioner should file as the basis of its claim an itemized tax account.
  - (a) showing the property assessed in the name of said Edith C. Brown
  - (b) showing the amount of the assessment for taxation of each piece of property which may be assessed to her.
  - (c) showing the amount of state taxes levied against each separate property assessed to her for each of the years 1930, 1931, and 1932.
  - (d) showing when the state taxes so assessed began to bear interest under the law,
  - (e) showing the amount of county taxes levied against each separate property assessed to her for each of the years 1930, 1931 and 1932,
  - (f) showing when the county taxes became due under the law,
  - (g) showing when the county taxes began to bear interest under the law of Maryland,
  - (h) showing what costs and what manner of costs are legally and properly chargeable against said Edith C. Brown relative to her taxes.
7. And this Trustee further suggests that until a proper account of said taxes claimed to be unpaid has been made the basis of said petition he cannot meet the requirements of "THE SHOW CAUSE ORDER" passed by the Court on said petition nor make defense, if any there be, to the claims of the petitioner.

Respectfully submitted,

H. B. W. Mitchell  
Trustee,

State of Maryland, Queen Anne's County, to wit:

I hereby certify that on this 27th day of December, in the year nineteen hundred and thirty seven, before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared H. B. W. Mitchell, Trustee, and made oath that the matters and things stated in the within and foregoing demurrer and exceptions were true to the best of his knowledge and belief and at the same time made oath that said demurrer and exceptions are not filed for the purpose of delay.

Wm. H. Carter  
Clerk of the Circuit Court for  
Queen Anne's County,

RESPONSE TO EXCEPTIONS  
Filed Jan 11th, 1938

HAMPTON E. BROWN, ET AL : IN THE CIRCUIT COURT FOR  
VS : QUEEN ANNE'S COUNTY, IN EQUITY  
EDITH C. BROWN, ET AL. : CHANCERY NO. 3081

TO THE HONORABLE, THE JUDGES OF SAID COURT:-

The Response of The County Commissioners of Queen Anne's County, Maryland, to the Exceptions filed by H. B. W. Mitchell, Trustee, on December 27th, 1937, to the Exhibit attached to the Petition filed by your Respondent:

Your Respondent files herewith Supplementary Itemized Exhibit which sets forth and answers in detail all the matters and questions raised in the aforementioned Exceptions.

Your Respondent prays that this Supplementary Itemized Exhibit copy of which has been delivered to the Exceptant by your Respondent, be accepted as part of its original Petition,

And as in duty bound, etc.,

JOHN PALMER SMITH  
Solicitor for The County Commissioners  
of Queen Anne's County.

SUPPLEMENTARY ITEMIZED EXHIBIT  
Filed Jan. 11th, 1938

Edith Catherine Brown, (c/o Edwin H. Brown, Jr., and Madison Brown, Centreville, Md., Trustees of Edith Catherine Brown, non compos mentis.)

To  
The County Commissioners of Queen Anne's County, Maryland,

Statement of State and County taxes levied upon and due and in arrears for the years 1930, 1931, and 1932 on the property described below and assessed in the name of Edith Catherine Brown.

Assessment  
\$3,800.00 on 280 acre farm near Grasonville, School; Adjacent to Walnut Ridge in the 6th Election District of Queen Anne's County, Maryland.  
\$4,250.00 on 280 acre farm near Greenville School House on back road; Adjacent to Isaac E. Dolby, in the 6th Election District of Queen Anne's County, Maryland.

Year 1930	County Taxes	State Taxes	Total Taxes	Int, on Co. Taxes	Int. on State Taxes	Costs	Sub-total	Total Due
Assessment	(Rate \$1.50 per \$100.)	(Rate 25¢ per \$100.)		from 9/1/30 to 1/1/38	from 10/1/30 to 1/1/38			
\$3,800.00	\$57.00	\$ 9.50	\$66.50	\$24.51	\$4.09	6---	\$95.10	
\$4,250.00	63.76	10.64	74.40	27.42	4.57		106 38	\$201.48

Note: All taxes levied on or before June 15th, 1930, the date of finality. All taxes due September 1st, 1930. Interest charged on State Taxes after Oct. 1st, 1930. County Taxes is arrears January 1st, 1931, and interest charged after January 1st, 1931 from September 1st, 1930.

Year 1931	County Taxes	State Taxes	Total Taxes	Int, on Co. Taxes	Int, on State Taxes	Costs	Sub-total	Total Due
	(Rate \$1.50 per \$100.)	(Rate 25¢ per \$100.)		from 9/1/31 to 1/1/38	from 10/1/31 to 1/1/38			
\$3,800.00	\$57.00	\$9.50	\$66.50	21.09	\$3.52	.50	\$91.11	
	63.76	10.64	74.40	23.59	3.93	.50	102.42	\$193.53

Note: All taxes levied on or before June 15th, 1931, the date of finality. All taxes due Sept. 1st, 1931. Interest charged on State Taxes after Oct. 1st, 1931. County Taxes in arrears Jan 1st, 1932, and interest charged after January 1st, 1932, from Sept. 1st, 1931.

Year 1932	County Taxes	State Taxes	Total Taxes	Int, on Co. Taxes	Int, on State Taxes	Costs	Sub-total	Total Due
	(Rate \$1.37 per \$100.)	(Rate 25¢ per \$100.)		9/1/32 to 1/1/38	from 10/1/32 to 1/1/38			
\$3,800.00	\$52.06	\$9.50	\$61.56	\$16.14	\$2.95	.50	\$81.15	
\$4,250.00	58.23	10.63	68.86	18.05	3.30	.50	90.71	171.86

Note: All taxes levied on or before June 15th, 1932, the date of finality.



All taxes due September 1st, 1932. Interest charged on State Taxes after October 1st, 1932. County Taxes in arrears Jan 1st, 1933, and interest charged after Jan . 1st, 1933, from Sept, 1st, 1932.  
Grand total due ..... \$566.87

ANSWER OF H. B. W. MITCHELL  
Filed Feb. 26th, 1938

Hampton E. Brown, et al : In the Circuit Court for Queen  
vs : Anne's County, In Equity  
Edith C. Brown, et al : No. 3081

To the Honorable, the Judges of said Court:

The answer of H. B. W. Mitchell, the Trustee of the above entitled cause, to the petition of the County Commissioners of Queen Anne's County, filed in said cause December 19th, 1937, and to the supplemental statement filed by said petitioner on January 11th, 1938, in explanation of said petition, unto your Honrs respectfully sets forth:

That at the time the taxes described in said petition and supplemental statement were levied, the following law of the State of Maryland was in force, to wit;

" All state, county or city taxes of every kind for which no other period of limitations is prescribed by law shall be collected within four years after they shall have become due or else shall be utterly barred, And no such taxes shall be assessed or collected after such period."

Article 81 of Code of Public General Laws of Maryland, Section 151, Title Revenue and Taxes, Sub-title- Limitations.

That the state and count taxes alleged to have been levied against the property described in this cause for the year 1930 according to the statement became due September 1, 1930 and the same according to said petition were not collected within four years from that , date and have not been collected and this respondent states that the same cannot now be collected because of the law above set forth.

That the state and count taxes alleged to have been levied against the property described in this cause for the year 1931 according to the statement became due September 1, 1931, and the same according to said petition were not collected within four years from that date and have not been collected and this respondent states that the same cannot now be collected because of the law above set forth.

That the state and county taxes alleged to have been levied against the property described in this cause for the year 1932 according to the statement became due September 1, 1932, and the same according to the said petition were not collected within four years from that date and have not been collected and this respondent states that the same cannot now be collected because of the law above set forth.

That the only period of limitation prescribed by law in reference to the taxes of the years 1930, 1931, and 1932 is that period of limitation contained in the above quoted law.

Respectfully submitted

H. B. W. Mitchell, Trustee  
Respondent.

State of Maryland, Queen Anne's County, to wit:

I hereby certify that on this 26th day of February, 1938, before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County personally appeared H. B. W. Mitchell, Trustee, and made oath that the matters and things set forth in the foregoing answer were true as therein set forth to the best of his knowledge and belief.

Wm. H. Carter  
Clerk of the Circuit Court for  
Queen Anne's County.

Filed Feb. 26th 1938

AGREEMENT OF COUNSEL THAT  
CAUSE BE SET FOR HEARING ON  
MAR. 26, 38  
Filed March 14, 38

Hampton E. Brown, et al : In the Circuit Court for  
vs : Queen Anne's County, in Equity  
Edith C. Brown, et al : Chancery Cause No. 3081

To the Honorable, the Judges of said Court:-

H. B. W. Mitchell, Trustee and Respondent, and John Palmer Smith, Solicitor for The County Commissioners of Queen Anne's County , Maryland, Petitioner, hereby agree to set the above entitled Cause down for testimony hearing and argument on Petition and Answer before the Court at Centreville, Maryland, on Saturday, March 26th, 1938, at such hour the Court shall on that day designate.

H. B. W. Mitchell Trustee  
Resppndent.  
John Palmer Smith  
Solicitor for The County Commissioners  
of Queen Anne's County, Md.,  
Petitioner.

Filed March 14, 1938

.....  
PETITION OF HANDY ROBINSON AND  
J. FLETCHER CLARK TO HAVE HANDY  
ROBINSON SUBSTITUEED AS PURCHASER  
IN PLACE AND STEAD OF HANDY ROBINSON AND  
J. FLETCHER CLARK.  
Filed Apr. 18th 1939

Hampton E. Brown, et al : In the Circuit Court for Queen  
vs : Anne's County, in Equity,  
Edith G. Brown, et al : No. 3081

To the Honorable, the Judges of said Court:-

The petition of Handy Robinson and J. Fletcher Clark to your Honors respectfully sets forth:

1. That it will appear by reference to the report of sale filed in this cause by H. B. W. Mitchell, Trustee of said cause, on the 24th day of May, 1937, that the said Handy Robinson and J. Fletcher Clark became the purchasers of the property decreed to be sold in said cause at and for the sum of five thousand dollars and that at the time of the sale of said property to them they made a payment of one thousand dollars to the trustee on account of the purchase money.

2. That your petitioners have since the sale of said property to them paid on account of the purchase money therefore the sum of seven hundred and Eighty eight dollars and thirty cents (\$788.30), making a total of seventeen hundred and eighty eight dollars and thirty cents (\$1788.30) that they have paid on account of the purchase money for said property.

3. That the sale of said property to them as aforesaid has been finally ratified and confirmed by this Honorable Court.

4. That J. Fletcher Clark, one of the petitioners and one of the purchasers, has sold to Handy Robinson, his co-purchaser and one of the petitioners, all of his, said J. Fletcher Clark's right, title, interest and estate in, to and of said property acquired by him under and by virtue of the sale mentioned in said report of Sale.

5. That the sale made by said J. Fletcher Clark of all of his rights, title, interest and estate in, to and of said property unto said Handy Robinson was made with the understanding and agreement that said Handy Robinson should be substituted as the sole purchaser of said property in the proceedings of this cause in the place and stead of said Handy Robinson and J. Fletcher Clark, and with the further understanding that the said Handy Robinson would pay the full amount of the balance of the purchase money for said property as reported in said report of sale, together with all interest thereon, unto H. B. W. Mitchell, the Trustee,

6. That your petitioner, Handy Robinson, is willing to become the sole purchaser of said property mentioned in these proceedings in the place and stead of said Handy Robinson and J. Fletcher Clark, and to comply with the terms of sale of said property in the place and stead of said Handy Robinson and J. Fletcher Clark, and represents that he is financially able to pay the balance of the purchase money for said property, together with all interest thereon.

Your petitioners, therefore, pray your Honors to pass an order substituting Handy Robinson in the proceedings of this cause the purchaser of the property described in said report of sale in the place and stead of the said Handy Robinson and J. Fletcher Clark, and authorizing, empowering and directing the said H. B. W. Mitchell, Trustee, and Vendor of said property, upon the full payment of the balance of said purchase money, together with all interest thereon, by the said Handy Robinson unto him, to grant and convey good and sufficient deed, to be acknowledged agreeably to law, unto the said Handy Robinson, his heirs and assigns, the property sold as aforesaid by him, said H. B. W. Mitchell, Trustee, unto Handy Robinson and J. Fletcher Clark, in the same manner and as fully and effectually as if the said Handy Robinson had been the original purchaser of said property instead of the said Handy Robinson and J. Fletcher Clark.

Respectfully submitted,

Handy Robinson

J. Fletcher Clark

.....  
ORDER OF COURT  
Filed April 20th 1939

ORDERED, THIS 19th day of April, in the year nineteen hundred and thirty nine, by the Circuit Court for Queen Anne's County, in Equity, upon the aforesaid petition of Handy Robinson and J. Fletcher Clark and the consent thereto annexed of H. B. W. Mitchell, Trustee, that upon the full payment by said Handy Robinson into the hands of H. B. W. Mitchell, Trustee, of the balance of the purchase money, together with accrued interest thereon, for the real estate sold under and by virtue of the decree passed in the aforesaid cause, the said Handy Robinson be, and he is hereby, substituted as purchaser of the real estate sold under and by virtue of the decree passed in the aforesaid cause in the place and stead of Handy Robinson and J. Fletcher Clark, and the said H. B. W. Mitchell, Trustee, be, and he is hereby authorized, empowered and directed, after the full payment of the balance of the purchase money for said property, together with interest thereon, by said Handy Robinson, to grant and convey by good and sufficient deed, to be acknowledged agreeably to law, the said real estate, and all the right, title, interest and estate therein of the parties to said cause, unto said Handy Robinson, his heirs and assigns, in the same manner and as fully and effectually as if the said Handy Robinson had been the original purchaser

of said real estate at the sale mentioned in said report of sale instead of said Handy Robinson and J. Fletcher Clark.

Thos. J. Keating

Filed April 20th, 1939.

To the Honorable, the Judges of said Court:  
I, H. B. W. Mitchell, Trustee of the above entitled cause, and Vendor of the real estate sold under and by virtue of the decree passed in said cause unto Handy Robinson and J. Fletcher Clark, purhshers named in the report of sale filed in said cause, do hereby consent that, upon the full payment of the balance of the purchase money for said real estate, together with accrued interest thereon, by said Handy Robinson unto your Trustee, Handy Robinson, one of the petitioners filing the above petition, shall be substituted as the purchaser of said real estate in the place and stead of Handy Robinson and J. Fletcher Clark and that the Court shall pass an order granting the prayer of said petition.

H. B. W. Mitchell  
Trustee

Filed Apr. 20, 1939

ENTER OF APPEARANCE  
Filed June 5, 1939

Hampton E. Brown, et al : In the Circuit Court for  
vs : Queen Anne's County, in  
Edith C. Brown, et al : Equity, No. 3081

You will enter the appearance of Richard T. Earle, Esquire, as attorney for the petitioners in this Cause, The County Commissioners of Queen Anne's County, Maryland, with that of John Palmer Smith,

Richard T. Earle  
John Palmer Smith  
Solicitors for Petitioners, The  
County Commissioners of Queen Anne's  
County, Md.

Filed June 5, 1939

REPLICATION  
Filed June 5th, 1939

Hampton E. Brown, et al : In the Circuit Court  
vs : for Queen Anne's County,  
Edith C. Brown, et al : In equity No. 3081

To the Honorable, the Judges of said Court:-

The Petitioners in this Cause, The County Commissioners of Queen Anne's County, Maryland, join issue on the matters alleged in the Answer of H. B. W. Mitchell, Trustee in this Cause, so far as the same may be taken to deny or avoid the allegations of the Bill.

Richard T. Earle  
John Palmer Smith  
Solicitors for Petitioners. The County  
Commissioners of Queen Anne's County, Md.

Filed June 5, 1939.

REPLICATION  
Filed June 7th, 1940

Hampton E. Brown, et al : IN THE CIRCUIT COURT FOR  
vs : QUEEN ANNE'S COUNTY, IN EQUITY  
Edith C. Brown, et al : CAUSE NO. 3081

TO THE HONORABLE, THE JUDGES OF SAID COURT:-

The Repliation of the County Commissioners of Queen Anne's County, a Municipal Corporation, by John Palmer Smith and Richard T. Earle, its attorneys, to the Answer of H. B. W. Mitchell, trustee, heretofore filed in this Cause to your honors respectfully show:

That the said body corporate, the County Commissioners for Queen Anne's County, Maryland, hereby joins issue on the matters and facts set forth in the Answer of H. B. W. Mitchell, Trustee, in so far as the same may be taken to deny or avoid the allegations of the petition of the said body corporate filed herein for that the Trustees of the life tenant acknowledged from the date of the respective levies and up to the month of April, 1935, the several and aggregate indebtedness for the taxes claimed by the County Commissioners of Queen Anne's County, as set forth in their Petition, thereby removing the bar of the Statute of Limitations,

John Palmer Smith  
Richard T. Earle  
Solicitor for the County Commissioners of  
Queen Anne's County.

Filed June 7, 1940

AGREEMENT TO USE TESTIMONY  
Filed June 7, 1940

Hampton E. Brown, et al : In the Circuit Court for  
vs : Queen Anne's County, in Equity  
Edith C. Brown, et al : Chancery Cause No. 3081

TO THE HONORABLE, THE JUDGES OF SAID COURT:

It is hereby stipulated and agreed by and between the under-  
signed that the testimony taken in Chancery Cause #2581, entitled " In the Matter of  
the Lunacy of Edith Catherine Brown" filed therein October 13, 1939, shall be used  
as though taken in this Cause and as a part hereof,

Richard T. Earle  
John Palmer Smith  
Solicitors for the County Commissioners  
for Queen Anne's County,

H. B. W. Mitchell  
Trustee, Chancery Cause #3081.

Filed June 7, 1940

ORDER OF COURT OVERRULING PLEA OF  
LIMITATIONS, AND DIRECTING TRUSTEE  
TO PAY COUNTY COMMISSIONERS OF QUEEN  
ANNE'S COUNTY FOR TAXES IN ARREARS.  
Filed July 17, 1940

Hampton E. Brown, Eliza F. Brown, Adelaide :  
Brown, H. B. W. Mitchell, M. Madeleine : In the Circuit Court  
Davidson, F. D. Lee Mitchell, Louise S. :  
Mitchell, R. Mildred Mitchell, Margaret : for  
Roberts, J. Franklin Roberts, Madison : Queen Anne's County,  
Brown, Charles W. Brown, and Edith C. Jones :  
vs : in Equity  
Edith C. Brown and Madison Brown and : No. 3081  
Edwin H. Brown, Jr., Committee of her :  
person and Trustees for the management :  
of her property, Ida E. Hurst, Wilmer :  
Emory, Margaret W. Bridgman, Victor H. :  
Bridgman, :

ORDER OF COURT

The Petition of the County Commissioners of Queen Anne's County, and all  
pleadings filed in reference thereti, having been read and considered and arguments  
thereon having been heard;

It is thereupon, this 15th day of July in the year nineteen hundred and  
forty, by the Circuit Court for Queen Anne's County, in Equity, and by the authority  
thereof, ADJUDGED, ORDERED and DECREED:

First:- That the Plea of Limitations filed in this Cause by H. B. W.  
Mitchell, Trustee, to the account of the County Commissioners of Queen Anne's County  
for taxes due and in arrears, be, and the same is hereby overruled.

Second:- That the aforesaid Petition of the County Commissioners of  
Queen Anne's County filed in this Cause, be and the same is hereby granted, and that  
H. B. W. Mitchell, Trustee in this Cause, be and he is hereby authorized, directed and  
empowered to pay to the County Commissioners of Queen Anne's County the sum of Five  
hundred- fifty one and 42/100 dollars (\$551.42 from the funds in his hands as said  
Trustee.

Thos. J. Keating  
J. Owen Knotts

Filed July 17th, 1940

PETITION BY HAMPTON E. BROWN  
TO BE APPOINTED TRUSTEE, IN THE  
PLACE OF H. B. W. Mitchell, deed  
or order of Court thereon.  
Filed July 27, 1942

Hampton E. Brown, et al : In The Circuit Court  
vs : for Queen Anne's County  
Edith C. Brown, et al : Cause No. 3081

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Hampton E. Brown to your Honors respectfully  
show:

1. That your Petitioner is one of the parties plaintiffs in this case,  
that he is a brother of Edith C. Brown, life, tenant, who is entitled to receive the  
income of this trust for life or to have the same applied through her trustees to her  
maintanance, and that your petitioner is one of the parties who is entitle to receive  
this estate after the death of the said life tenant.

2. That the former trustee in this cause, H. B. W. Mitchell, died sometime in the month of July, 1941, leaving a last will and testament, by which he appointed Thomas J Keating, Jr., and Francis D. L. Mitchell his executors, and that there has been no one appointed as trustee in this cause in the place and stead of the said H. B. W. Mitchell, deceased.

3. That this is a continuing trust, that the net proceeds derived from the sale of the real estate reported in this cause should be invested and that the net income to be derived from same should be applied to the maintenance of the said Edith C. Brown or turned over to her trustee, she having been declared non compos mentis and is now confined in one of the State Hospital for the insane and the expenses of her maintenance in said institution is at present being paid by the County Commissioners of Queen Anne's County.

4. Your petitioner is advised by the attorney for the executors of H. B. W. Mitchell, since Thomas J. Keating, Jr., is now in the military services of the United State and Francis D. L. Mitchell is a non-resident of the State of Maryland, that the funds from the sale of the said real estate are now on deposit in The Centreville National Bank of Maryland.

Your Petitioner, therefore, prays this Honorable Court to pass an order in this cause appointing your petitioner or some other suitable person, Trustee in this cause, to collect of the estate of H. B. W. Mitchell, late Trustee as aforesaid, or the surety on his bond, if there is no estate, the amount of the money due by him to this trust estate and to administer said trust in accordance with the purpose thereof under the direction of this Court in order that said trust may be administered as aforesaid and that the income derived therefrom may be applied towards the maintenance of the said Edith C. Brown non compos mentis.

And your petitioner also prays for such other and further relief as his case may require.

Respectfully submitted,

Hampton E. Brown  
Hampton E. Brown

Richard T. Earle  
Richard T. Earle, attorney

Filed July 27, 1942.

ORDER OF COURT  
Filed July 28, 1942.

Hampton E. Brown, et al : In the Circuit Court for Queen  
vs : Anne's County, in Equity  
Edith C. Brown, et al : Cause No. 3081.

ORDER OF COURT

Upon the foregoing Petition, IT IS ORDERED this 28th day of July, in the year nineteen hundred and forty two, by the Circuit Court for Queen Anne's County in Equity, and by the authority of said Court, that Hampton E. Brown of Queen Anne's County, Maryland, be and he is hereby appointed Trustee in the place and stead of H. B.W. Mitchell, the former trustee in this cause, now deceased, with full power and authority to him as such Trustee to execute the trust created by the will of Margaret W. Wright, deceased, and now reposed in him by this order or that may be reposed in him by any future order or decree of this Court, in relation thereto, and that the said Hampton E. Brown, before entering upon the duties of this trust, shall file a bond to the State of Maryland in the penal sum of Five Thousand Dollars (\$5,000.00), if corporate surety be given, conditioned for the faithful discharge of the duties of the trust reposed in him by any future order or decree in relation to the same.

WM. R. Horney  
Judge.

Filed July 28, 1942.

CERTIFIED COPY OF BOND  
Filed July 29th, 1942.

Queen Anne's County, to wit: Be it remembered that on this twenty eighth day of July in the year nineteen hundred and forty two, the following Bond was brought to be recorded, to wit:

KNOW ALL MEN BY THESE PRESENTS, That we, Hampton E. Brown of Queen Anne's County, State of Maryland, as principal, and Glens Falls Indemnity Company of Glens Falls, New York, a body corporate, as surety, duly authorized by its charter to become sole surety on bonds, are held and firmly bound unto the State of Maryland in the full and just sum of FIVE THOUSAND DOLLARS (\$5,000.00) current money, to be paid to the said State of Maryland or its certain attorney, to which payment well and truly to be made done, we bind ourselves, and each of us, our and each of our heirs, executors, administrators, successors and assigns, in the whole and for the whole, jointly and severally firmly by these presents, sealed with our seals and dated this 28th day of July, nineteen hundred and forty two.

WHEREAS, the above bounden, Hampton E. Brown, has by an Order of the Circuit Court for Queen Anne's County in Equity passed on the 28th day of July in a cause therein pending entitled " Hampton E. Brown, et al vs, Edith C. Brown et al., being cause No. 3081 in said Court for the purpose of caring out the trust created under the Will of Margaret W. Wright.

Now the condition of the above obligations is such that the above bounden, Hampton E. Brown, do and shall well and faithfully perform and execute the trust reposed

him by the aforesaid order or that may be reposed him by any future decree or order in the premises then this obligation to be void, otherwise to be and remain in full force and virtue in law.

Signed, sealed and delivered in presence of

Hampton E. Brown (SEAL)  
Hampton E. Brown

Richard T. Earle

GREENS FALLS INDEMNITY COMPANY  
By L. Herman Meredith  
L. Herman Meredith, Attorney

Corporate Seals  
Place.  
Filed July 28 th, 1942.

And on the back of the foregoing Bond was thus endorsed to wit:  
Bond filed and security approved July 28, 1942.

A. Sydney Gadd Jr.  
Clerk

STATE OF MARYLAND

TO WIT:

QUEEN ANNE'S COUNTY

I hereby Certify that the foregoing is truly taken and copied from Liber W. H. C. No. 1, folio 213 A Bond Record Book for Queen Anne's County.

In Testimony Whereof I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County this 28th day of July in the year nineteen hundred and forty two.

Seals  
Place.

A. Sydney Gadd Jr.  
Clerk

.....  
PETITION TO HAVE SPECIAL AUDITOR  
APPOINTED AND AUDIT STATED AND  
ORDER OF COURT, THEREON,  
Filed July 28th, 1942.

Hampton E. Brown et al : In the Circuit Court for  
vs : Queen Anne's County, in Equity  
Edith C. Brown, et al : Cause No. 3081

TO THE HONORABLE , THE JUDGES OF SAID COURT:

The petition of Hampton E. Brown, Trustee, in this cause, to your Honors, respectfully shows:

1. That by an order of this Court dated July 28th,, 1942, your petition was appointed Trustee in this cause, and directed to file a bond in the sum of \$5,000.00, before proceedings to act as such; that your petitioner has qualified as Trustee by filing bond in accordance with said order of Court approved by the Clerk of this Court.

2. That there as been no audit stated in this cause since the sale of the real estate and your petitioner is advised that an audit should be stated herein between the estate of the former trustee and this trust estate in order to ascertain exactly what funds your trustee should receive from the estate of the former trustee.

3. That Madison Brown the regular Court Auditor is disqualified to state an audit in this cause on account of his former connection with the beneficiary of this trust estate, being now her surviving trustee although he has requested to be relieved from same.

Your petitioner therefore prays this Court to pass on order in this cause naming a special auditor to state an audit in this cause between the estate of H. B. W. Mitchell, former trustee, and this trust estate, and that the paper in this cause be sent to said special auditor for that purpose;

Respectfully submitted  
Hampton E. Brown, Trustee  
Hampton E. Brown

Filed July 28th 1942.

ORDER OF COURT

Upon the foregoing petition, IT IS ORDERED this 28th day of July, 1942, by the Circuit Court for Queen Anne's County in Equity and by the authority of said Court, that William McK. Gibson be and he is hereby appointed Special Auditor in this cause for the purpose of stating an audit between the Estate of H. B. W. Mitchell, former trustee, and this trust estate and that all papers in this cause be sent to the said special auditor for that purpose.

Wm. R. Horney  
Judge.

Filed July 28th , 1942.

.....  
PETITION FOR FEE BY EXECUTORS OF  
H. B. W. MITCHELL, AND ORDER OF  
COURT THEREON.  
Filed Oct 21st 1942.

Hampton E. Brown et al

vs

In the Circuit Court for Queen Anne's County  
Edith C. Brown, et al in Equity Cause No. 3081

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Francis D. L. Mitchell and Thomas J. Keating, Jr., Executors of the Estate of H. B. W. Mitchell, deceased, by Thomas J. Keating, attorney, to your Honors, respectfully shows:

1. That H. B. W. Mitchell was by this Honorable Court appointed Trustee in this cause and that he has rendered legal services in this trust estate that he as trustee was not called upon to so render and for which he received no compensation but for which his estate should receive compensation, said services being hereinafter setforth.

2. That a petition was filed in this cause on behalf of The County Commissioners seeking to collect State and County Taxes levied against the real estate, from the sale of which arises the now corpus of this trust estate, and that the said H. B. W. Mitchell opposed the granting of said petition believing that the same should have been paid out of the income from said corpus, when it was in the shape of said real estate and further that if not paid out of said income that a considerable amount of taxes so levied was barred by the Status of Limitation, that he entered said pleas and argued the same but that this Honorable Court denied the same and passed an order in this cause directing said taxes be paid out of said corpus.

3. That the entering of said pleas and the arguing of same was in the interest of those entitled to the corpus of this trust estate and that the said H. B. W. Mitchell in entering and arguing same was performing duties in this cause for what he deemed to be the best interest of this trust estate and was extra work beyond his duties as Trustee and that he in his life time was not compensated therefor.

Therefore your petitioner pray this Honorable Court to pass any Order in this cause allowing to the estate of H. B. W. Mitchell such a fee for his services so render as this Court may deem right and proper in the premises.

Respectfully submitted  
Thos. J. Keating  
Attorney for the Executors of the Estate  
of H. B. W. Mitchell, deceased.

Filed Oct 21st 1942.

We, the undersigned, attorneys engaged in active practice in Queen Anne's County, being familiar with the work performed by H. B. W. Mitchell as setforth in said petition do hereby state that we consider a fee of Twenty-five (\$25.00)dollars to be a fair and proper charge in the premises.

Harry C. Butler  
John Palmer Smith

Filed Oct 21, 1942,

ORDER OF COURT

The foregoing petition and statement of attorney's having been read and considered, it is thereupon ordered this 21st day of October, 1942, by the Circuit Court for Queen Anne's County in Equity, that Francis D. L. Mitchell Thomas J. Keating, Jr., Executors of the estate of H. B. E. Mitchell, deceased, be and they hereby are allowed a fee of Twenty Five dollars, for legal services rendered by H. B. W. Mitchell.

Wm. R. Horney  
Judge.

Filed Oct 21st 1942.

REPORT AND ACCOUNT OF THE  
SPECIAL AUDITOR  
Filed Nov. 15th 1942.

HAMPTON E. BROWN, et al : In the Circuit Court for  
vs : Queen Anne's County, in Equity  
EDITH C, BROWN, et al : Cause No. 3081.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of William McK. Gibson, Special Auditor, unto your Honors, respectfully sets forth:-

I have stated the within accounts under order of this Court made the 28th day of July, 1942, by which order I was directed to state an audit between H. B. W. Mitchell, former Trustee and the above entitled trust. estate, in order that the net proceeds of the sale made by said former Trustee might be ascertained for the future direction of this Court in regard thereto.

I have divided the audit into three separate accounts marked, Account No. 1, Account No. 2 and Account No. 3.

ACCOUNT NO. 1

In the within account I have charged the former Trustee with the gross sale made by him and have made allowance therefrom as follows:

Unto the estate of H. B. W. Mitchell, former Trustee, his commission for making the sale, the Court costs of the sale, auctioneer's fee for crying sale, cost of advertising notice of sale and order nisi of the Cause, cost of his bond, cost of a plat of real estate sold, a fee for special legal services, State and County taxes on land sold by him; unto your Special Auditor his fee for stating the account. The balance of the proceeds of the sale remaining after the allowance forms the net sale, to remain in the hands of Hampton E. Brown, Trustee, appointed in the place and stead of H. B. W. Mitchell, deceased, subjected to the future order of this Court.

ACCOUNT NO. 2

The former Trustee received from the purchaser of the land sold by him \$391.70, as interest on the credit part of sale sale. It appears to your Special

Auditor that the former Trustee is entitled to a commission on said interest, equal to the commission to which he would be entitled were said interest a part of the original purchase price.

In the within account I have charged the said former Trustee with the gross amount of interest received and have allowed him four per cent commission on the same. The balance of said interest after said allowance is distributed to the party entitled to the net sales under Account No. 1.

## ACCOUNT NO. 3

In addition to the interest received by said former Trustee, disposed on in Account No. 2 said Trustee also received interest from the bank on deposits in the Savings Department of the funds of this cause, It appears to your Special Auditor that the life tenant is entitled to the net proceeds of this interest, less the commissions allowed the former Trustee who appears to your Special Auditor to be entitled to the same in the same manner as if interest had been received by a trustee holding life estate funds.

In the within account I have charged the former Trustee with the gross amount of interest received from the bank and have allowed him ten per cent commission on the same. The balance of said interest remaining after said allowance is distributed to Edith C. Brown, life tenant.

Respectfully submitted,

William MCK. Gibson  
Special Auditor

Filed Nov. 5, 1942.

## CAUSE NO. 3081

The proceeds of the sale of the real estate of Edith C. Brown, in account with H. B. W. Mitchell, Trustee appointed by the decree passed in this Cause to sell said real estate.

1937  
February  
9

## ACCOUNT NO. 1

By amount of the gross sale of said real estate sold this date, per report of the trustee filed the same date, to wit-----\$5,000.00

DR.

To Estate of H. B. W. Mitchell, former Trustee, for his commission for making the sale per decree and rule of Court, to wit: the sum of -----	\$245.00	
To do., for Court costs of this cause per bill of costs made by the Clerk of the Court as follows to wit;		
A. Sydney Gadd Jr., Clerk for his costs including Recording proceedings -----	\$68.05	
H. B. W. Mitchell, Solicitor for Complainants Appearance fee-----	10.00	
John Palmer Smith, Richard T. Earle Solicitors for County Commissioners Appearance fee -----	10.00	
N. B. Dudley, Register of Wills for copies-----	6.50	
J. A. Shipley, Sheriff Carroll County----	1.05	
T. H. Everett, Sheriff of Queen Anne's County,-----	1.50	
Costs of Special Examiner and fees of Witness before Examiner-----	11.00	108.10
To do., for the charges of J. Emer Anthony, auctioneer, for crying sale of the land sold, per account for same exhibited -----		10.00
To do., for the cost of advertising notice of sale of said real estate, per account of Queen Anne's Publishing Company, Inc., for same exhibited -----		28.71
To do., for the cost of advertising notice of sale of said real estate, per account of Queen Anne's Record and Observer Publishing Company for same exhibited -----		37.49
To do., for the cost of advertising in The Queen Anne's Record and Observer the order nisi on the sale made per account for same exhibited, to wit:5.00		
To do., for cost of his bond with Maryland Casualty Company, per account for same exhibited, to wit: -----		142.89
To do., for the amount paid to W. A. Blackwell, Jr., for plat of real estate sold, per account exhibited -----		3.00
To do., for special legal services, per order of this Court made the 21st day of October, 1942.		
To do., for State and County taxes on the real estate sold, paid by them to use of State and Queen Anne's County:		
For 1930, 1931, and 1932, inclusive of interest	\$551.42	
For 1933 and 1934, inclusive of interest-----	209.96	
For 1935 and 1936 inclusive of interest -----	206.52	967.90
Per for separate tax accounts exhibited.		
Note: the sum of \$551.42 for the years 1930, 1931, and 1932 was paid under the order of this Court, made the 15th day of July, 1940.		
To William McK. Gibson, Special Auditor, for stating this audit, to wit: the sum of -----		18.00
		1,591.09
To balance, net sale, carried below -----		3,408.91
		5,000.00 \$5,000.00



1937  
February  
9

By net proceeds of the sale, being the amount brought down, to remain in hands of Hampton E. Brown, Trustee, appointed in place and stead of H. B. W. Mitchell, deceased subject to the future order of this Court. -----\$3,408.91

Respectfully submitted,

William McK. Gibson  
Special Auditor

Filed Nov. 5th, 1942

CAUSE NO. 3081

ACCOUNT NO. 2  
ACCOUNT OF INTEREST ON CREDIT SALES

H. B. W. Mitchell, Trustee appointed by the decree of this Cause to sell the real estate decreed to be sold, IN ACCOUNT WITH the money received by him on the credit sales of the real estate made by him under the said decree.

1937  
February

DR.

To amount of money received by him from the purchaser of the real estate sold by him on the credit part of the sale so made, to wit: \$391.70

CR.

By that part of said interest due to said H. B. W. Mitchell, former Trustee, for his commissions on said sum of \$391.70, 4% thereof -----\$15.67  
By balance carried and charged below-----376.03 --  
391.70 391.70

1937  
February

DR.

To balance of interest brought down, now in the hands of H. B. W. Mitchell, former Trustee, to which the parties entitled to the net sales of \$3,309.91 ( See Account #1) are entitled, to wit: -----376.03

Respectfully submitted,

William McK. Gibson  
Special Auditor

Filed Nov. 5th, 1942.

CAUSE NO. # 3081  
ACCOUNT NO. 3

ACCOUNT OF INTEREST RECEIVED ON BANK DEPOSIT

H. B. W. Mitchell, Trustee appointed by the decree filed in this Cause to sell the real estate decreed to be sold in Account with Edith C. Brown, life tenant, of real estate sold in this Cause.

1942  
October  
30

DR.

To amount of money received by said Trustee from Queenstown Bank of Maryland for interest on deposit of proceeds of sales of this Cause in said bank from date of sale to this date, to wit: -----212.17

CR.

By allowance to said Trustee for his commission on said sum of \$212.17, 10% thereof, to wit: -----\$21.22  
By balance charged to said trustee below, to wit:---190.95  
212.17 212.17

1942  
October  
30

DR.

To amount now due by said Trustee to said Edith C. Brown, to wit: -----190.95

Respectfully submitted,

William McK. Gibson  
Special Auditor

Filed Nov. 5th 1942.

.....  
NISI AUDIT  
Filed Nov. 5th 1942.

NISI RATIFICATION OF AUDIT

Hampton E. Brown, et al : In the Circuit Court for  
vs : Queen Anne's County, In Equity  
Edith C. Brown, et al : Case No. 3081

ORDERED, This 5th day of November, in the year nineteen hundred and forty two that the Report and Account filed in these proceedings by William McK. Gibson, Auditor, be ratified and confirmed unless cause to the contrary thereof be shown on or before the fourth day of December, 1942; provided a copy of this order be published once a week in each of two successive weeks before the twenty seventh day of November, 1942, in some newspaper printed and published in Queen Anne's County.

A. Sydney Gadd Jr. Clerk

Filed November 5th 1942.

.....  
CERTIFICATE OF PUBLICATION  
NISI AUDIT  
Filed Dec. 1, st 1942.

NISI RATIFICATION OF AUDIT

Hampton E. Brown et al                    :       In the Circuit Court for  
  :       Queen Anne's County, in Equity  
ms    :         
Edith C. Brown, et al                    :       Case No. 3081.

ORDERED, This 5th day of November in the year nineteen hundred and forty two that the Report and Account filed in these proceedings be William McK. Gibson, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the fourth day of December, 1942; provided a copy of this order be published once a week in each of two successive weeks before the twenty seventh day of November, 1942, in some newspaper printed and published in Queen Anne's County.

A, SYDNEY GADD JR.  
Clerk

True Copy  
Test:  
A: Sydney Gadd Jr.  
Clerk

Filed November 5th 1942.

QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. November 30, 1942.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Nisi Ratification of Audit in the case/ estate of Hampton E. Brown, et al vs Edith C. Brown et al Cause No. 3081 in the Circuit Court of Queen Anne's County in Equity a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD OBSERVER, a weekly newspaper printed and published at Centreville, in Queen Anne's County, Maryland, once a week for two (2) successive weeks before the 27 day of November 1942, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD - OBSERVER was on the 12 day of November 1942, and the last insertion on the 19 day of November 1942.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING  
COMPANY  
By Myrtle M. Lewis

Filed Dec. 1st, 1942

.....  
PETITION FOR 10 % COMM. ON CERTAIN  
INCOME AND ORDER OF COURT THEREON.  
Filed Dec. 15th 1942

Hampton E. Brown et al                    :       In the Circuit Court for Queen Anne's  
  :       County, In Equity  
vs    :         
Edith C. Brown et al                    :       Case No. 3081

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Francis D. L. Mitchell and Thomas J. Keating, Jr., Executors of the Estate of H. B.W. Mitchell, deceased, by Thomas J. Keating, their attorney, to your Honors, respectfully shows:

- 1. That the said H. B. W. Mitchell as trustee in this cause deposited the major portion of the proceeds of sale derived from the sale of the real estate sold herein in the Savings department of The Queenstown Bank of Maryland, and which sums increased by the sum of \$212.17 interest, which amount was due and payable to Edith C. Brown, life tenant, unless otherwise provided by this Honorable Court.
- 2. That your petitioners respectfully request that a commission of 10% be allowed the estate of their decedent on the aforesaid sum, on account of the size, thereof, instead of the commissions as set forth in Section 280 of Article 16 of the Code, wherein it is also provided that the Court has discretionary power in fixing said commissions.

Your Petitioners therefore prays this Honorable Court to pass an order herein allowing your petitioners the sum of \$21.27 as 10% commission on the sum of \$212.17 the accumulated income from the deposits in the Savings Department of The Queenstown Bank of Maryland.

Respectfully submitted  
Thos. J. Keating  
Atty, for Executors,

Filed Dec. 15th 1942.

.....  
PETITION FOR FEE

Filed Dec. 15, 1942.

Hampton E. Brown et al : In the Circuit Court for  
vs : Queen Anne's County , in Equity  
Edith C. Brown et al : Cause No. 3081.

TO THE HONORABLE THE JUDGES OF SAID COURT:

The petition of Richard T. Earle, to your Honors, respectfully shows:  
That your petitioner has as an attorney at law prepared the petition of Hampton E. Brown, wherein he prayed to be appointed as trustee to succeed the late H. B. W. Mitchell, has secured an order of court thereon, had filed his application for bond and prepared his bond as trustee in this cause, which bond has been approved, has advised and done everyth ing necessary towards the securing of a new trustee in the place and stead of H. B. W. Mitchell, deceased; and for which services your petitioner beleives that he should be allowed a reasonable fee commennuate with legal services rendered to be paid out of the income of said trustee estate.

Your petitioner believäs that the sum of \$25.00 to be areasonable fee for the serv-ices rendred in this trustee estate and therefore prays this Court to pass order herein directing the Trustee to pay same out of the income of this trustee estate.

Respectfully submitted.

Richard T. Earle

Filed Dec, 15th 1942.

ORDER OF COURT  
Filed Dec. 15th 1942

ORDER OF COURT

The foregoing petition having been read and considered, IT IS THEREUPON this 15th day of December, 1942, by the Circuit Court for Queen Anne's County in Equity, ORDERED that the estate of H. B. W. Mitchell be and it is hereby allowed commissions as herein requested instead of the regular commission and it is further ordered that the date of filling this petition and Order shall date back and be effectived as if the same had been filed on October 21st 1942.

WM. R. Horney  
Judge.

Filed Dec. 15th 1942.

ORDER OF COURT

The foregoing petition having been read and considered, it is thereupon this 15th day of Desember, 1942, ORDERED by the Circuit Court for Queen Anne's County in Equity that Hampton E. Brown, Trustee in this cause, be and he is hereby directed to pay to Richard T. Ealre the sum of Twenty Five Dollars for legal services rebdered this trust estate and to deduct the same from the income of this trust estate.

Wm. R. Horney  
Judge.

Filed Dec. 15th 1942.

FINAL RATIFICATION OF AUDIT  
Filed Dec. 15th 1942.

FINAL RATIFICATION OF AUDIT

ORDERED, this 15th day of December, 1942, by the Circuit Court for Queen Anne's County in Equity, and by the authority of said Court that the Report and Account of the Special Auditor filed in this cause on the 5th day of November, 1942, be and the same is hereby ratified and confirmed, (except as hereinafter specified), no cause tothe contrary thereof having been shown, although due notice appears to have been given by the publication of the usual audit nisi passed thereon in this cause; the costs not having been heretofore paid the present Trustee is directed to pay the same innediately ans secure the Clerk's certificate of the payment thereof; and said Trustee is further directed to apply the remaining proceeds of sale and the several accruals of interest as set forthin said report and account, with a due proportion of interest as the same has been or may hereafter be received, except as follows:

(a) The allowance of an appearance fee in Account No. 1 of \$10.00 to John Palmer Smith and Richard T. Earle, they having appeared in this cause in a matter collat-eral thereto, is hereby disallowed, and the Trustee is hereby directed to restore said sum of \$10.00 to the corpus of this estate;

(b) It appearing that the Special Auditor did not allow for the cost of publishing the audit nisi passed on this report and account, the Trustee is hereby directed to pay such cost out of the corpus of this estate; and

(c) The balance of the interest on the credit sales in the sum of \$376.03, which by Account No. 2 is made a part of the net proceeds of sale ( accounted for by said Account No. 1), and the net balance of interest on the bank deposit in the sum of \$190.95 which by Account No. 3 is distributed to the life tenant, Edith C. Brown, (after the pay-ment thereout of such attorney's fee to Richard T. Earle, the solicitor for the Trustee, as the Court shall deem proper to allow him for services rendered to the present Trustee up to the date of the ratification of this audit), shall be restored to the corpus of this estate, and the Trustee is directed to apply such sums as a credit against the taxes (aggregating the sum of \$967.90) allowed out of the corpus of this estate by said Account No. 1.

AND IT IS FURTHER ORDERED, that the Trustee, from time to time, and until such time as the whole amount expended for the taxes ( hereinbefore mentioned) shall have been fully restored to the corpus of this estate, shall apply all future income received by him from said corpus, after the payment thereout of his commissions, the premiums on his bond, the costs which will accure in the future and all other proper

charges incident to the administration and management of this estate, toward therestoration to the corpus for the payments thereout of the taxes above referred to, and to credit such payments, from time to time, against said taxes so as aforesaid allowed out of of the corpus of this estate by said Account No. 1.

Wm. R. Horney  
Judge.

Filed Dec. 15th 1942.

.....  
PETITION FOR AUTHORITY TO  
MAKE LOAN.  
Filed Jan 6th 1943.

Hampton E. Brown, et al                   :     In the Circuit Court for Queen  
  :     :  
  :     Anne's County in Equity  
  :     :  
Edith C. Brown et al                   :     Cause No, 3081

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Hampton E. Brown, Trustee in this cause, to your Honors respectfully shows:

1. That the entire corpus of this trust estate as now existing, that is the sum of THREE THOUSAND EIGHT HUNDRED AND FORTY NINE DOLLARS AND FIFTY SEVEN CENTS (\$3,849.57), which corpus is under the order of this Honorable Court to be increased, if possible, from the income of this trust, until all taxes paid out of this corpus has been restored, is uninvested and has heretofore been in the saving department of the Bank.
2. That your petitioner together with Sarah Eliza Brown, his wife, are seized and possessed of a tract of land containing slightly more than a quarter of an acre, situate on the Centreville Carville Station Road, on the outskirts of the town of Centreville, in what is known as "The Bordley Seward Development" improved by a frame dwelling House and garage, free of all liens and encumbrances save and except a first mortgage lien to Elmer Golt in the sum of \$2,000.00, a certificate of title attached hereto and filed as a part hereof.
3. That your petitioner has had said land and improvements appraised by two disinterested appraisers, which certificate of appraisal is attached hereto as a part hereof.
4. That your petitioner desires to make a loan of TWENTY THREE HUNDRED DOLLARS (\$2,300.00) to himself and wife, and take as security therefor a first mortgage on the above described real estate and improvements, said mortgage to be for a term of three years and said loan to be at the rate of four percent per annum payable semi-annually, the fire insurance policy or policies to be endorsed payable to himself as trustee in this cause, as his interest aforesaid may appear.

Respectfully submitted.

Hampton E. Brown  
Trustee

Filed Jan 6th 1943.

.....  
CERTIFICATE OF APPRAISERS  
Filed Jan 6, 1943.

We, the undersigned, tax payers and residents of the Third Election District of Queen Anne's County, State of Maryland, are familiar with real estate values in this locality, have this Second day of January, 1943, at the Solicitation of Hampton E. Brown, inspected the real estate, consisting of a house and lot owned by him and his wife, on the Carville's Station Road near Centreville, being a part of what is known as The Bordley Seward Development, and we certify that in our judgment said house and lot is worth THREE THOUSAND NINE HUNDRED AND FIFTY DOLLARS.

E. Stephens Valliant

L. Tilghman Hayden

Filed Jan 6th 1943.

.....  
CERTIFICATE OF TITLE  
FILED Jan. 6th 1943.

I hereby certify, that I have examined the title to the real estate held by Hampton E. Brown and Sarah Eliza Brown, his wife, located on the Carville Station Road adjoining the land of T. Henry Furbush and Ruth Furbush, his wife, and the land of Henry Bordley Seward and Clara D. Seward, his wife, and the land of others, and from my search of said title, I find that the said Hampton E. Brown and wife have a good and marketable title to the same save and except a first mortgage resting against same given to Elmer Golt in the sum of \$2,000.00. This 6th day of January, 1943

Richard T Earle

Filed Jan 6th 1943.

.....  
ORDER OF COURT  
Filed Jan 6th 1943.

ORDER OF COURT

The foregoing petition and certificates having been read and considered, IT IS THEREUPON, ORDERED, THIS 6th day of January, 1943, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that Hampton E. Brown, Trustee in this cause, be and he is hereby directed, authorized and empowered, to loan to Himself and Sarah Eliza Brown, his wife, the sum of TWENTY THREE HUNDRED DOLLARS (\$23000.00) and take as security for said loan a first mortgage on the real estate set forth and described in the foregoing petition, said mortgage to be for a period of three years and to bear interest at the rate of four percent per annum

payable semi- annually, fire insurance policies to be endorsed to secure said loan, provided that the mortgage heretofore given Elmer Golt be released and said release be recorded.

Wm. R. Hörney  
Judge.

Filed Jan 6th 1943.

## C A U S E N U M B E R 3303

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this tenth day of January in the year nineteen hundred and forth two, the following Bill of Complaint was brought to be recorded, to wit:-

## CAUSE NUMBER 3303

In the Circuit Court for Queen Anne's County, in Equity.

Madison Brown, administrator c.t.a. of the personal Estate of Edwin H. Brown junior,	:	
	:	Plaintiff,
versus	:	
	:	
William Purnell Brown and Bessie Brown Beck as heirs at law of Edwin H. Brown junior, William Purnell Brown and Bessie Brown Beck as heirs at law of Walter Turpin Brown, Mary Forman Brown wife of William Purnell Brown, Henry Beck, husband of Bessie Brown Beck,	:	Defendants,
	:	
and	:	
	:	
Samuel G. Benton, Philip G. Shehan and John W. D. Jump Executors of William Mason Shehan, United States Fidelity and Guranty Company, David D. Taylor, American Surety Company of New York, James O. Murphy, American Surety Company of New York,	:	Judgment Creditors, Defendants.

To the Honorable, the Judges of said Court:-

Your orator, complaintif, says:-

1. That your orator in exercise of the authority conferred upon him by Section 242 of Article 16 of the Code of the Public General Laws of Maryland ( Flack's Code) files this bill to obtain a decree of this Court for the sale of the real estate owned by said Edwin H. Brown, junior, deceased, at the time of his death for the payment of the debts due and owing by him at the time of his death.
2. That the said Edwin H. Brown junior (hereinafter called " Testator")departed this life the 6th day of December, 1938 in said county of which he was then a resident.
3. That the wife of the said Testator, Mary Y. Brown survived him.
4. That the said Testaor left a last will and testament which shortly after his death to wit: on the 16 day of December, 1938 was duly admitted to probate before the Orphans' Court of Queen Anne's County and the same is now duly recorded in Liber N. S. D. No.1, a will record book in the office of the Register of Wills of said county at folio 86.  
A duly certified copy of said will and of the probate thereof marked " Exhibit No. 1" is filed with this bill as part of the same.
5. That the said Testator by his said will did name his wife, Mary Y. Brown to be the executrix thereof but she in due form of law did renounce her right to administration under said will.  
A duly certified copy of said renunciation marked "Exhibit No. 2 is filed with bill as part of the same.
6. That the said Mary Y. Brown by her renunciation made in writing in due form of law and filed in the Orphans' Court aforesaid on the 7th day of Febryary, 1939 renounced all claim to any bequest and devise made to her by said will and by the same paper writing did renounce her right to take as the heirs at law of her said husband under the provisions of Section 1,2,3 and 4 of Article 46 of said Code and by the same paper writing did elect to take her dower in any real estate left by her said husband.  
A duly certified copy of said paper writing marked " Exhibit No. 3" is filed with this bill as part of the same.  
Note: The said May Y. Brown by her Deed of Release dated the 15th day of September, 1941 has released unto the said William Purnell Brown and Bessie Brown Beck her dower right in the land hereinafter mentioned " as The Margaret K. Brown Farm".
7. That on the 16th day of December, 1936 letters of administration cum testamento annexo on the personal estate of the said Testator were duly granted by the Orphans' Court of Queen Anne's County unto you orator who by virtue thereof possessed himself of the personal estate left by the said Testator at the time of his death.  
A certified issued by the Register of Wills of said County under his hand and the seal of the Orphans' Court aforesaid showing the grant of said letters of administration unto your orator, marked " Exhibit No. 4" is filed with this bill as part of the same.
8. That the said testator at the time of his death as aforesaid was indebted unto sundry persons and corporations by a way of seven serveral judgments obtained by them against him in his lifetime and also was indebted unto sundry other persons by way of his promisory noties to them and for matters chargeable to him by way of account.  
These claims against said Testator have been proved by the credits holding the same before the Orphans' Court of Queen Anne's County and have been passed by said Court for distribution out of the personal estate left by the Testator.  
See the certificate of said Register of Wills made under his hand and the seal of said court endorsed " Certified Copy " of the claims Docket showing claims filed

against estate of Edwin H. Brown Jr., deceased", and marked " Exhibit No. 5" filed with this bill as part of the same.

9. That the personal estate left by said Testator has been fully administered by your orator according to law and has been exhausted by his application of the same to the payment of the cost of administration of said estate and to the part payment by him of the claims filed against said Testator by the Judgment Creditors of said Testator, each creditor receiving in this distribution .09228 per centum of the amount of his claim as of March 28th., 1939 and no more, the unsecured creditors of said Testator receiving no part of the claims so filed by them.

All of which will appear by reference to the certified copy of the first, preference and final account of your orator passed before the Orphan's Court aforesaid marked " Exhibit No. 6" and to a certified copy of the second, preference and final account of your orator passed before the same court, marked " Exhibit No. 7" each filed with this bill as part of the same.

10. That a full statement of said judgment claims showing the history of each and the distribution to each made as aforesaid is contained in said Exhibits.

11. That the said personal estate left by the said Testator at the time of his death as aforesaid was not sufficient for the payment of the debts due and owing by him at the time of his death as will appear by reference to said Exhibits.

12. That each judgment creditor above mentioned, because his judgment is a lien on the real estate hereinafter mentioned, has been made a party defendant to this bill with the exception of William Mason Shehan who has died since he obtained his judgment but in whose place his executors, Philip Shehan and John W. D. Jump have been made defendants.

13. That the names of these judgment creditors so made defendants hereto are as follows:-

Samuel G. Benton use of E. George Benton whose judgment is dated July 18, 1930 and was recovered for \$514.98; a certified copy of this judgment is filed with this bill as part of the same marked " Exhibit No. 8."

William Mason Shehan through Philip Shehan and John W. D. Jump, his executors whose judgment is dated December 11, 1930 and was recovered for \$1754.88; a certified copy of this judgment marked " Exhibit No. 9" is filed with this bill as part of the same.

United States Fidelity & Guaranty Company whose judgment is dated March 28th., 1932 and was recovered for \$89.85; a certified copy of this judgment marked " Exhibit No. 10" is filed with this bill as part of the same.

David D. Taylor whose judgment is dated April 15, 1932 and was recovered for \$453.00; a certified copy of this judgment marked " Exhibit No. 11" is filed with this bill as part of the same.

American Surety Company of New York whose judgment was recovered November 17, 1932 for \$253.64; a certified copy of this judgment marked " Exhibit No. 12" is filed with this bill as part of the same.

James O. Murphy whose judgment was recovered April 12, 1933 for \$2183.00; but which was reduced by a payment to \$1113.84 as of March 28th., 1939, a certified copy of this judgment marked " Exhibit No. 13" is filed with this bill as part of the same.

American Surety Company of New York whose judgment was recovered on May 2nd., 1936 for \$2357.33; a certified copy of this judgment marked " Exhibit No. 14" is filed with this bill as part of the same.

14. That the said Testator at the time of his death as aforesaid was seized and possessed one undivided fourth part in, to and of the Equity of Redemption in a farm or tract of land called " The Margaret K. Brown Farm".

15. That a description of said farm and the manner in which said Testator acquired his said interest is as follows:-

A. In the year 1930 Margaret K. Brown, the mother of the Testator was seized and possessed in fee simple of said farm which is situated in the Third Election District of Queen Anne's County adjacent to the town of Centreville and on the south side of the south road which runs from Centreville to Ruthsburg and she did make two mortgages thereof, one to the Centreville National Bank of Maryland and the other to the Queen Anne's National Bank of Maryland.

B. As to the Centreville National Bank Mortgage:-

This mortgage bears date July 11, 1930 and stands recorded in Liber B. H. T. No. 11, a land Record book of said county on folio 313 and was given by said Margaret K. Brown, Edwin H. Brown junior and William Purnell Brown to the Centreville National Bank of Maryland to secure to said bank the payment of several separate debts amounting to the aggregate sum of \$17,426.09.

This mortgage has not been fully paid at the date of this bill of complaint and it was on the 6th. day of July, 1941 duly assigned unto one Dell M. McPherson who now holds the same and by which there is now due unto her the sum of \$15,000.00 with interest from the 6th. day of July, 1941.

C. As to the Queen Anne's National Bank Mortgage:-

This mortgage bears date July 11, 1930 and stands recorded in the land record book above mentioned at folio 316 and was given by said Margaret K. Brown, Edwin H. Brown junior and William Purnell Brown to secure to said bank the payment of several separate debts amounting to the aggregate sum of \$3,038.00.

This mortgage has not been fully paid at the date of this bill of complaint and it was on the 6th. day of July, 1941, duly assigned unto one Della M. McPherson who now holds the same and by which there is now due unto her the sum of \$1,600.00 with interest from the 6th. day of July, 1941.

16. That the said Margaret K. Brown died sometime in the month of February, 1933 seized and possessed of said farm subject to said mortgages, that is to say, she was at the time of her death the owner of an Equity of Redemption in said farm.

17. That the said Margaret K. Brown died a single person and intestate and her said Equity of Redemption descended unto her four children to wit: Walter Turpin Brown, Edwin G. Brown, junior, William Purnell Brown, Bessie Brown Beck, who were her only heirs at law and on the death of their mother one undivided fourth part of said Equity descended unto each one of said children.

18. That by reason of the above recited renunciations made and filed as aforesaid by the said Mary Y. Brown, the said Testator left surviving him as his only heirs at law.

his brother, said Walter Turpin Brown,  
his brother, the said William Purnell Brown and  
his sister, the said Bessie Brown Beck

and each one of them received from him one undivided twelfth part of his said Equity of Redemption as his heirs at law.

19. That the said Walter Turpin Brown died a single person on the 10th. day of November, 1940, intestate and seised and possessed of that one undivided twelfth part of said Equity of Redemption which he inherited from said Testatoras above set forth.

20. That the said Walter Turpin Brown left surviving him as his only heirs atlaw, his brother, the said William Purnell Brown and his sister, the said Bessie Brown Beck to whom that part of said Equity of Redemption he had inherited from the said Testator as aforesaid descended in equal parts.

21. That my reason of the above recited inheritances the said William Purnell Brown and the said Bessie Brown Beck now own and are seised and possessed of that one undivided fourth part of said Equity of Redemption in said land which the said Testator owned at the time of his death aforesaid.

22. That the said William Purnell Brown has a wife named Mary Forman Brown who is a defendant this bill and both of them live in Queen Anne's County aforesaid.

23. That the said Bessie Brown Beck has a husband named Henry Beck who is a defenant to this bill and while they reside in the State of Texas both can be found or reached in Queen Anne's County aforesaid.

24. That each judgment creditor who is a party to this bill can be found or reached in Queen Anne's County aforesaid.

25. That your orator is advised that as the personal estate of the said Testator was insufficient for the payment of his just debts and has been applied to the part payment of this judgment creditors as hereinbefore set forth the said Judgment Creditors and the other unsatisfied creditors of the said Testator are entitled to have their unsatisfied claims paid out of that one undivided fourth part of said Equity of Redemption in said land which the said Testator owned at the time of his death and which is now in the hands of the said William Purnell Brown and Bessie Brown Beck as his heirs at law.

26. That your orator is advised that the claims of the judgment creditors of the said Testator must be paid out of said real estate according to their respective priorities and before the payment of the unsecured creditors of the said Testator and that the claims of these unsecured creditors, after the payment of the said judgments will stand on an equal footing with one another as to payment.

To the end therefore:

1. That the said real estate of which the said testator died seised and possessed as above set forth may be sold for the payment of the unsatisfied claims of his judgment creditors and for the payment of the unsatisfied claims of his unsecured creditors, according to the legal priorities of said claims; and

2. That you orator may have such other and further relief as the ease herein presented by him on behalf of the unsatisfied creditors of said testator may require.

May it please Your Honors to grant unto your orator the writ of subpoena directed to the said

William Purnell Brown,                      Bessie Brown Beck as heirs at law  
of Edwin H. Brown junior,  
William Purnell Brown and                      Bessie Brown Beck as heirs atlaw  
of Walter Turpin Brown,  
Mary Forman Brown, wife of William Purnell Brown,  
Henry Beck, husband of Bessie Brown Beck,

Samuel G. Benton                      Philip G. Shehan                      and John W. D. Jump  
Executors of William Mason Sheehan,  
United States Fidelity & Guaranty Company,  
David D. Taylor ,                      James O. Murphy  
American Surety Company of New York,

All of whom reside or can be found in Queen Anne's County aforesaid , commanding them and each of them to be and appear, either in person or by solicitor , in this Court on or before a certain day to be named therein to show cause, if any they have, why a decree ought not to be passed as prayed.

And as in duty bound your orator ever prays etc.,

Madison Brown  
Attorney for the plaintiff,

Filed Jan. 10, 1942.

To the Honorable, the Judges of said Court:

That after the preparation of the foregoing Bill of Complaint the undersigned discovered that the Judgment mentioned in said Bill of Complaint as one obtained by the United States Fidelity and Guaranty Company against Edwin H. Brown, junior, was satisfied by an order filed with the Clerk of the Circuit Court for Queen Anne's County on March 9, 1940. See Exhibit No. 10.

Therefore said judgment will not be regarded in the prosecution of this suit and the said United States Fidelity and Guaranty Company will not be proceeded against and no relief against them will be prayed for, nor subpoena asked.

Madison Brown  
Attorney for the Plaintiff.

Filed Jan. 10, 1942.

.....  
SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER.  
Filed



QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Philip H. Shehan and John W. D. Jump, executors of William Mason Shehan.

Seals Place.

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the First Monday of February next, to answer the complaint of Madison Brown, administrator c.t.a. of the against you in said court exhibited.

Personal Estate of Edwin H. Brown, Junior,

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins, Shief Judge of our said Court, the First Monday of January 1942 Issued the Tenth day of January 1942.

\_\_\_\_\_ Clerk

Madison Brown, Solicitor for Complainant

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of February next, being the Return Day.

\_\_\_\_\_ A. Sydney Gadd Jr. Clerk

True Copy Test:

\_\_\_\_\_ A. Sydney Gadd Jr. Clerk

..... SUBPOENA FOR RESPONDENT TO APPEAR AND ANSWER.

QUEEN ANNE'S COUNTY , TO WIT:

THE STATE OF MARYLAND

TO American Surety Company of New York,

Seals Place.

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the First Monday of February next, to answer the complaint of Madison Brown, administrator c.t.a./of the against you in said court exhibited.

Personal Estate of Edwin H, Brown, junior,

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins, Chief Judge of our said Court, the First Monday of January 1942. Issued the Tenth day of January 1942

\_\_\_\_\_ Clerk

\_\_\_\_\_ Madison Brown

Solicitor for Complainant

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of This Court within fifteen days of the first Monday of February next, being the Return Day.

\_\_\_\_\_ A. Sydney Gadd Jr. Clerk

True Copy Test:

\_\_\_\_\_ A. Sydney Gadd Jr. Clerk

..... SUBPOENA FOR RESPONDENT TO APPEAR AND ANSWER TO LIE IN OFFICE

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO David D. Taylor

Seals Place.

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the First Monday of February next, to answer the complaint of Madison Brown, administrator c.t.a. of the against you in said court exhibited.

Personal Estate of Edwin H. Brown, Junior,

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins, Chief Judge of our said Court, the First Monday of January 1942. Issued the Tenth day of January 1942.

\_\_\_\_\_ Clerk

\_\_\_\_\_ Madison Brown Solicitor for Complainant

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of February next, being the Return Day.

True Copy A. Sydney Gadd Jr. Clerk  
Test: A. Sydney Gadd Jr. Clerk

.....  
SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
Filed  
To lie in office,

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND,

TO Samuel G. Benton

Seals Place.

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the First Monday of February next, to answer the complaint of Madison Brown, administrator c.t.a of the Personal Estate of Edwin H. Brown, Jr. against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins, Chief Judge of our said Court, the First Monday of January 1942.  
Issued the Tenth day of January 1942.

\_\_\_\_\_ Clerk

Madison Brown  
Solicitor for Complainant

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of February next, being the Return Day.

True Copy A. Sydney Gadd Jr. Clerk  
Test: A. Sydney Gadd Jr. Clerk

.....  
COPY OF SUBPOENA TO BE LEFT  
TO LIE IN OFFICE

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Henry Beck, husband of Bessie Brown Beck,

Seals Place.

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the First Monday of February next, to answer the complaint of Madison Brown, administrator c.t.a. of the against you in said court exhibited.  
Personal Estate of Edwin H. Brown, junior,

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins, Chief Judge of our said Court, the First Monday of January 1942  
Issued the Tenth day of January 1942.

\_\_\_\_\_ Clerk

Madison Brown  
Solicitor for Complainant

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of February next, being the Return Day.

A. Sydney Gadd Jr. Clerk

@.....  
SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER.  
TO LIE IN OFFICE

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Mary Forman Brown, wife of William Purnell Brown,

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the First Monday of February next, to answer the complaint of Madison Brown, administrator c.t.a. of the Personal Estate of Edwin H. Brown, Jr.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins, Chief Judge of our said Court,  
the First Monday of January 1942  
Issued the Tenth day of January 1942

\_\_\_\_\_ Clerk

Madison Brown

Solicitor for Complainant

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of February next, being the Return Day.

True Copy  
Test:

A. Sydney Gadd Jr. Clerk

A. Sydney Gadd Jr. Clerk

.....  
SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
TO LIE IN OFFICE

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND,

TO Bessie Brown Beck, heir at law of Walter Turpin Brown,  
Seals Place.

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the First Monday of February next, to answer the complaint of Madison Brown, administrator c.t.a. of Personal Estate of Edwin H. Brown, Jr. against you in said court exhibited.

Hereof failnot, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins, Chief Judge of our said Court, the First Monday of January 1942.  
Issued the Tenth day of January 1942.

\_\_\_\_\_ Clerk

Madison Brown

Solicitor for Complainant

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of February next, being the Return Day.

True Copy  
Test:

A. Sydney Gadd Jr. Clerk

A. Sydney Gadd Jr. Clerk

.....  
COPY OF SUBPOENA TO BE LEFT  
To lie in office

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO William Purnell Brown, heir at law of Walter Turpin Brown

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as A Court of Equity, at Centreville, in said County, on the First Monday of February next, to answer the complaint of Madison Brown, administrator c.t.a. of the Peronsl Estate of Edwin H. Brown, junior, against you in said court exhibited

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins, Chief Judge of our said Court, the First Monday of January 1942  
Issued the Tenth day of January 1942.

\_\_\_\_\_ Clerk

Madison Brown

Solicitor for Complainant

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court, within fifteen days of the first Monday of February next, being the Return Day.

A. Sydney Gadd Jr. Clerk

.....  
SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER  
TO LIE IN OFFICE

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Bessie Brown Beck, heir at law of Edwin H. Brown, Junior  
Seals Place.

OF QUEEN ANNE'S COUNTY GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the First Monday of February next, to answer the complaint of Madison Brown, administrator c.t.a. of the Personal Estate of Edwin H. Brown, junior,

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable, Stephen R. Collins, Chief Judge of our said Court, the First Monday of January 1942  
Issued the Tenth day of January 1942

\_\_\_\_\_ Clerk

Madison Brown

Solicitor for Complainant

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of February next, being the Return Day.

True Copy \_\_\_\_\_ A. Sydney Gadd Jr. Clerk  
Test: \_\_\_\_\_ A. Sydney Gadd Jr. Clerk

.....  
SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
TO LIE IN OFFICE

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO William Purnell Brown, heirs at law of Edwin H. Brown, Jr.  
Seals Place.

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the First Monday of February next, to answer the complaint of Madison Brown, administrator c.t.a. of the Personal Estate of Edwin H. Brown, junior,

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins, Chief Judge of our said Court the First Monday of January 1942  
Issued the Tenth day of January 1942

\_\_\_\_\_ Clerk

Madison Brown

Solicitor for Complainant

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of February next, being the Return Day.

True Copy \_\_\_\_\_ A. Sydney Gadd Jr. Clerk  
Test: \_\_\_\_\_ A. Sydney Gadd Jr. Clerk

.....  
CERTIFIED COPY OF LAST WILL  
AND TESTAMENT OF EDWIN H. BROWN, JR.  
Exhibit No. 1.  
Filed Jan 10, 1942.

In the name of God, Amen:

I, Edwin H. Brown, of Queen Anne's County, State of Maryland, do make this as and for my last will and testament:

I do give devise and bequeath all my property, real, personal and mixed, wherever same may be situated unto my dear wife Mary Young Brown, as and for her own absolutely, and do hereby appoint my said wife executrix of this my will and do request that she be not required to give bond.

Witness my hand and seal this eighteenth day of March, in the year nineteen hundred and nine.

Edwin H. Brown (SEAL)

Signed, sealed, published and declared by Edwin H. Brown, the above named testator as and for his last will and testament, in the presence of both of us, who at his request, and in his presence and in the presence of each of us have hereunto set our names as witnesses thereto.

Jennie Mae Howser  
E. B. Goldsborough

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

ON the 8th day of December, A. D. 1938, came Madison Brown, Custodian of

the within and foregoing instrument of writing, purporting to be the last will and testament of Edwin H. Brown, junior, late of Queen Anne's County, deceased, and made oath in due form of law, that the foregoing is the true and whole Will of said deceased, that has come to his hand and possession, and that he does not know nor has he heard of any other and that he received the same from a drawer in the desk of Edwin H. Brown, junior, on or about 6th day of December, A. D. 1938,

Sworn before  
Norman S. Dudley  
Register of Wills of Queen Anne's  
County, Md.

STATE OF MARYLAND, QUEEN ANNES COUNTY, TO WIT:

On the 13th day of December, 1938, came E. B. Goldsborough, one of the subscribing witnesses to the foregoing last will and Testament of Edwin H. Brown, late of Queen Anne's County, deceased, and made oath in due form of law, that he did see the Testator sign and seal said Will; that he heard him publish, pronounce and declare the same to be his last will and Testament, and at the time of his so doing he was to the best of his apprehension of sound and disposing mind, memory and understanding; and that he together with Jennie Mae Howser now Jennie Mae Fisher subscribed, his name as witness to said Will at his request in his presence and in the presence of each other.

Sworn in open court.  
Norman S. Dudley  
Register of Wills of Queen Anne's  
County, Md.

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

On the 13th day of December, 1938 came Jennie Mae Howser now Jennie Mae Fisher, the other subscribing witness to the foregoing last Will and Testament of Edwin H. Brown late of Queen Anne's County, deceased, and made oath in due form of law, that she did see the Testator sign and seal said Will; that she heard him publish, pronounce and declare the same to be his last Will and Testament, and at the time of his so doing he was to the best of her apprehension of sound and disposing mind, memory and understanding; and that she together with E. B. Goldsborough subscribed her name as witness to said Will at his request, in his presence and in the presence of each other.

Sworn in open court,  
Test:  
Norman S. Dudley  
Register of Wills of Queen Anne's  
County, Md.

STATE OF MARYLAND, IN THE ORPHANS' COURT

FOR QUEEN Anne's COUNTY:

The foregoing Instrument of Writing, purporting to be the last Will and Testament of Edwin H. Brown, late of Queen Anne's County, deceased, having been exhibited for probate, and no objection thereto having been made, although notice according to law, appears to have been given to the next relations of said deceased, the Register of Wills after having examined the said Instrument of Writing and also the evidence adduced as to its validity, ORDERS and DECREES, this 16th day of December, A.D. 1938, that the same be admitted in this Court as the true and genuine last will and Testament of the said Edwin H. Brown, deceased.

Norman S. Dudley  
Register of Wills

IN THE ORPHANS' COURT FOR QUEEN ANNE'S COUNTY, MARYLAND, SCT:

The Register of Wills for Queen Anne's County does hereby certify that the within and foregoing is a true and whole copy of the last will and testament of Edwin H. Brown, deceased, as filed and passed in this office on the 16th day of December, 1938 and recorded in Liber N. S. D. #1, folio 86, a Will Record Book in the Orphans' Court for Queen Anne's County, Maryland.

Seals  
Place. In Testimony Whereof I hereunto subscribe my name and affix the seal of my office this 5th day of September, 1941.

Norman S. Dudley  
Register of Wills for Queen Anne's  
County, Maryland.

.....  
CERTIFIED COPY OF RENUNCIATION OF  
MARY Y. BROWN AS EXECUTRIX  
EXHIBIT NO. 2  
Filed Jan 10, 1942.

To the Honorable, the Judges of the Orphans' Court of Queen Anne's County, and  
To the Register of Wills of said County:

The undersigned, Mary Y. Brown, appointed executrix in the last will and testament of Edwin H. Brown, junior, late of Queen Anne's County, deceased, does hereby refuse to act as the executrix of said Will and so therefor renounce all rights to letters testamentary upon the estate of said deceased and all rights, title and claim that she may or could have had by virtue of said appointment.

IN TESTIMONY WHEREOF she does hereunto subscribe her name and affix her seal this 8th day of December, 1938.

Mary Y. Brown (SEAL)

Test: Marie Shortall

IN THE ORPHANS' COURT FOR QUEEN ANNE'S COUNTY, MARYLAND, SCT:

The Register of Wills for Queen Anne's County, Maryland does hereby certify that the within and foregoing is a true copy of the Renunciation of Mary Y. Brown as Executrix under the will of Edwin H. Brown, junior, deceased, as filed in this office December 16, 1938 and recorded in Liber N. S. D. #2, folio 114, Record Book of Petitions and Orders in the Orphans' Court for Queen Anne's County, Maryland.

Seals  
Place.

In testimony Whereof I hereunto subscribe my name and affix the seal of my office this 8th day of September, 1941.

Norman S. Dudley  
Register of Wills

Filed Jan, 10, 1942

.....  
CERTIFIED COPY OF RENUNCIATION  
OF MARY Y. BROWN OF HER RIGHT  
UNDER WILL OF EDWIN H. BROWN JR.  
EXHIBIT NO. 3  
Filed Jan 10, 1942

In the Orphans' Court of Queen Anne's County.

In the Matter of the Administration  
of the Personal Estate of EDWIN H.  
BROWN, Jr., late of said county, deceased.

To the Honorable, the Judges of said Court and to the Register of Wills of said county:

Edwin H. Brown, junior, late of Queen Anne's County, State of Maryland, departed this life on December 6, 1938, leaving a last Will and Testament which shortly after his death was admitted to probate before your Honorable Court and is now recorded as a duly probated Will in Liber N. S. D. Nol, a Will Record Book in the office of the Register of Wills of said County, on folio 86.

I, Mary Y. Brown, the undersigned, am the widow of said Edwin H. Brown, jr., and, acting under Section 311 of Article 93 of the Annotated Code of the Public General Laws of Maryland and acting under Section 4 of Article 46 of the same Code of laws, do hereby renounce and quit all claim to any bequest or devise made to me by the said testator by his said last Will and Testament and I hereby renounce my right to take as the heir at law of my said husband under provisions of Section 1,2,3 and 4 of Article 46 of the Code of laws above mentioned any part of the land left by my said husband at the time of his death, and in lieu of such bequest of devise and in lieu of my right to take as his heir at law as above set forth I hereby elect to take my dower and dower rights in the land left by my said husband and the legal share of the personal estate left by my said husband.

Witness my hand and seal this 4th day of February , 1939.

Test:

Mary Y. Brown (SEAL)

Ida P. Young

IN THE ORPHANS' COURT FOR QUEEN ANNE'S COUNTY, MARYLAND, SCT:

The Register of Wills for Queen Anne's County, Maryland, does hereby certify that the within and foregoing is a true copy of the Renunciation of Mary Y. Brown of her rights under the will of Edwin H. Brown, junior, deceased, as filed in this office on Feb. 7, 1939 and recorded in Liber N. S. D. #2, folio 140 Record Book of Petitions and Orders in the Orphans Court for Queen Anne's County, Maryland.

Seals  
Place.

In Testimony Whereof I hereunto subscribe my name and affix the seal of my office this 8th day of September, 1941.

Norman S. Dudley  
Register of Wills

Filed Jan 10, 1942.

.....  
CERTIFICATE SHOWING APPOINTMENT  
OF MADISON BROWN ADMINISTRATOR c.t.a.  
OF EDWIN H. BROWN, JR.  
Exhibit NO. 4  
Filed Jan 10, 1942.

CERTIFICATE OF ADMINISTRATION

STATE OF MARYLAND,

QUEEN ANNE'S COUNTY, TO WIT:

I, Norman S. Dudley, Register of Wills in and for Queen Anne's County, State of Maryland, and by law keeper of the Seal and of the Records, and of the original papers of the Orphans' Court for Queen Anne's County, DO HEREBY CERTIFY that it appears from the Records in said Court that on the 16th day of December A. D., nineteen hundred and thirty eight, Letters of Administration C. T. A. of all and singular the goods, chattels, credits and personal estate of Edwin H. Brown, junior late of Queen Anne's County, deceased, were granted and committed unto Madison Brown, after he had entered into bond with approved security for the due performance thereof, according to law, and after he had taken the oath by law required of him.

In Testimony Whereof, I Norman S. Dudley, Register

Seals  
Place.

of Wills for Queen Anne's County, aforesaid, do hereunto set my hand and affix the Seal of the Orphans' Court of Queen Anne's County, this 5th day of September, nineteen hundred and forty one.

Norman S. Dudley  
Register of Wills for Queen Anne's County.

Filed Jan 10, 1942.

.....  
CERTIFIED COPY OF CLAIMS DOCKET SHOWING  
CLAIMS FILED AGAINST ESTATE OF EDWIN  
H. BROWN, Jr. deceased.  
Exhibit No. 5  
Filed Jan 10, 1942.

NAME OF DECEASED; Edwin H. Brown

DATE OF PASSAGE	Holder of Claim	Nature of Claim	Date of Note or Bond	Amount of Interest	Amount of Claim
1939 Jan, 17	United States Fidelity and Guaranty Company	Judgment	With interest on \$489.85 from Dec. 6, 1938		\$551.14
Feb. 7	Samuel G. Benton	Judgment	With interest on \$514.98 from Dec. 6, 1938		812.38
Feb. 7.	David D. Taylor	Judgment	With interest on \$453.00 from Feb. 7, 1939		663.36
Feb. 14	American Surety Co. of New York	Judgment	dated May 2, 1936 for the sum of Twenty- three Hundred and fifty seven dollars and thirty three cents with interest from April 27, 1936 until paid and Cost: Clerk \$2.85 Appr. <u>5.00</u> \$7.85		2,357.33
Feb. 14	American Surety Co. of New York	Judgment	Dated November 17, 1932 for the sum of Two hundred fifty three dollars and sixty four cents with interest from November 17, 1932 until paid and Costs: Appr. \$5.00 Clerk 4.10 .25 <u>1.20</u>		253.64
Feb. 21.	F. E. Wheeler	Note	Credits shown on note to be \$290.00 with interest at rate of 6%		4,400.00
Feb. 21	Chester Wheeler	Account	With interest from October 1, 1929.		9,000.00
Feb. 28	James O. Murphy	Judgment	Dated April 12, 1933 for the sum of Twenty one Hundred and eighty three dollars with interest from April 12, 1933 until paid and \$218.30 commissions and Appr. 5.00 Clerk <u>2.45</u> 7.45		2,183.00
			Credits on within Judgment: July 10, 1935 150.00 July 10, 1936 90.00 Aug. 12, 1937 100.00		
Feb. 28	Annie Marie Forrester	Note and Account	Dated Aug. 5, 1929 with interest @ 6% until paid balance due with interes from January 1939		909.66
Mar. 14	Wm. Mason Shehan Trustee of Dimpfel Estate	Judgment	Dated Dec. 11, 1930 for the sum of Seventeen Hundred fifty four dollars and eighty eight cents with interest from date until paid and Costs: Appr. fee 5.00 Clerk <u>2.45</u>		1,754.88

State of Maryland, Queen Anne's County, to wit:

The Register of Wills for Queen Anne's County, Maryland, does hereby certify that the foregoing is truly copied from Page called "Edwin H. Brown jr" of Liber No. 5 W. T. B., a Registry or Docket of Claims filed against Estate of Deceased Persons contained in the Office of the Register of Wills of Queen Anne's County and that the claims contained in the foregoing copy are claims which have been proved before and passed by the Orphans' Court of Queen Anne's County for distribution out of the personal estate of Edwin H. Brown, jr. late of Queen Anne's County, deceased.

Corporate  
Seals  
Place.

In Testimony Whereof I hereunto set my hand and affix the seal of my office this 9th day of September 1941.

Norman S. Dudley  
Register of Wills

Filed Jan. 10, 1942.

.....  
CERTIFIED COPY OF FIRST PREFERENCE AND  
FINAL ACCOUNT, STATEMENT OF JUDGMENT CLAIMS  
AND STATEMENT AND ACCOUNTS OF DIVIDENDS  
TO CREDITORS OF MADISON BROWN ADMINISTRATOR  
C.T.A. OF EDWIN H. BROWN JR.  
Exhibit No. 6  
Filed Jan/1942.  
10

In the Orphans' Court of Queen Anne's County.

In Re: Estate of Edwin H. Brown, junior, deceased, Queen Anne's County, to wit:

The first, preference and final account of Madison Brown, administrator c.t.a. of Edwin H. Brown, junior, deceased.

This accountant charges himself with the amount of the inventory of good and chattels of said decedent heretofore returned, as per same appears, to wit: the sum of .....\$719.45

And with the gain on the sales of the said goods and chattels as per account of sales returned appears, to wit: the sum of ..... 457.60

And with the amount of debts due the decedent collected, as per said account of sales appears, to wit: the sum of ..... 7.50

Total amount of the personal estate of said deceased, to wit: .....1,184.55

And this accountant prays to be allowed for the following payments and disbursements, to wit:

1. For cash paid by this accountant to L. H. Meredith and A. Howard Johnson for appraising the personal property and the real estate left by the decedent as per account proved with receipt thereon appears ( including costs of probate to accounts) to wit: ;;..... 16.50
2. For cash paid by this accountant to American Surety Company of New York, corporate surety on his bond, for costs of his bond, as per account with receipt thereon appears, to wit:..... 10.00
3. For cash paid by this accountant to J. E. Anthony, for services as auctioneer, at sale held, per his receipt for same appears, to wit: ..... 25.00
4. For cash paid by this accountant to A. Howard Johnson, for clerking at sale held, as per his receipt for same appears, to wit: ..... 5.00
5. For cash paid by this accountant to Frances Butler, for clerking at sale held and as cashier thereof, per receipt for same appears, to wit: ..... 10.00
6. For cash paid by this accountant to Queen Anne's Record- Observer Publishing Co. for costs of advertising notice of sale.....32.50  
costs of advertising notice to creditors, .....5.00  
.....37.50  
Less discount allowed .....1.87  
as per account for same with receipt thereon appears, to wit: ..... 35.63
7. For cash paid by this accountant to Easton Star Democrat ..... 5.00  
To Chestertown Transcript .....7.50  
for advertising notices of sale, as per accounts for same with receipts thereon appear, to wit: ..... 12.50
8. For an allowance to this accountant to retain for costs incident to sale, including aid in arranging books, clearing house, etc., as per expense account herewith exhibited appears, to wit: ..... 20.25
9. For cash paid by this accountant to Norman S. Dudley, Register of Wills, for his costs incident to the administration of this estate including the stating of this account and copy thereof, as per account for same with receipt thereon appears, to wit: ..... 48.85
10. For an allowance to this accountant by way of payment to him for extraordinary trouble which devolved upon him in the settlement of the



estate of the decedent and by way of attorney's fee for legal services rendered, to wit: .....25.00

11. To ten per centum commissions on \$1,184.55 amount of assets, to wit: ..... 118.46

Total amount of disbursements, to wit: ..... 327.19

Recapitulation

Total amount of Assets, to wit: ..... 1,184.55

Total amount of Disbursements, to wit; ..... 327.19

Balance left for distribution among the Judgment creditors by way of dividend. \$857.36

This balance is not sufficient to pay the judgment claims filed against the estate of the decedent.

The foregoing balance of \$857.36 distributing among the Judgment creditors of Edwin H. Brown, jr., pro\_rata will give to each, .09227 per centum of his claim and to each as follows: to wit

Claim

Claim No.	Holder of claim			
1.	Samuel G. Benton	the sum of	\$76.36 on claims of	\$827.53
2	Wm, Mason Shehan	the sum of	243.24 on claim of	2636.25
3	United States Fidelity & Guaranty Co.	the sum of	54.76 on claim of	593.56
4.	David D. Taylor	the sum of	62.01 on claim of	672.07
5.	American Surety Co, of New York	the sum of	33.77 on claim of	366.08
6	James O. Murphy	the sum of	131.00 on claim of	1419.69
7	American Surety Co. of New York	the sum of	256.22 on claim of	2776.63
	Amount distributed .....		857.36	
	Amount for distribution .....		<u>857.36</u>	
	Amount of claims .....			9291.81

November 13, 1939.

Norman S. Dudley  
Register of Wills.

In the Orphans' Court of Queen Anne's County.

In the Matter of the Estate of Edwin H. Brown, junior, deceased.

Statement of Judgment Claims vs. Deceased.

All Judgments were recovered in Circuit Court for Queen Anne's County. Amount of claim means amount due March 28, 1939.

Claim No.	Holder of Claim	Date of Claim		
No. 1.	Samuel G. Benton was recovered by E. George Benton May Term 1930 No. 45	July 18, 1930		
	Appearances Amount of Judgment		514.98	
	Int, to Dec. 6, 1938		289.95	
	Costs		<u>7.45</u>	\$812.38
	Interest from Dec. 6, 1938 to March 28, 1939.....		<u>15.15</u>	
	Amount of Claim .....			\$827.53
No. 2	Wm. Mason Shehan	Dec. 11, 1930		
	Nov. Term, 1930			
	Amt. of Judgment		1754.88	1754.88
	Int, to Mar. 28, 1939 .....		<u>873.92</u>	
	Costs of suit .....		7.45	2628.80
	Amount of claim.....			2,636.25
No. 3	U. S. F. & G. Co.	March 28, 1932		
	No. 34 Appear, Jan Term 1932			
	Amount of Judgment		489.85	
	Amt of principal and interest due Dec. 6, 1938 per itemized statement contained on claim filed.....		551.14	
	Add interest from Dec. 6, 1938 to Mar. 28, 1939.....		<u>10.28</u>	
			561.42	
	Add commissions		24.89	
	Add costs		<u>7.65</u>	32.14
	Amount of claim .....			593.56
No. 4	Holder of claim	Date of claim		
	David D. Taylor	April 15, 1932		
	Jan Term. 1932 No. 47 Appear.			
	Amount of Judgment .....		453.00	
	Int, from April 15, 1932 to March 28, 1939.....		<u>188.97</u>	

Add. Com.	\$22.65	\$641.97
Costs of suit	<u>7.45</u>	30.10
Amount of Claim .....		\$672.07

No. 5	Holder of Claim	Date of Claim
	American Surety Co. of New York was recovered by State use Wesley T. Gardner use of said Holder .....	Nov. 17, 1932
	Nol 33 Trialx Nov. 1932	
	Amount of Judgment.....	253.64
	Interest from Nov 17, 1932 to Mar. 28, 1939 .....	<u>96.89</u>
		350.53
	Add Costs	
	10.55	
	<u>5.00</u>	<u>15.55</u>
	Amount of Claim .....	366.08

Claim No. 6	Holder of Claim	Date of Judgment.
	James O. Murphy No. 16, Appear Amt. of Judgment Coms. in Judgment	April 12, 1933 Jan, Term- 1933 \$2183.00 218.30
	Part of debt in Judgment Int. thereon in Do.	1800.00 <u>324.00</u> 2124.00
	Int. from date of Judgment to Mar 28, 1939 is .....	\$761.87
	Credits	<u>420.00</u>
		341.87
		<u>2465.87</u>
	Cr. as of Mar. 28- 1939 Out sale decedents land Cause 3202	1352.03
		\$ 1113.84
	Bal. of Judgment	2183.00
	<u>2124.00</u>	59.00
	Int, from date judgment to March 28, 1939..	21.10
	add the commissions .....	218.30
	add costs of suit .....	<u>7.45</u>
		305.85
	Amt. of claim .....	<u>1419.69</u>
		1419.69

Claim No. 7	Holder of Claim	Date of Judgment
	American Surety Co. of New York Jan Term, 1936	May 2, 1936
	Amount of Judgment .....	2,357.33
	Interest from May 2, 1936 to Mar. 28, 1939 .....	<u>411.05</u>
		2,768.38
	Add costs	
	\$ 785	
	<u>.40</u>	<u>\$8.25</u>
	Amount of Claim .....	2,776.63

Total amount of Claims .....

To the Honorable, the Judges of Orphans' Court of Queen Anne's County.

The undersigned, herewith presents his first, preference and final account as Administrator, c.t.a. of the personal estate of Edwin H. Brown, jr., deceased.

Mary Y. Brown, the widow of the said deceased to the knowledge of the under- signed paid the funeral expenses of said deceased, the accounts against the deceased for medical attention and nurses attention rendered the deceased in his last illness,. She notified the undersigned that she would not present any claim against the estate of deceased for said claims and has delivered to under- signed her release for same.

She also notified under - signed that she did not intend to claim the allowance due her as widow of the deceased under the Maryland law of \$75.00 and that she would waive this claim in favor of the creditors of deceased and would release the under- signed therefor.

The Administrator sets forth the above in order that the absence of above mentioned allowances or claims in the foregoing account may have an explanation of same.

Madison Brown  
Administrator c.t.a. of Edwin H. Brown, jr.

State of Maryland,  
Queen Anne's County, Sct:

This 14th day of November A. D., 1939  
Then came Madison Brown, administrator c.ta. of Edwin H. Brown, junior, late of Queen Anne's County, State of Maryland, deceased, and made oath in due form of law that the foregoing and within account of Administration is just and true as stated, and that he has bona fide paid or secured to be paid the several sums for which he therein claims an allowance.

Certified per Norman S. Dudley  
Register of Wills for Queen Anne's County

IN THE ORPHANS' COURT FOR QUEEN ANNE'S COUNTY, MARYLAND.

14th day of November , A. D. 1939.

The foregoing account of Administration was duly examined and passed by the Court and hereby ordered to be recorded.

Henry C. Bowen  
C. Tilghman Bishop  
Harry B. Moore  
Judges of the Orphans' Court for Queen Anne's County.

IN THE ORPHANS' COURT FOR QUEEN ANNE'S COUNTY, MARYLAND, SCT:

The Register of Wills for Queen Anne's County, Maryland, does hereby certify that the within and foregoing is a true and whole copy of the First, preference and final Account of Madison Brown, Administrator c.t.a. and copy of Statement of Judgment Claims and copy of account of Dividend distributing net estate estate to Judgment Creditors of Edwin H. Brown, jr., deceased, as filed and passed in this office on November 14, 1939, and recorded in Liber N, S. D. #1, folio 462, etc. Record Book of Administration Accounts in the Orphans' Court for Queen Anne's County, Maryland.

Corporate  
Seals  
Place.

In testimony whereof I hereunto subscribe my name and affix the seal of my office this 8th day of September, 1941.

Norman S. Dudley  
Register of Wills

Filed Jan. 10, 1942.

.....  
CERTIFIED COPY SECOND, PREFERENCE AND  
FINAL ACCOUNT OF MADISON BROWN ADMINIST\*  
RATOR C.T.A. OF EDWIN H. BROWN, DECEASED.  
Exhibit No. 7  
Filed Jan 10, 1942.

In the Orphans' Court of Queen Anne's County.

In the matter of the Estate of Edwin H. Brown, junior, deceased.

Administration Account.

Queen Anne's County, to wit:

The second, preference and final account of Madison Brown, administrator c.ta. of the estate of Edwin H. Brown, junior, deceased.

By the first and preference account of this administrator heretofore passed by this court he was allowed to retain \$857.36 to pay the judgment creditors of said deceased by way of dividends which sums was distributed by said account but not disbursed and as same has since been disbursed this adminiatrator offers this account and the vouchers thereof as evidence of his payments of said sum to said Judgment Creditors.

This accountant charges himself with the amount by the first account distributed to Judgment Creditors, to wit: .....\$857.36

And this accountant prays to be allowed for the following payments, to wit:

(NOTE: The dividends mentioned below are the dividends mentioned in the first account and are sums of money audited to the Judgment Creditors therein named.)

- 1. For cash paid by this accountant to Samuel G. Benton in payment of dividend No. 1 and distributed unto him, to wit: 76.36
- 2. For cash paid by this accountant to Wm. Mason Shehan in payment of dividend No. 2 distributed unto him as per his receipt for same appears, to wit: ..... \$ 243.24
- 3. For an amount paid United States Fidelity and Guaranty Company in payment of dividend No. 3 distributed unto said company as per receipt for same appears, to wit: ..... 54.76
- 4. For an amount paid David D. Taylor in payment of dividend No. 4 distributed unto him as per his receipt for same appears, to wit: ..... 62.01
- 5. For an amount paid American Surety Company of New York in payment of dividend No. 5 distributed unto said company as per receipt for same appears, to wit: ..... 33.77
- 6. For an amount of cash paid to James O. Murphy in payment of dividend No. 6 distributed unto him as per his receipt for same appears, to wit: ..... 131.00
- 7. For cash paid American Surety Company of New York in payment of dividend No. 7 distributed unto said Company as per receipt for same appears, to wit:..... 256.22

Total amount distributed to judgment creditors, to-wit: ..... \$857.36

Total amount for distribution among judgment creditor, to wit: ..... \$857.36

857.36      857.36

STATE OF MARYLAND,

QUEEN ANNE'S COUNTY, SCT:

This 28th day of November, A. D., 1939.

Then came Madison Brown, Administrator c.t.a. of Edwin H. Brown, junior, late of Queen Anne's County, State of Maryland, deceased, and made oath in due form of law that the foregoing and within account of administration is just and true as stated, and that he has bona fied paid or secured to be paid the several sums for which he therein claims an allowance.

Certified per

Norman S. Dudley  
Register of Wills for Queen Anne's  
County.

IN THE ORPHANS' COURT FOR QUEEN ANNE'S COUNTY, MARYLAND:

28th day of November, A. D., 1939.

The foregoing account of Administration was duly examined and passed by the Court and hereby ordered to be recorded.

Henry C. Bowen  
C. Tilghman Bishop  
Harry B. Moore  
Judges of the Orphans' Court for Queen  
Anne's County.

IN THE ORPHANS' COURT FOR QUEEN ANNE'S COUNTY, MARYLAND, SCT:

The Register of Wills for Queen Anne's County, Maryland, does hereby certify that the within and foregoing is a true copy of the Second, preference and final account of Madison Brown, administrator, c.t.a. of the estate of Edwin H. Brown, junior, deceased, as filed and passed on the 28th day of November, 1939, and recorded in Liber N.S.D. No. 1, folio 472, Record Book of Administration Accounts in the Orphans' Court for Queen Anne's County, Maryland.

Corporate  
Seals  
Place.

In testimony whereof I hereunto subscribe my name and affix the seal of my office this 8th day of September, 1941.

Norman S. Dudley  
Register of Wills

Filed Jan. 10, 1942.

.....  
BENTON JUDGMENT  
Exhibit No. 8  
Filed Jan 10, 1942.

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY, MARYLAND

APPEARANCES

May term, 1930.

H.BWM.

E. George Benton use of  
Samuel G. Benton, as per  
order filed Apr. 15th, 1938.

Clerk 2.45  
Apprs. 5.00

45

Edwin H. Brown Jr.

:  
: Filed July 18th, 1930. Order to docket  
: suit, Narr and Note with power to enter  
: judgment by confession, & c. July 18th,  
: 1930. Judgment entered by confession by  
: the Defendant in favor of the Plaintiff  
: for the sum of Five Hundred and fourteen  
: Dollars and ninety eighty cents  
: (\$514.98) with interest from date hereof  
: until paid, and costs of suit with all  
: exemptions waived.

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, SCT:

I hereby certify that the above is a true short copy of the original Judgment rendered in the Circuit Court for Queen Anne's County in the State of Maryland, at the above entitled term, and also of the subsequent docket entries in said case; and that there is no entry or proceeding in the said Court to show that the said Judgment, or any part thereof, hath been paid or satisfied.

Corporate  
Seals  
Place.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the Seal of the Circuit Court for Queen Anne's County, on this 18th day of Sept., in the year of our Lord, nineteen hundred and forty one.

A. Sydney Gadd Jr.  
Clerk of the Circuit Court for Queen Anne's  
County,

Filed Jan 10, 1942.

.....  
JUDGMENT OF SHEHAN  
Exhibit No. 9  
Filed Jan 10, 1942

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY, MARYLAND

Appearances

November

Term, 1930

S & M

Wm. Mason Shehan, Trustee  
of Dimpfel Estate, use of  
Wm. Mason Shehan without re-  
course as per order of Plaintiff

:  
: Filed December 11th, 1930, Order to  
: docket suit, Narr and Note with  
: power to enter judgment by conf-  
: ession, State of Debt and assent,

filed, Oct. 2nd, 1931

27

Apprs. \$5.00  
Clerk 2.45

EDWIN H. BROWN, Jr.

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, SCT:

I hereby certify that the above is a true short copy of the original Judgment rendered in the Circuit Court for Queen Anne's County in the State of Maryland, at the above entitled term, and also of the subsequent docket entries in said case; and that there is no entry or proceeding in the said Court to show that the said Judgment, or any part thereof, hath been paid or satisfied.

Seals Place.

: December 11th, 1930. Judgment entered by  
: confession by the Defendant in favor of  
: the Plaintiff for the sum of Seventeen  
: Hundred fifty four Dollars and eighty eight  
: cents (\$1754.88) with interest from date hereof  
: until paid, and costs of suit, with all  
: exemptions waived.

In Testimony Whereof, I hereunto subscribe my name and affix the Seal of the Circuit Court for Queen Anne's County, on this 18th day of Sept., in the year of our Lord, nineteen hundred and forty one.

A. Sydney Gadd Jr.  
Clerk of the Circuit Court for Queen Anne's County.

Filed Jan 10, 1942.

U.S. F. & G. CO . JUDGMENT  
Exhibit No. 10  
Filed Jan 10, 1942.

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY, MARYLAND.

Appearances	January	Term, 1932
H.H. United States Fidelity and Guaranty Company, a body corporate		: Filed March 28th, 1932. Order to docket : suit Narr and Note with power to enter : Judgment by confession &c. : March 28th, 1932. Judgment entered by : confession by the Defendants in favor : of the Plaintiffs for the sum of Four : Hundred Eighty Nine Dollars and eighty five : Cents with interest from date hereof until : paid, and costs of suit, with all exemptions : waived, and \$24.49 commissions.
34		
Clerk \$2.65 Appr. 5.00		
Edwin H. Brown, Jr., Mary Y. Brown		: : at the request of Mary Y. Brown Satisfied/as : per order of Wm. R. Horney, Atty, for Plain- : tiff, filed March 9th, 1940

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, SCT:

I hereby certify that the above is a true short copy of the original Judgment rendered in the Circuit Court for Queen Anne's County in the State of Maryland, at the above entitled term, and also of the subsequent docket entries in said case; and that there is no entry or proceeding in the said Court to show that the said Judgment, or any part thereof, hath been paid or satisfied.

Seals Place.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the Seal of the Circuit Court for Queen Anne's County, on this 18th day of Sept., in the year of our Lord, nineteen hundred and forty one.

A. Sydney Gadd Jr.  
Clerk of the Circuit Court for QUEEN ANNE'S County

Filed Jan 10, 1942.

TAYLOR JUDGMENT  
Exhibit No. 11  
Filed Jan 10, 1942.

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY, MARYLAND

Appearances	January	Term, 1932
J.P.S. David D. Taylor		: Filed April 15th, 1932. Order to docket : suit, Narr and Note with power to enter : judgment by confession &c., : April 15th, 1932. Judgment entered by confess- : ion by the Defendant in favor of the Plaintiff : for the sum of Four Hundred and fifty three : dollars (\$453.00) with interest from date hereof : until paid, and costs of suit, with all exem- : ptions waived and Twenty two dollars and sixty : five cents commissions.
47		
Apprs. \$5.00 Clerk 2.45		
Pd. Apr. 15, 1932. Edwin H. Brown, Jr.		

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, SCT:

I hereby certify that the above is a true short copy of the original Judgment rendered in the Circuit Court for Queen Anne's County in the State of Maryland, at the above entitled term, and also of the subsequent docket entries in said case; and that there is no entry or proceedings in the said Court to show that the said Judgment, or any part thereof, hath been paid or satisfied.

Seals  
Place.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the Seal of the Circuit Court for Queen Anne's County, on this 18th day of Sept., in the year of our Lord, nineteen hundred and forty one.

A. Sydney Gadd Jr.  
Clerk of the Circuit Court for Queen Anne's County.

Filed Jan 10, 1942

.....  
JUDGMENT OF AMERICAN SURETY CO.  
Exhibit No. 12  
Filed Jan. 10, 1942.

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY, MARYLAND

Trials November Term, 1932

<p>H&amp;H.</p> <p>33 M. Brown</p> <p>Appr. \$5.00 Appr. 5.00 4.10 .25 <u>1.20</u> Pd. 12/6/32</p>	<p>State of Maryland, for the use of Wesley T. Gardner, use of American Surety Company of New York as against Edwin H. Brown, Jr., and satisfied as against the American Surety Company of New York as per order of Plaintiff and Plaintiffs attorney filed Dec. 7th, 1932.</p> <p>Edwin H. Brown, Jr. and American Surety Company of New York, a body corporate</p> <p>and by reading Sums. to him, and leaving a copy of sums, with him, on April, 30th, 1932. May 2nd, 1932. Mo. &amp; leave to renew for Edwin H. Brown, Jr. Sum's renewed and returned Summed.</p> <p>Filed June 8th, 1932 Order to consolidate No. 1 Apprs, July 1932 with this case, and Declaration: No. 1 Apprs. July 1932 consolidated with this case, Rule Plea: 7/7/32 Trial: 11/17/32 Trial Wits, sworn</p> <p>Filed Nov. 17th, 1932. Order to enter Apprs. Madison Brown for Edwin H. Brown, Jr., and confess Judgment for him in favor of Pltff.</p> <p>November 17th, 1932. Judgment confessed by Edwin H. Brown, Jr., in favor of Plaintiff for the sum of Two Hundred- fifty three dollars and sixty four cents with interest and costs.</p> <p>November 17th, 1932. Motion for Judgment vy default for want of a plea with leave to extend against American Surety Company of New York, a body corporate: motion granted:</p> <p>17th, 1932. Judgment exntended by order of Court against the American Surety Company of New York a body corporate, in favor of Plaintiff for the sum of Two Hundred Fifty three dollars and sixty four cents, with interest from date and costs.</p>	<p>: Filed April 30th, 1932. Order to docket suit.</p> <p>: Issd, April 30th, 1932: Sums, for Edwin H. Brown, Jr.</p> <p>: Issd. April 30th, 1932, Sums for American Surety Company of New York, a body corporate and copy of same sent to be left.</p> <p>: Edwin H. Brown, Jr., retd, Non Est. American Surety Company of New York, a body corporate, Sumd, by service on Madison Brown, atty, and agent for it</p>
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STATE OF MARYLAND, QUEEN ANNE'S COUNTY, SCT:

I hereby certify that the above is a true short copy of the original Judgment rendered in the Circuit Court for Queen Anne's County in the State of Maryland, at the above entitled term, and also of the subsequent docket entries in said case; and that there is no entry or proceeding in the said Court to show that the said Judgment, or any part thereof, hath been paid or satisfied.

Corporate  
Seal  
Place.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the Seal of the Circuit Court for Queen Anne's County, on this 18th day of Sept., in the year of our Lord, nineteen hundred and forty one,

A. Sydney Gadd Jr.  
Clerk of the Circuit Court for Queen Anne's County.

Filed Jan , 10, 1942.

.....  
JAMES O. MURPHY JUDGMENT  
Exhibit No. 13  
Filed Jan 10, 1942.

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY, MARYLAND

Appearances January Term, 1933.

<p>M. Brown</p> <p>16</p> <p>Appr. \$5.00 Clerk \$2.45</p>	<p>James O. Murphy</p> <p>Edwin H. Brown, Junior</p>	<p>: Filed April 12th, 1933 Order to Docket suit, Narr and Note with power to enter judgment by confession &amp;c.</p> <p>: April 12th, 1933. Judgment entered by confession by the Defendant in favor of the Plaintiff for the sum of Twenty One Hundred and Eighty three dollars</p>
--	--	--

: with interest from date hereof until paid, and  
: costs of suit, with all exemptions waived, and  
: \$218.30 commissions.  
:

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, SCT:

I hereby certify that the above is a true short copy of the original Judgment rendered in the Circuit Court for Queen Anne's County in the State of Maryland, at the above entitled term, and also of the subsequent docket entries in said case; and that there is no entry or proceeding in the said Court to show that the said Judgment, or any part thereof, hath been paid or satisfied.

Corporate Seals  
Place.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the Seal of the Circuit Court for Queen Anne's County, on this 18th day of Sept, in the year of our Lord, nineteen hundred and forty one.

A. Sydney Gadd Jr.  
Clerk of the Circuit Court for Queen Anne's County.

Filed Jan 10, 1942.

.....  
JUDGMENT OF AMERICAN SURETY CO.  
Exhibit No. 14  
Filed Jan. 10, 1942.

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY, MARYLAND.

Appearances January Term, 1936.

M. Brown	American Surety Company of New York, a Corporation created by and existing under the laws of the State of New York	: Filed May 2nd, 1936. Order to docket suit Narr and Note- Authority to enter judgment by confession:
17		: May 2nd, 1936. Judgment entered by confession by the defendant in favor of the Plaintiff for the sum of Twenty- three Hundred and fifty seven dollars and thirty three cents (\$2357.33) with interest from April 27th, 1936, until paid and costs of suit.
Clerk \$2.85		
Appr. \$5.00		
\$7.85	Pd. 6/2/36	
Edwin H. Brown, Jr.		

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, SCT:

I hereby certify that the above is a true short copy of the original Judgment rendered in the Circuit Court for Queen Anne's County in the State of Maryland, at the above entitled term, and also of the subsequent docket entries in said case; and that there is no entry or proceeding in the said Court to show that the said Judgment, or any part thereof, hath been paid or satisfied.

Seals Place.

In Testimony Whereof I hereunto subscribe my name and affix the Seal of the Circuit Court for Queen Anne's County, on this 18th day of Sept., in the year of our Lord, nineteen hundred and forty one.

A. Sydney Gadd Jr.  
Clerk of the Circuit for Queen Anne's County

Filed Jan 10, 1942.

.....  
ANSWER OF PURNELL BROWN  
Filed Jan 10, 1942.

In the Circuit Court for Queen Anne's County, in Equity

Chancery Docket, Cause No. 3303

Madison Brown, administrator c.t.a. of Personal Estate of Edwin H. Brown, jr. ....Plaintiff

William Purnell Brown et al .....Defendants.

Answer of William Purnell Brown

To the Honorable, the Judges of said Court:

That answer of William Purnell Brown to the bill of complaint of Madison Brown, administrator of Edwin H. Brown junior against him in this court in above exhibited:-

This defendant admits the several matters and things charged in the complainant's bill to be true and submits to such decree in the premises as may be right.

And as, etc.,

William Purnell Brown  
William Purnell Brown

Filed Jan 10, 1942.

.....  
ANSWER OF MARY FORMAN BROWN  
Filed Jan 10, 1942.

Answer of Mary Forman Brown.

To the Honorable, the Judges of said Court:

The answer of Mary Forman Brown to the bill of complaint of Madison Brown, administrator of Edwin H. Brown, junior against her in this court in the abobe cause exhibited. This defendant admits the several matters and things charged in the complainant's bill to be true and submits to such decree in the premises as may be right.

And as, etc. ,

Mary Forman Brown  
Mary Forman Brown.

Filed Jan. 10, 1942.

.....  
ANSWER OF BESSIE BROWN BECK  
Filed Jan. 10, 1942.

Chancery Docket, Cause No. \_\_\_\_\_

In the Circuit Court for Queen Anne's County, in Equity.

Madison Brown, administrator c.ta. of the Personal  
Estate of Estate of Edwin H. Brown junior .....Plaintiff

vs

William Purnell Brown et al, .....Defendants

Answer of Bessie Brown Beck

To the Honorable, the Judges of said Court:

The answer of Bessie Brown Beck to the bill of complaint of Madison Brown, administrator of Edwin H. Brown junior against her in this court in above cause exhibited:- This defendant admits the several matters and things charged in the complainant's bill to be true and submits to such decree in the premises as may be right.

And as, etc.,

Bessie Brown Beck  
Bessie Brown Beck

Filed Jan, 10, 1942.

.....  
ANSWER OF HENRY BECK,  
Filed Jan. 10, 1942.

Answer of Henry Beck, her husband

To the Honorable, the Judges of said court:

The answer of Henry Beck to the bill of complaint of Madison Brown, administrator of Edwin H? Brown junior against him in this court in the above cause exhibited. This defendant admits the several matters and things charged in the complainant's bill to be true and submits to such decree in the premises as may be right.

And as, etc.,

Henry Beck  
Henry Beck

Filed Jan. 10, 1942.

.....  
ANSWER OF JAMES O. MURPHY  
Filed Jan 24th 1942.

In the Circuit Court for Queen Anne's County, in Equity.

Madison Brown, adminitrator c.t.a. of Personal  
estate of Edwin H. Brown junior.

versus .....Cause No. 3303

William Purnell Brown, James O. Murphy and others

To the Honorable the Judges of said court:

The answer of James O. Murphy to the bill of complaint of Madison Brown, administrator c.t.a. of Edwin H. Brown junior against him in this court in the above entitled cause exhibited.

This defendant admits the matters and things severally set forth and charged in the complainant's bill to be true and submits to such decree in the premises as may be right.

And as, &c.,

James O. Murphy

To the Clerk of said Court:

Enter the appearance of the undersigned for James O. Murphy in the above cause and file in said cause the foregoing answer.

Richard T. Earle

Filed Jan, 24th, 1942.

.....  
ANSWER OF DAVID D, TAYLOR  
Filed Jan 24th 1942.

In the Circuit Court for Queen Anne's County, in Equity.



Madison Brown, administrator c.t.a. of  
 Edwin H. Brown junior, :  
 : Chancery Cause  
 : No. 3303/  
 :  
 versus :  
 :  
 William Purnell Brown, David D. Taylor and others :  
 :

To the Honorable, the Judges of said Court:

The answer of David D. Taylor to the bill of complaint of Madison Brown, administrator c.t.a. of Edwin H. Brown junior against him in this court in the above entitled cause exhibited.

This defendant admits the several matters and things charged in the complainant's bill to be true and submits to such decree in the premises as may be right.

And as, &c.,  
David D. Taylor  
 David D. Taylor

To the clerk of said court:

Enter appearance of the undersigned for David D. Taylor in above cause and file in the proceedings of said cause the foregoing answer?

John Palmer Smith

Filed Jan. 24th, 1942.

ANSWER OF AMERICAN SURETY COMPANY  
 OF NEW YORK  
 Filed Feb. 9, 1942.

In the Circuit Court for Queen Anne's County, in Equity.

Cause No. 33030 Chancery Docket

Madison Brown, administrator c.t.a. of Personal Estate of Edwin H. Brown, junior,  
 versus

William Purnell Brown, The American Surety Company of New York, a corporation duly created by and existing under the laws of the State of New York and others.

The answer of the AMERICAN SURETY COMPANY OF NEW YORK, corporation existing under and created by the laws of the State of New York, to the bill of complaint of Madison Brown, administrator c.t.a. of Edwin H. Brown, junior, against said corporation and others in said cause exhibited.

This defendant has no knowledge as to the several matters and things charged in the complainant's bill.

This defendant directs the clerk of above named court to file in above cause this answer.

American Surety Company of New York  
 By, E. S. Watson  
 Vice President

Filed Feb. 9, 1942. Corporate  
 Seals  
 Place.

ANSWER OF SAMUEL G. BENTON  
 Filed Feb. 9th, 1942.

In the Circuit Court for Queen Anne's County, in Equity.

Madison Brown, administrator c.t.a. of :  
 Edwin H. Brown junior. : Chancery Cause  
 : No. 3303  
 :  
 versus :  
 :

William Purnell Brown, Samuel G. Benton and others :  
 and :

To the Honorable, the Judges of said Court:

The answer of Samuel G. Benton, to the bill of complaint of Madison Brown, administrator c.t.a. of the Personal Estate of Edwin H. Brown junior against him in this court in the above entitled cause exhibited.

This defendant admits the several matters and things charged in the bill of the complainant to be true and submits to such decree in the premises as may be right.

Samuel G. Benton  
 Samuel G. Benton

Filed Feb. 9th, 1942.

To the Clerk of said Court:

Enter the appearance of the undersigned for Samuel G. Benton in the above cause and file in proceedings of said cause the above answer.

Edward Turner  
 Edward Turner

Filed Feb. 9, 1942.

ANSWER OF PHILIP G. SHEHAN AND JOHN W.D. JUMP, Filed Feb.9, 1942.

CERTIFICATE OF LETTERS

STATE OF MARYLAND,

TALBOT COUNTY, SCT:

The subscriber, the Register of Wills for Talbot County, doth hereby certify that it appears by the Records in this office that letters of Administration of all the good, chattels, credits, and personal estate of William Mason Shehan, deceased, were on the 3rd day of September, in the year of our Lord Nineteen Hundred and forty granted and committed unto John W. D. Jump and Philip G. Shehan.

In Testimony whereof, I hereunto subscribe my name and affix the Seal of my office this 17th day of January, in the year of our Lord Nineteen Hundred and forty -two.

J. Dawson Stafford REGISTER OF WILLS FOR TALBOT COUNTY

In the Circuit Court for Queen Anne's County, In Equity.

Madison Brown, Administrator c.t.a. of Edwin H. Brown, Junior. vs. William Purnell Brown and Philip G. Shehan and John W. D. Jump administrators of Wm. Mason Shshan et al

CAUSE No. 3303

To the Honorable- the Judges of/said Court:-

The answer of Philip G. Shehan and John W. D. Jump, administrators of the last will and testament of Wm. Mason Shehan, to the bill of complaint of Madison Brown, administrator c.t.a. of Edwin H. Brown, Junior, against them and others in this Court in the above entitled Cause exhibited.

These defendants admits the several matters and things charged in the complainant's bill to be true and submit to such decree in the premises as may be right.

And as, &c.,

Philip G. Shehan (Philip G. Shehan) administrators of Wm. Mason Shehan John W. D. Jump JOHN W.D. Jump

Filed Feb. 9, 1942.

To the Clerk of the said Court:

Enter the appearance of the undersigned for the above named defendants in the said cause and file in said cause the foregoing answer including attached certificate.

William Cddie Solicitor

Filed Feb. 9, 1942.

DECREE OF COURT Filed Feb. 11, 1942.

In the Circuit Court for Queen Anne's County, in Equity.

Madison Brown, administrator of Edwin H. Brown, junior vs William Purnell Brown, et al Cause No. 3303

The above Cause standing ready for hearing and being submitted without argument, the Bill of Complaint and all the other proceedings were read and considered.

It is thereupon, on this 9th day of February, in the year nineteen hundred and forty two, by the Circuit Court for Queen Anne's County, sitting as a Court of Equity, and by the authority of this Court, ADJUDGED, ORDERED and DECREED as follows, to wit:-

- 1. That the interest and estate of Edwin H. Brown, junior, described in these proceedings in the real estate of which Margaret K. Brown died seized and possessed described in said proceeding be sold for the payment of the debts of the said Edwin H. Brown, junior, due and owing at the time of his death as set forth in said proceedings.
2. That Madison Brown, of Queen Anne's County, in the State of Maryland, be and he is hereby appointed trustee to make said sale.
3. That the said Madison Brown shall first file with the Clerk of the Circuit Court for Queen Anne's County a bond to the State of Maryland, to be executed by himself and with surety or sureties thereon to be approved by this Court or by said Clerk in the penalty of Two Thousand Dollars, if said surety or said surties shall be natural

persons and in the penalty of One Thousand Dollars, if the surety thereon be a corporation with due authority to become the sole surety on the bonds of trustees, conditioned for the faithful performance of the trust reposed in him by this decree or which may be reposed in him by any future decree or order in the premises.

4. The said Madison Brown shall then proceeds to make said sale having given at least three week previous notice by advertisement inserted in some newspaper published in Queen Anne's County, State of Maryland, and such other notice as he should think proper of the time, place, manner and terms of sale, which terms shall be as follow:- One half Cash on day of sale, and balance upon ratification of the sale by this Court, interest to run from day of sale.

5. That as soon as may be convenient after such sale the said trustee shall return to this Court a full and particular account of the same with an affidavit of the truth thereof, and of the fairness of such sale, annexed.

6. That on the ratification of such sale by this Court and after the payment of the whole purchase money and not before the said trustee, by a good and sufficient deed to be executed and acknowledged agreeably to law shall convey to the purchaser or purchasers of said property and to his, her or their heirs, the property and estate to him, her or them, sold, free, clear and discharged of all claims of the parties to this cause and of any and every person or persons claiming by, from or under them or any of them.

7. That the said trustee shall bring into this Court the money arising from said sale and the bonds or notes which may be taken for same to be disposed of under the direction of this Court after deducting therefrom the costs of this suit and of such commission to the trustee as this Court shall think proper to allow in consideration of the skill, attention and fidelity wherewith he shall have appeared to have discharged his trust.

Stephen R. Collins

Filed Feb. 11th, 1942.

.....  
CERTIFIED COPY OF BOND  
Filed March 7, 1942.

Queen Anne's County, to wit: Be it remembered that on this Sevent Day of March nineteen hundred and forty two, the following Bond was filed and Recorded, to wit:

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

KNOW ALL MEN BY THESE PRESENTS, That we, Madison Brown, of Queen Anne's County in the state of Maryland, and the AMERICAN SURETY COMPANY OF NEW YORK, a corporation created by and existing under the laws of the State of New York with due authority both by its charter and in law to become the sole surety on the bonds of trustees, are held and firmly bound unto the State of Maryland in the full and just sum of One thousand dollars lawful money of The United States of America, to be paid to the said State of Maryland or to its certain attorney, to which payment well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

SEALED with our Seals and dated this second day of March in the year nineteen hundred and forty two.

WHEREAS by a decree of the Circuit Court for Queen Anne's County sitting as a Court of Equity bearing date the ninth day of February in the year nineteen hundred and forty two and passed in a Cause in said Court wherein Madison Brown, administrator of the personal estate of Edwin H. Brown, junior, deceased, is the Complainant and William Purnell Brown and others are the Defendants which Cause is cause No. 3303 on the Chancery Docket of said Court, the above bound Madison Brown has been appointed a Trustee to make sale of certain real estate in the proceedings in said Cause mentioned.

NOW THE CONDITION OF THE ABOVE IS SUCH, that if the above bound Madison Brown does and shall well and faithfully perform the trust reposed in him by said decree or that may be reposed in him by any future decree or order in the premises then the above obligation is to be void; otherwise the same is to remain in full force and virtue in law.

Signed, sealed and delivered in the presence of

Madison Brown (SEA)  
Madison Brown

Delha Dancy Rolph  
Delha Dancy Rolph

AMERICAN SURETY COMPANY OF NEW YORK

By Madison Brown  
Madison Brown  
Its attorney in fact.

Corp.  
Seals  
Place.

Filed March 7th, 1942.

And on the back of the foregoing Bond was thus endorsed, to wit:  
Bond filed March 7th, 1942 and Security approved.

A. Sydney Gadd Jr.  
Clerk

STATE OF MARYLAND  
QUEEN ANNE'S COUNTY, TO WIT:

I hereby Certify that the foregoing is truly taken and copied from Liber W. H. C. No. 1, folio 199 A Bond Record Book for Queen Anne's County

In Testimony Whereof I hereunto subscribe my name and affix the Seal of the Circuit Court for Queen Anne's County on this 7th day of March in the year nineteen hundred and forty two.

A. Sydney Gadd Jr. Clerk

.....

REPORT OF SALE

Filed Mar. 25, 1942

In the Circuit Court for Queen Anne's County, in Equity.

Madison Brown, administrator of Personal Estate of

Edwin H. Brown, junior

versus

William Purnell Brown, et al

:  
: Chancery docket  
:  
: Cause No. 3303  
:

To the Honorable, the Judges of said Court:-

The report of Madison Brown, the trustee appointed by the decree passed in this cause to make sale of the real estate therein mentioned, shows:-

1. That before the day of sale hereinafter mentioned he filed the bond required of him by said decree with the Clerk of this Court and with the American Surety Company of New York as security thereof and this bond was accepted and approved by said clerk.

2. That prior to the day of sale hereinafter mentioned this trustee gave notice of the time, place, manner and terms of the sale hereinafter described by an advertisement inserted in Queen Anne's Record and Observer, a weekly newspaper published at Centreville in this county, each week, for more than three successive weeks before the day of sale mentioned. A copy of the advertisement of sale, with certificate as to its publication in said paper signed by the publishers thereof annexed, is filed with and attached to this report as part hereof.

3. That your trustee pursuant to said advertisement or notice of sale did attend in front of the Court House door in the Town of Centreville in said county at 2 o'clock P.M. on Saturday, March 14, 1942, and offered at public sale to the highest bidder the said real estate, and then at that time and there at that place through the services of J. E. Anthony, as auctioneary did sell said real estate, after the sale had been cried in the usual manner, unto William Purnell Brown of said county and Bessie Brown Beck, his sister, they being then and there the highest bidders therefor, for the sum of \$1,800.00. The purchasers have paid unto your trustee \$900.00 of the purchase money.

4. That the real estate sold was the equity of redemption of Edwin H. Brown junior in one fourth of the farm called "Marga et K. Brown Farm" and said real estate was sold subject to two mortgages resting on whole farm. The interest sold and the mortgages are described in the annexed advertisement.

Which is respectfully submitted,

Madison Brown  
Trustee.

The report states amount of the sale to be \$1,800.00.

State of Maryland, Queen Anne's County, to wit:

I hereby certify that on this 25th day of March in the year nineteen hundred and forty two before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County aforesaid, personally appeared Madison Brown above named trustee and he did make oath in due form of law that the matters and things set forth in the foregoing Report of Sale are true as therein stated and that the sale therein mentioned was fairly made.

A. Sydney Gadd Jr.  
Clerk

Filed March 25, 1942.

.....

TRUSTEE PUBLIC SALE

AND CERTIFICATE

Filed Mar. 25, 1942.

TRUSTEE PUBLIC SALE OF UNDIVIDED  
INTEREST

in a Farm adjoining Town of Centreville, Maryland.

By virtue of a decree of the Circuit Court for Queen Anne's County passed in Cause No. 3303, the undersigned as Trustee named in said decree will sell at public sale to the highest bidder in front of the Court House Door in the Town of Centreville, Queen Anne's County, Maryland, at 2 o'clock P. M. on SATURDAY, MARCH 14, 1942.

ALL the right, title, interest and estate of Edwin H. Brown, Jr., late of said county, deceased, in, to and of all that farm or tract of land called "The Ringgold Farm" but more commonly called or known as "The Margaret K. Brown Farm" situate, in Queen Anne's County aforesaid adjacent to the Town of Centreville, and on the south road leading to Ruthsburg from said town, bounded by said road, by the road leading therefrom at corner of John M. Perry Farm to Rolling Bridge and on road leading from that road to site of Taylor's Mill, containing 394 acres, 2 roods, 21 perches of land, more or less.

DESCRIPTION OF INTEREST TO BE SOLD: When said Edwin H. Brown, Jr., died he owned on undivided fourth part of or interest in the farm above described but this undivided part or interest was then and is now subject to the lien of two valid mortgages resting, on said farm dated July 11, 1913 and recorded side by side in Liber B. H. T. No. 13, land record book for said County in folios 313, 314, 315, one given

to the Centreville National Bank of Maryland and the other to the Queen Anne's National Bank of Maryland. On first mentioned mortgage there is now due and unpaid the principal debt of \$15,000.00 and on the other mentioned mortgage there is now due and unpaid the principal debt of \$1,600.00 with interest on each debt running from January 6, 1942.

The interest and estate therefore to be sold is one undivided fourth part of said farm subject to the lien of both mortgages for said deceased acquired his interest in the farm the entire farm was and is now subject to said mortgages.

TERMS OF SALE as prescribed by the decree; One half of the purchase money is to be paid at time and place of sale and the balance thereof on ratification of sale, interest to run from day of sale. Costs of title papers and revenue stamps for same to be paid by the purchaser.

MADISON BROWN  
Trustee.

J. E. Anthony , Auctioneer

QUEEN ANNE'S RECORD - OBSERVER  
Centreville, Md. March 25, 1942.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO. hereby certifies that the annexed advertisement of sale in the case in the Circuit Court for Queen Anne's County called Cause No. 3003 a true copy of which is hereto annexed, was inserted in the QUEEN ANNE'S RECORD - OBSERVER, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week for Four weeks the first publication thereof having been made in said newspaper on the 19th day of Feb. 1942 and more than Three weeks before the 14th day of March 1942.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO.  
By Myrtle M. Lewis

Filed Mar. 25, 1942.

ORDER NISI  
Filed March 25th , 1942.

N I S I

Madison Brown, administrator of : In the Circuit Court for  
Personal Estate of Edwin H. Brown, junior. :  
: Queen Anne's County  
vs :  
: in Equity.  
William Purnell Brown, et al : Chancery No. 3303

ORDERED, This 25th day of March A. D., 1942, that the sale of real estate made and reported in this cause by Madison Brown, Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown or or before the 27th day of May next, provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 25th day of April next.

The Report states the amount of sales to be \$1,800.00

A. Sydney Gadd Jr. Clerk

Filed March 25th, 1942.

COPY OF ADVERTISEMENT OF  
ORDER NISI  
Filed May 26, 1942.

N I S I

Madison Brown, Administrator of : In the Circuit Court for Queen Anne's  
Personal Estate of Edwin H. Brown Jr. :  
: County In Equity.  
vs :  
: Chancery No. 3303  
William Purnell Brown, et al :

ORDERED, This 25th day of March A. D., 1942, that the sale of real estate made and reported in this cause by Madison Brown, Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 27th day of May next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 25th day of April next.

The Report states the amount of sales to be \$1,800.00.

A. Sydney Gadd Jr. Clerk

True Copy  
Test:

A. Sydney Gadd Jr. Clerk

Filed March 25th , 1942.

QUEEN ANNE'S RECORD - OBSERVER  
Centreville, Md. May 26, 1942.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO. hereby certifies that the Order Nisi passed in in the case of Madison Brown, administrator of the personal estate of Edwin H. Brown, Jr. vs. William Purnell Brown et al in Chancery Cause No. 3303 in the Circuit Court for Queen Anne's County, in Equity, a true copy of which is hereto annexed, was inserted in the Queen Anne's Record - Observer, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week for

four (4) successive weeks the first publication thereof having been made in said newspaper on the 26th day of March, 1942, before the 25th day of April 1942.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO.  
By Myrtle M. Lewis.

Filed May 26, 1942.

.....  
PETITION OF MADISON BROWN AS  
TRUSTEE FOR LEAVE TO FILE AN  
ADDITIONAL BOND as SUCH TRUSTEE  
Filed May 28th, 1942.

In the Circuit Court for Queen Anne's County in equity,

Madison Brown, administrator of the Personal Estate, :  
: CHANCERY DOCKET  
of Edwin H. Brown, junior. :  
: CAUSE NO.  
: :  
versus :  
: 3303  
William Purnell Brown, et al :

To the Honorable, the Judges of said court:-

The Petition of Madison Brown, as the trustee appointed by the decree of sale passed in the above entitled cause unto Your Honors respectfully sets forth :

That the bond filed by him as such Trustee on March 7, 1942 in the above cause is made in the penal sum of One thousand dollars in accordance with the terms of the decree; see copy of a bond filed in this Cause.

That this trustee sold the land decreed to be sold on March 4, 1942 at public auction for the sum of Eighteen hundred dollars as will appear from the Report of the Sale filed March 25, 1942.

That as the amount of the sale so made is considerably in excess of the penal sum of the bond mentioned the Petitioner considers that he should file an additional bond as such trustee in at least the penal sum of One thousand dollars.

Your Petitioner therefore prays Your Honors to pass an order authorizing and directing him to give an additional bond as such trustee in such penal sum as you may direct, the bond if authorized will contain corporate surety instead of personal surety.

Which is respectfully submitted,

Madison Brown  
TRUSTEE

Filed May 28th, 1942.

.....  
PETITION OF MADISON BROWN TO BE  
ALLOWED A FEE OUT OF THE SALE OF SAID  
CAUSE FOR HIS LEGAL SERVICES RENDERED  
IN THE CAUSE  
Filed May 28th, 1942

In the Circuit Court for Queen Anne's County, in Equity,

Madison Brown, administrator of Edwin H. Brown, junior. :  
: :  
versus :  
: Cause No. 3303  
William Purnell Brown, et al :

To the Honorable, the Judges of said Court:-

The Petition of Madison Brown in his capacity as an attorney at law of this Court unto Your Honors respectfully sets forth:

(1) That the said Madison Brown in his capacity as administrator of the Personal Estate of said Edwin H. Brown junior now dead filed as plaintiff the Bill of Complaint of this Cause for the benefit of the Judgment Creditors of said deceased and the result of this Bill will be that Samuel G. Benton named in the Bill of Complaint as the holder of the first judgment against said deceased will receive the full amount, principal, interest, commissions and costs, of his judgment claim filed in this cause and that the administrators of William Mason Shehan, named in said Bill of Complaint as the holder of the second judgment claim against said Edwin H. Brown junior will receive a large percentage of the judgment claim of said William Mason Shehan filed in this cause.

(2) That the said Madison Brown in his capacity as an attorney at law, after having examined the law permitting a bill of complaint to be filed by the administrator of a deceased person for the payment of the debts of a deceased person, prepared said Bill of Complaint and filed the same in this cause and thereafter conducted the proceedings had under said bill and in this cause to the present time and now this cause is ready for an audit distributing the proceeds of sale to those judgment creditors who are entitled to the same under the allegations of the bill of complaint.

(3) That under the law of the Equity Courts of this State relating to cases of this kind and the practice of this Court your Petitioner respectfully suggests to the Court here that he is entitled to be paid out of the proceeds of the sale of this cause a reasonable fee for his legal services rendered to the Judgment Creditors above named who will receive as a result of such services the amounts which will be

be distributed to them on their judgment claims against said Edwin H. Brown junior.

Your petitioner therefore prays Your Honors to pass an order allowing him a sum of money as a reasonable fee for his services so rendered out of the proceeds of the sale of this cause and in the order directing the Special Auditor appointed or who will be appointed to state the audit of this Cause to allow in the audit this fee.

Which is respectfully submitted,

Madison Brown  
PETITIONER.

Filed May 28, 1942.

To the Honorable, the Judges of said Court:-

We, undersigned attorney at law of this Court do hereby certify that we have examined the proceedings of this cause with the view of ascertaining the amounts of the labor and skill rendered by Madison Brown as an attorney at law in the preparation of the Bill of Complaint filed in this Cause and in the conduct of the proceedings had under Bill of Complaint and we do certify unto Your Honors that in our judgment the sum of one hundred and twenty-five dollars will be a reasonable fee to be allowed said Madison Brown for his services as the attorney at law in the Cause.

John Palmer Smith

Thos. J. Keating Jr.

Filed May 28, 1942.

FINAL ORDER OF RATIFICATION OF SALE  
Filed June 1, 1942.

FINAL ORDER OF RATIFICATION OF SALE.

It is on this 29th day of May 1942, by the Circuit Court for Queen Anne's County, in Equity and by the authority of this Court, Ordered, that the sale of the Real Estate mentioned and described in the within and foregoing REPORT OF SALE of Madison Brown, trustee of the above entitled cause be and the same is hereby finally ratified and confirmed, no cause to the contrary thereof having been shown, although notice appears to have been given as directed by the Order Nisi heretofore passed in this Cause in relation to said sale.

It is further ordered by this Court that as said Trustee is the regular Auditor of this Court that Harry C. Butler be and he is hereby appointed as Special Auditor with instructions to state and return to this Court an account between the proceeds of the sale of the cause and the said Trustee and making distribution of the proceeds of the sale according to the papers filed in the cause, The trustee, Madison Brown is allowed the usual commissions of a trustee making sale under the decree of this Court and all expenses of the sale not personal and the expenses of these proceedings.

Stephen R. Collins

Filed June, 1, 1942.

ORDER OF COURT  
Filed June 1, 1942.

ORDER OF COURT:

The foregoing Petition has been read and considered and it is thereupon on this 20th day of May, 1942 by the Circuit Court for Queen Anne's County in Equity and by the authority of this Court that Madison Brown, the trustee appointed by the decree of this Court filed in above entitled cause to make the sale of the real estate therein mentioned be and he is hereby authorized, empowered and directed to file in this cause an additional bond as such trustee to be given to the State of Maryland in the penal sum of One Thousand Dollars if the surety thereon shall be a corporation authorized by law to become sole surety on bonds of trustees.

Stephen R. Collins

Filed June 1, 1942.

ORDER OF COURT  
Filed June 1, 1942.

ORDER OF COURT:

The foregoing Petition of Madison Brown and the foregoing certificate of the attorneys at law above named have been read and considered.

It is thereupon on this 29th day of May in the year nineteen hundred and forty two by the Circuit Court for Queen Anne's County in Equity and by the authority of this Court that Madison Brown, the Petitioner be and he is hereby allowed out of the proceeds of the sale of this cause for his services rendered as attorney at law in this Cause, the sum of One Hundred Twenty Five Dollars to be appointed between the first two judgment creditor and it is further ordered that the Special Auditor appointed in this Cause to state the audit of this Cause allow said sum of money unto the said Madison Brown as a fee for his legal services rendered in the cause.

Stephen R. Collins

Filed June, 1, 1942.

Upon reconsideration of the above matter we feel that a fee of Two Hundred Dollars (\$200.00) will be a reasonable fee.

John Palmer Smith

Thos. J. Keating Jr.

Filed June 1, 1942.

.....  
PETITION OF MADISON BROWN FOR A FEE OF  
TWO HUNDRED DOLLARS TO BE ALLOWED HIM IN LIEU OF  
ONE HUNDRED TWENTY FIVE DOLLARS ALLOWED  
BY COURT IN ORDER OF MAY 28th/  
Filed June 1, 1942.

Chancery Docket, Cause No. 3303

In the Circuit Court in Queen Anne's County, in Equity. :  
: Madison Brown administrator of Edwin H. Brown, Junior, :  
: versus :  
: William Purnell Brown, Bessie Brown Beck, et al :  
:

To the Honorable, the Judges of said Court:-

The Petition of Madison Brown as the attorney who prepared the Bill of Complaint filed in this Cause and who filed the same and who has conduded the proceedings had in this Cause thereunder unto Your Honrs respectfully sets forth:-

That this Court by its order passed May 28th. last of the Petition of said Madison Brown allowed him out of the proceeds of the sale of this Cause as a fee for his services rendered herein as attorney at lw, the sum of One hundred twenty five dollars, the amount recommended as the amount of said fee by the certificate ( attached to said petition) of John Palmer Smith and Thomas J. Keating junior, two attorneys of this Court.

Thei petition, certificate and order of Court are now on file in the proceedings of this Cause.

That the tow attorneys named above have, since making their certificate reconsidered the subject matter of said Petition and Certificate and as a result of this reconsid-eration do now recommend to the Court that the sum of Two Hundred dollars be allowed as asid fee in lieu of One hundred twenty five dollars, as will appear from their new certificate signed at bottom of the page containing the order of Court mentioned and filed also in this cause.

Your Petitioner therefore prays the Court to reconsider its order mentioned and to pass another order allowing him for his legal services so rendered Two hundred dollars in lieu of one hundred twenty five dollars.

Respectfully submitted,

Madison Brown

Filed June 1, 1942.

.....  
ORDER OF COURT  
Filed June 3, 1942.

ORDER OF COURT:

The foregoing Petition of Madison Brown has been real and considered in conjunction with the Re- considered Recommendation of John Palmer Smith and Thomas J. Keating as to the amount of the fee to be allowed Madison Brown which recommendation has been filed in this Court:

It it thereppon on this 2nd day of June, 1942 by the Circuit Court for Queen Anne's County in Eqity, and by the authority of this Court ordered as follows:

- (1) That said Madison Brown be allowed for his legal services rendered in this Cause out of the proceeds of the sale of this Cause the sum of Two Hundred dollars in lieu of the sum of One hundred twenty five dollars allowed him by this Court in its order of May the 28th.
- (2) That this sum of Two hundred dollars be allowed by the Special Auditor appointed by this Court to state the audit of this Cause unto the said Madison Brown by apportionment between the first judgment creditor and the second judgment creditor of Edwin H. Brown junior mentinned in the Bill of Complaint so that each Judgment Creditor shall bear by apportionment the payment of said fee.
- (3) That the Order of this Court dated May 28th, 1942 by which said Madison Brown is allowed One hundred twenty five dollars for his said fee be am the same is hereby rescinded.

Stephen R. Collins

Filed June 3, 1942.

.....  
CERTIFIED COPY OF BOND  
Filed June 5th, 1942.

Queen Anne's County to wit: Be it remembered that on this fifth day of June in the year nineteen hundred and forty two the following Bond was brought to be recorded to wit:

State of Maryland, Queen Anne's County, to wit:

KNOW ALL MEN BY THESE PRESENTS, that we, Madison Brown, of Queen Anne's County in the State of Maryland and the AMERICAN SURETY COMPANY OF NEW YORK, a corporation created by and existing under the laws of the State of New York with due authority both by its charter and in law to become the sole surety on the bond of a trustee, are held and firmly bound unto the State of Maryland in the full and just sum of One Thousand



dollars, lawful money of the UNITED STATES OF AMERICA, to be paid to the said State of Maryland or to its certain attorney, to which payment well and truly to be made and done, we bond ourselves and every of us, our and every of our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

SEALED with our Seals and dated this fourth day of June in the year nineteen hundred and forty two.

Titling of the case in which this bond is to be filed:-

Madison Brown, administrator of : In the Circuit Court for Queen  
Edwin H. Brown, junior :  
vs : Anne's County, in Equity.  
William Purnell Brown, et al : Cause No. 3303

WHEREAS, the said Madison Brown by the decree of the above named Court passed in the above cause on February 9, 1942 was appointed a trustee to make sale of the real estate mentioned in said cause and was directed to file in said cause his bond to the State of Maryland in the penal sum of One thousand dollars conditional for the faithful performance of the trust reposed in him by said decree or which might be reposed in him by any future decree or order passed in said cause by said Court.

WHEREAS, the said Madison Brown filed in said cause the bond so mentioned with the AMERICAN SURETY COMPANY OF NEW YORK, above named as the sole surety thereon and this bond was accepted and approved by the Clerk of said Court on March 7, 1942.

WHEREAS, the amount of the proceeds of the sale so made and reported being in excess of the amount of the penalty of the bond so given and filed in said Cause, the said Court by its order dated May 29, 1942 and filed in said Cause on June 1, 1942 did direct the said Madison Brown to file in this Cause an additional bond as such trustee to the State of Maryland in the penal sum of One thousand dollars with the same condition therein that the bond already filed contains.

WHEREAS, the same Madison Brown has made this present bond and has secured the said AMERICAN SURETY COMPANY OF NEW YORK to become the surety thereon with the intent to file this present bond in said cause as the bond required of him by the order of court last mentioned.

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bound Madison Brown does and shall well and faithfully perform the trust reposed in him by the decree of the above mentioned Court bearing date the ninth day of February, 1942, and now on file in said cause or that may be reposed in him by any future order or decree of said Court in the premises then the above obligation to be void: otherwise the same is to be and remain in full force and virtue in law.

Signed, Sealed and Delivered  
in the presence of  
Delha D. Rolph  
Delha D. Rolph

Madison Brown (SEAL)  
Madison Brown

AMERICAN SURETY COMPANY OF NEW YORK

Seals Place.

Madison Brown  
Madison Brown.

Its Attorney In Fact.

Filed June 5th 1942.

And on the back of the foregoing is thus endorsed to wit:

Bond filed and Security approved June 5th 1942.

A. Sydney Gadd Jr.  
Clerk

STATE OF MARYLAND

TO WIT:

QUEEN ANNE'S COUNTY

I Hereby Certify that the foregoing is truly taken and copied from Liber W. H. C. No. 1, folio 207 A Bond Record Book for Queen Anne's County.

In Testimony Whereof I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County this 5th day of June in the year nineteen hundred and forty two.

Seals  
Place.

A. Sydney Gadd Jr.  
Clerk

.....  
AUDIT  
ACCOUNT AND REPORT OF SPECIAL  
AUDITOR  
Filed Nov. 27, 1942.

In the Circuit Court for Queen Anne's County, in Equity.

Madison Brown, administrator of Edwin H. Brown junior :

versus :

William Purnell Brown, the Judges of said Court:- :

Chancery Docket

Cause No. 3303

To the Honorable the Judges of said Court:-

The report of Harry C. Butler ,special auditor appointed to state the within account

unto Your Honors respectfully setforth:-

- (1) That before stating the within account he qualified as such special auditor by taking before the Clerk of this court the required and proper oath.
- (2) That the bill filed in this cause is for the sale of certain real estate left by Edwin H. Brown junior, deceased, for the payment of debts due and owing by him at the time of his death but the proceedings developed into the sale for the payment of judgments due and owing at the time of his death and these judgments are listed in the bill according to the priorities of same and the bill states that these judgments do not stand pari passu as against the land but are to be paid out of the proceeds of the sale of the land according to their priorities, that is to say, according to the dates of the same and the judgment creditors were made parties to the bill of complaint.
- (3) It appears that all the judgment creditors named in the bill filed answers to the bill and in these answers the judgment creditors admit the allegations of the bill including of course the one mentioned in the above mentioned paragraph.
- (4) That the net proceeds of the sale made and reported in this cause by the trustee appointed to make the sale are sufficient to pay the first judgment claim ( which is held by Samuel G. Benton) in full and to pay a part of the second judgment claim only.
- (5) That your auditor has stated the annexed account by first charging said trustee Madison Brown with the gross amount of the sale made by him according to his report of sale and then by allowing out of the amount so charged the following items, to wit:
- a. To the said trustee his commission for making the sale according to the rule of the court and his expenses incident to the sale, the cost of his bond and the court cost of this cause; and
  - b. to this auditor his fee for stating said account and making this report; and
  - c. to Madison Brown as attorney conducting these proceedings, the fee of \$200.00 allowed him by this court for his services; and
  - d. to Samuel G. Benton, the holder of the first judgment, the amount of his judgment claim as of the date of the sale of this cause less his apportioned part of the fee allowed to Madison Brown; and
  - e. to the administrators of William Mason Shehan, holders of the second judgment or judgment next to the one held by Samuel G. Benton, the balance of the proceeds of the sale so charged to the trustee remaining after the above allowances thereout.
- (6) That the order of the court allowing the attorney's fee above mentioned directs that the amount of this fee shall be apportioned between the amounts the judgment creditors above mentioned shall receive under this audit and the auditor ascertained that part of said fee which should be paid by Samuel G. Benton and deducted that amount from the amount distributed unto him.

Which is respectfully submitted,

Harry C. Butler  
Special Auditor.

November 25, 1942.  
Filed Nov. 27<sup>th</sup> 1942.

CAUSE NUMBER 3303

The proceeds of the sale of the real estate of Edwin H. Brown junior, sold under the decree passed in this cause IN ACCOUNT WITH Madison Brown, the trustee appointed by the decree to make sale of said real estate.

---

1942	CR.	
March		
14	By the gross amount of said sale which was made on this date per report of said trustee filed in this cause, to wit:	
	the sum of .....	\$1,800.00

---

1942		
March		
14	To Madison Brown, said trustee for his commission for making said sale, per rule of Court, to wit: the sum of .....	\$115.50
	To the said trustee of the payment of the Court costs of this cause per statement made by the clerk of this court exhibited as follows:	
	Costs of said clerk, paid to him,.....	\$49.20
	Costs of Register of Wills paid to him	14.25
	Appearance fee of plaintiff's attorney,	10.00
	Appearance fee of defendants' attorney, <u>10.00</u>	
	Total of these costs, .....	83.45
	To said trustee for the costs of his bond filed in this cause paid the corporate surety thereon per receipted account for same exhibited, to wit: the sum of .....	20.00
	To said trustee for the amount paid by him to J. E. Anthony, auctioneer for crying the sale reported, per receipted account for same exhibited, the sum of .....	25.00
	To said trustee for the cost of recording the release of the dower in the land sold, made and executed by the widow of Edwin H. Brown junior, which costs were paid to the clerk of this Court per his receipt for the same exhibited, to wit: the sum of .....	1.00
	To the said trustee for the cost of advertising in the Centreville Newspaper	

Notices of the sale made, .....	\$45.00	
order nisi on sale, .....	5.00	
order nisi on this audit, .....	3.50	53.50
(paid said newspaper per receipted account for the same exhibited, to wit: \$53.50)		
To Madison Brown as attorney conducting these proceedings for the amount of the fee allowed him for so doing by the order of the Court, the sum of .....		\$ 200.00
To Harry C. Butler, special auditor for stating this account, .....		18.00
		<hr/> 516.45
To balance carried forward, to wit: the sum of .....		1,283.55
		<hr/> 1,800.00
		\$1,800.00

CAUSE NUMBER 3303

CR.

By balance brought forward from preceding page, to wit: the sum of \$ 1,283.55

DR.

DISTRIBUTION AMONG CREDITORS:

To Samuel G. Benton, first judgment creditor, the full amount of his judgment claim per statement below, the sum of .....	\$846.37	
Less his apportioned part of the \$200.00 fee allowed Madison Brown to be apportioned between first judgment creditor and second judgment creditor, to wit: .....	113.71	
so that the net amount to be paid to said Samuel G. Benton is the sum of .....	732.66	732.66
To Philip G. Sheehan and John W. D. Jump, administrators of William Mason Sheehan, second judgment creditor on account of the second judgment of William Mason Sheehan to wit: .....	550.89	550.89
	<hr/> \$1,283.55	1,283.55
		1,283.55

Statement of judgment of Sameul G. Benton  
versus  
Edwin H. Brown, junior

Amount due under this judgment on March 2nd, 1939, date of administration account (Paper No. 2-F in Orphans' Court of Queen Anne's County in Matter of the Estate of Edwin H. Brown junior.....	827.53
Amount of dividend allowed this claim in said personal estate, see copy of the administration account ( Paper No. 2-F) filed, .....	<hr/> 76.36 751.17
Add interest on this balance from date above mentioned to March 14, 1942, date of sale made in this cause, .....	<hr/> 95.20
Amount of this judgment claim as of March 14, 1942,.....	846.37

November 24, 1942.

Harry C. Butler  
Special Auditor

Filed Nov. 27, 1942.

.....  
N I S I A U D I T  
Filed Nov. 27, 1942.

NISI RATIFICATION OF AUDIT

Madison Brown, Administrator	:	In the Circuit Court for Queen Anne's
of Edwin H. Brown, junior	:	
	:	County In Equity
vs	:	
	:	Cause No. 3303
William Purnell Brown et al	:	

ORDERED, This 27th day of November in the year nineteen hundred and forty two that the Report and Account filed in these proceedings by Harry C. Butler, Special Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 24th day of December, 1942; provided a copy of this order be published once a week in each of two successive weeks before the 18th day of December, 1942, in some newspaper printed and published in Queen Anne's County.

A. Sydney Gadd Jr. Clerk

Filed Nov. 27th 1942.

.....  
COPY OF ADVERTISEMENT OF ORDER  
NISI ON AUDIT  
Filed Dec. 21, 1942.

NISI RATIFICATION OF AUDIT

Madison Brown, Administrator of Edwin H.  
Brown, junior.

vs  
William Purnell Brown, et al : In the Circuit Court for Queen Anne's County,  
: in Equity.  
: Cause No. 3303

ORDERED, This 27th day of November in the year nineteen hundred and forty-two that the Report and Account filed in these proceedings by Harry C. Butler, Special Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 24th day of December, 1942; provided a copy of this order be published once a week in each of two successive weeks before the 18th day of December, 1942, in some newspaper printed and published in Queen Anne's County.

A. Sydney Gadd, Jr.  
Clerk

Filed November 27, 1942.

True Copy  
Test: A. Sydney Gadd Jr. Clerk

QUEEN ANNE'S RECORD - OBSERVER  
Centreville, Md. Dec. 21, 1942.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Nisi Ratification of Audit in the case of Madison Brown, administrator vs, William Purnell Brown et al. a true copy of which is annexed hereto, was published in the Queen Anne's Record \*Observer, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week for two successive weeks before the 18th day of December 1942, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD - OBSERVER was on the 3rd day of December 1942, and the last insertion on the 10th day of December 1942.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY  
By Myrtle M. Lewis

Filed Dec. 21, 1942.

.....

ORDER OF COURT  
Filed Jan 8th 1943.

In the Circuit Court for Queen Anne's County, in Equity. : Chancery Docket.  
Madison Brown, administrator of Edwin H. Brown, junior, :  
versus : Cause No. 3303  
William Purnell Brown and others :

ORDER OF COURT:

ORDERED, by the Circuit Court for Queen Anne's County sitting as a Court of Equity and by the authority of this Court on this 7th day of January in the year nineteen hundred and forty three, that the within and foregoing Report of Harry C. Butler, special auditor, be and the same is hereby finally ratified and confirmed, no cause to the contrary thereof having been shown, although it appears that notice has been given in accordance with the order nisi heretofore passed in this cause in relation to said Report and Account.

AND it is further ORDERED by the Court that Madison Brown, the trustee making the sale mentioned in said proceedings be and he is hereby ordered and directed to apply the proceeds of sale distributed by said auditor's Report and Account in accordance with the same.

Stephen R. Collins

Filed Jan 8th, 1943.

C A U S E N U M B E R 3330.

QUEEN ANNE'S COUNTY, To wit: Be it remembered that on this Seventh day of August in the year nineteen hundred and forty two, the following Order to Docket Suit was brought to be recorded, to wit:

Thomas J. Keating,	:	In the Circuit Court for Queen Anne's
Assignee of Mortgage	:	County, in Equity.
vs	:	Chancery Cause No.
Herbert Z. Beaven and	:	
Mary C. Beaven, his wife,	:	
Mortgagors.	:	

TO THE CLERK OF SAID COURT:-

Docket suit forthwith on the Chancery Docket of said Court as per the above titling and file in said cause a certified copy of the mortgage from Herbert Z. Beaven and Mary C. Beaven, his wife, to Lena Covington, dated June 6th, 1922, and recorded among the land records of Queen Anne's County in Liber J. F. R. #9, folio 55, etc., and also of the deed of assignment from Lena Covington to H. B. W. Mitchell bearing date July 11th, 1936, and recorded among the land records of Queen Anne's County in Liber W. H. C. No. 3A, fol. 244, and also the deed of assignment from Francis D. L. Mitchell and Thomas J. Keating, Jr., Executors of H. B. W. Mitchell to Thomas J. Keating for the purpose of collection and by foreclosure or otherwise, bearing date June 19th, 1942, and recorded among the land records of Queen Anne's County in Liber A. S. G. No. 6, folio 289.

Also file in said Cause the accompanying affidavit as to military service required under the Soldiers' and Sailors' Civil Relief Act of 1940.

This suit is filed for the foreclosure of the above described mortgage under the power of sale contained therein, default having occurred in the terms, conditions and covenants of said mortgage by reason of the non-payment of the principal and interest covenanted to be paid by the terms of said mortgage at the times therein provided for the payment thereof.

<u>John Palmer Smith</u>		<u>Thomas J. Keating</u>
Solicitor for Assignee		Thomas J. Keating,
		Assignee of Mortgage.

Filed August 7, 1942.

.....  
 AFFIDAVIT AS TO MILITARY SERVICE  
 Filed August 7, 1942.

Thomas J. Keating, Assignee of Mortgage,	:	In the Circuit Court for
vs	:	Queen Anne's County,
Herbert Z. Beaven and Mary C. Beaven,	:	In Equity.
his wife, Mortgagors.	:	Chancery No. _____

AFFIDAVIT AS TO MILITARY SERVICE

State of Maryland  
 Queen Anne's County, to wit:-

I hereby certify, that on this 7th day of August, 1942, before me, the Subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared Thomas J. Keating, who, being duly sworn, did depose and say:

My name is Thomas J. Keating,  
 I am an attorney at law with business address at Centreville,  
 Maryland.

I am the assignee of the mortgage and the Plaintiff in the cause as above set forth, and as assignee I have made diligent inquiry and have ascertained to the best of my ability, the following facts, which I believe to be true:-

That Herbert Z. Beaven and Mary C. Beaven, his wife, the mortgagors, are not in any manner engaged in the Military Service of the United States of America, nor have they been so engaged within the three months prior to this date; and that further the said Herbert Z. Beaven and Mary C. Beaven, his wife, are each 60 years of age and 55 years of age, respectively, and Herbert Z. Beaven is employed with the Fox Cannery Company having its place of business at Matthewstown, Maryland; and Mary C. Beaven, his wife, is a housewife, and both reside at Hillsboro, Maryland.

Thomas J. Keating  
Thos. J. Keating  
 Thomas J. Keating,  
 Assignee of Mortgage.

Subscribed and sworn to before me, The Clerk of the Circuit Court for Queen Anne's County, this 7th day of August, 1942.

A. Sydney Gadd Jr.  
 Clerk.

Filed August 7, 1942.

.....  
 CERTIFIED COPY OF MORTGAGE  
 Filed Aug. 7, 1942.

# 9331                    QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the tenth day of June, in the year nineteen hundred and twenty two, the following Mortgage was brought to be recorded, to wit:

THIS MORTGAGE, made this sixth day of June, in the year nineteen hundred and twenty two, by Herbert Z. Beaven and Mary B. Beaven his wife, of Queen Anne's County, in the State of Maryland.

WHEREAS, the said Herbert Z. Beaven and Mary B. Beaven are jointly and severally indebted unto Lena Covington, of Queen Anne's County aforesaid, for money loaned to them by the said Lena Covington in the full sum of twenty six hundred dollars (\$2,600.00).

AND WHEREAS it is hereby agreed by and between the parties to this mortgage that the said sum of twenty six hundred dollars (\$2,600.00) shall be repaid to the said Lena Covington at the expiration of five years from the first day of April, nineteen hundred and twenty two, with interest thereon in the meantime payable semi-annually from the said first day of April, nineteen hundred and twenty two, at the rate of six per centum per annum;

AND WHEREAS the said loan was made upon the express precedent agreement that the aforesaid principal sum of twenty six hundred dollars (\$2,600.00) and the interest to accrue thereon as aforesaid, and the prompt payment of the same at the times hereinbefore set forth, were to be secured, and assured by this mortgage;

NOW THEREFORE, THIS MORTGAGE WITNESSETH THAT IN CONSIDERATION of the premises and of the sum of one dollar, the said Herbert Z. Beaven and Mary B. Beaven, his wife, do hereby grant and convey unto the said Lena Covington, her heirs, and assigns, in fee simple; that two following described parcels of real estate, to wit:

Parcel No. 1 All that lot or parcel of land situate, lying and being in the third election district of Queen Anne's County, State of Maryland on the right side of the public road leading from Centreville to Hope, bounded on the east by the farm known as Needwood formerly belonging to the late of William McKenney, on the south by the land formerly belonging to the late Margaret T. Gadd, and also by the land of Walter S. Turpin and the other children of William T. P. Turpin, deceased, on the west by the land hereinafter described as Parcel No. 2, and on the north by the land formerly of Samuel Seney, but now of Bordley Seward, and containing ten acres of land, more or less.

Parcel No. 2 All that lot or parcel of land situate, lying and being in the third election district of Queen Anne's County aforesaid, on the right side of the said public road leading from Centreville to Hope, bounded on the east by the land hereinabove described as Parcel No. 1, on the south by the land of Walter S. Turpin and the other children of William P. T. Turpin, deceased, on the west by the land formerly of Isabel W. Thawley, later of Claude R. Whitaker, and now of John T. Bruehl and containing eight acres and one half of an acre of land, more or less.

The said Two parcels of land above described and hereby granted and conveyed are the same two parcels of land which were conveyed to the said Herbert Z. Beaven and Mary B. Beaven, his wife, as tenants by the entireties, by Joseph B. Loflin and Virginia H. Loflin, his wife, by deed bearing date the fourteen day of April, nineteen hundred and nineteen, and recorded in Liber J. F. R. No. 2, folios 182 etc., a land record book for Queen Anne's County aforesaid, to which said deed reference is hereby made for further description of the said two parcels of land hereby granted and conveyed.

TOGETHER with all rights, roads, ways, waters, privileges and advantages thereto belonging or in anywise appertaining, and the buildings and improvements thereon erected and being. And it is hereby agreed that, in the event of a sale of the above described property under the power of sale hereinafter expressed all annual crops, pitched, planted or growing upon said property at the time of sale pass to the purchaser of said property. Provided, that if the said Herbert Z. Beaven and Mary B. Beaven, or the survivor of them, or their assigns, or his or her heirs, executors administrators or assigns, shall well and truly pay to the said Lena Covington, her executors, administrators or assigns, the aforesaid sum of twenty six hundred dollars (\$2,600.00) when and as the same shall become due and payable as above set forth and the interest to accrue thereon as aforesaid when and as the same shall become due and payable as above set forth, and shall perform all the covenants, conditions and agreements, herein on their part to be performed, then this mortgage shall be void; and until default be made in the premises the said Herbert Z. Beaven and Mary B. Beaven, their heirs and assigns, shall possess said property. And the said Herbert Z. Beaven and Mary B. Beaven, for themselves and each of them, their heirs, executors, administrators and assigns, hereby covenant to pay, as they severally fall due, the debt and interest hereby intended to be secured, all taxes, assessments, public dues and charges levied or that may be levied thereon and on the property hereby conveyed, all costs and attorney's commissions and charges incurred in the collection of said debt and interest or any part of either, and to insure, and pending this mortgage to keep insured the improvements on said premises, to the amount of at least the insurable value, thereof, in some Company or Companies approved by the said Lena Covington, her executors administrators or assigns, and to have the said policies so framed or endorsed that the proceeds arising from said policy or policies in case of loss, shall be applied to the payment of this mortgage and to deliver, upon demand, to the mortgagee, her executors, administrators or assigns, said policy or policies, and that no act or thing shall be done whereby said mortgaged premises may be depreciated or lessened in value. But in case of default in payment of said debt, or the interest to accrue thereon, or any part of either, as they severally fall due, or in any covenant, condition or agreement in this mortgage, then the whole debt intended hereby to be secured and all money owing hereunder or secured hereby shall be due and demandable, and the said Lena Covington, her executors,

administrators or assigns, or J. Frank Harper, of Queen Anne's County, aforesaid, her and their hereby duly constituted attorney for the purpose are hereby authorized and empowered to sell said premises upon giving twenty days previous notice of the time, place, manner and terms of sale by advertisement in a newspaper printed and published in Queen Anne' County, State of Maryland and such other notice as the party selling may deem expedient, for cash or for cash and credit, at the option of the persons making the sale, the credit payment, if any, to bear interest from day of sale, and to be secured by the note or notes of the purchaser, with security to be approved by the person making the sale and to apply the proceeds of sale to the payment of first, all expenses incident to such sale, including compensation to the person making sale the same as allowed to Trustees selling real estate under decree of the Circuit Court for Queen Anne's County, in Equity, second all moneys owing hereunder or secured hereby, whether the same shall have then matured or not, and third, the balance to the said Herbert Z. Beaven, and Mary B. Beaven, or whoever may be entitled to the same. And it is hereby agreed that when default be made in any covenant or condition contained in this mortgage and when suit has been docketed in the proper Court for the purpose of the foreclosure of this mortgage under the power of sale above granted, the said Lena Covington, her executors, administrators or assigns or J. Frank Harper, her and their said attorney, shall not be required to receive and accept the principal and interest of said mortgage indebtedness in satisfaction thereof, unless the tender of said mortgage indebtedness be accompanied by the payment of all expenses incurred under said foreclosure proceedings, including all costs of advertisement, Court costs and all expenses incurred to the time of said tender and a commission on the total amount of the mortgage indebtedness, principal and interest, equal to one half the commission allowed trustees for making sale of real estate under decree of the Circuit Court for Queen Anne's County, in Equity, and which said costs, Expenses and commissions the said Herbert Z. Beaven and Mary B. Beaven, for themselves and each of them their, and each of their heirs executors, administrators and assigns, hereby covenant to pay.

Witness the hands and seals of the said mortgagors:-

Test: Robert Coursey  
 Herbert Z. Beaven (SEAL)  
 Mary C. Beaven (SEAL)

State of Maryland, Queen Anne's County, to wit:

I hereby certify that on this sixth day of June, in the year nineteen hundred and twenty two, before me, the subscriber, a Justice of the Peace of the State of Maryland, in and for Queen Anne's County, aforesaid, personally appeared Herbert Z. Beaven and Mary B. Beaven his wife, and each acknowledged the foregoing mortgage to be their respective act.

Robert Coursey  
 Justice of Peace

State of Maryland, Queen Anne's County, to wit:

I hereby certify that on this sixth day of June, in the year nineteen hundred and twenty two, before me, the subscriber, a Justice of the Peace of the State of Maryland, in and for Queen Anne's County aforesaid, personally appeared Lena Covington, the within named mortgagee, and made oath in due form of law that the consideration stated in the within and foregoing mortgage is true and bona fide as therein set forth.

Robert Coursey  
 Justice of the Peace

Assignment of above mortgage to H. B. W. Mitchell is recorded in Liber W. H. C. No. 3A, folio 244, a Land Record Book for Queen Anne's County.

Assigned to Thomas J. Keating for the purpose of collection by foreclosure by Deed of Assignment recorded in Liber A. S. G. Jr. No. 6, folio 289, a Land Record Book for Queen Anne's County.

STATE OF MARYLAND  
 TO WIT:  
 QUEEN ANNE'S COUNTY

I Hereby Certify that the foregoing is truly taken and copied from Liber J. F. R. No. 9, folio 55, A Land Record Book for Queen Anne's County. ~~this-7th day-of-August-in-the-year-nineteen-hundred-and-forty-two.~~

Seals  
 Place. In Testimony Where of I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County this 7th day of August in the year nineteen hundred and forty two

A. Sydney Gadd Jr. Clerk

.....  
 CERTIFIED COPY OF DEED OF ASSIGNMENT  
 FROM LENA COVINGTON TO H. B. W.  
 MITCHELL  
 Filed July 7, 1942.

#17,742 QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Sixteenth day of July, in the year nineteen hundred and thirty six, the following Deed of Assignment of Mortgage was brought to be recorded, to wit:

THIS DEED, amde this 11th day of July, 1936, by Lena Covington, of Caroline County, State of Maryland.

WITNESSETH: That in consideration of twenty six hundred dollars, principal, together with accrued interest, the said Lena Covington does hereby grant and assign unto H. B. W. Mitchell all her right, title and interest in a certain mortgage made to her by Herbert Z. Beaven and Mary C. Beaven his wife, dated the 6th day of June, 1922, and recorded in Liber J. F. R. 9, a land record book for Queen Anne's County, folio 55, and also all her right, title and interest in the property described in said mortgage, and in the mortgage debt intended to be secured thereby.

Witness my hand and seal the day and year first above written.

Witness:-  
MARY C. BEAVEN

LENA COVINGTON (SEAL)

State of Maryland, Caroline County, to wit:

I hereby certify that on this 11th day of July, in the year nineteen hundred and thirty six, before me, the subscriber, a Notary Public of the State of Maryland, in and for Caroline County, personally appeared Lena Covington and acknowledged the within and foregoing deed to be her act.

Notary Public Seal

IN TESTIMONY WHEREOF, I hereunto subscribe my name and notarial seal affix the day and year herein last above written.

F. E. Fleming  
NOTARY PUBLIC

STATE OF MARYLAND

TO WIT:

QUEEN ANNE'S COUNTY,

I hereby Certify that the foregoing is truly taken and copied from Liber W. H. C. No. 3#A, folio 244, A Land Record Book for Queen Anne's County.

Corp.  
Seals.  
Place.

In Testimony Whereof I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County this 7th day of August in the year nineteen hundred and forty two.

A. Sydney Gadd Jr. Clerk

.....  
CERTIFIED COPY OF DEED OF ASSIGNMENT  
FROM FRANCIS D. L. MITCHELL AND  
THOMAS J. KEATING JR.  
Filed August 7, 1942.

#21,341. QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Twentieth day of June, in the year nineteen hundred and forty two, the following Deed as assignment of Mortgage was brought to be recorded, to wit:

THIS DEED OF ASSIGNMENT OF MORTGAGE, made this 19th day of June 1942, by Francis D. L. Mitchell of Mercer County, New Jersey, and Thomas J. Keating, Jr., of Queen Anne's County, Maryland, Executors of Henry B. W. Mitchell, deceased.

WHEREAS, the said Henry B. W. Mitchell, deceased was at the time of his death the holder of a certain Mortgage given by Herbert Z. Beaven and Mary C. Beaven, his wife, unto Lena Covington, bearing date the 6th day of June, 1922, and recorded in Liber J. F. R. No. 9, folio 55, etc., a Land Record Book for Queen Anne's County, Maryland, the said Mortgage having been assigned by the said Lena Covington unto the said Henry B. W. Mitchell by Deed of Assignment thereof dated July 11, 1936, recorded in Liber W. H. C. #3#A, folio 244, A Land Record Book for Queen Anne's County, Maryland.

AND WHEREAS, the said Francis D. L. Mitchell and Thomas J. Keating Jr., Executors of the Last Will and Testament of the said Henry B. W. Mitchell have been directed by an Order of the Orphans' Court for Queen Anne's County, Maryland, passed on the 16th day of June, 1942, to transfer and assign the above described Mortgage unto Thomas J. Keating for collection by foreclosure or otherwise:

NOW THEREFORE, in consideration of the premises and the sum of One Dollar (\$1.00) the said Francis D. L. Mitchell and Thomas J. Keating, Jr. Executors of the Last will and Testament of Henry B. W. Mitchell, deceased, pursuant to an Order of the Orphans' Court of Queen Anne's County hereinbefore mentioned do hereby transfer and assign unto Thomas J. Keating of Queen Anne's County, Maryland, the Mortgage of Herbert Z. Beaven and Mary C. Beaven, his wife, given to Lena Covington bearing date the 6th day of June, 1922, recorded in Liber J. F. R. No. 9 folio 55, etc., a Land Record Book for Queen Anne's County for the purpose of collection by foreclosure or otherwise.

WITNESS our hands and seals the day and year herein first above written.

Test: (as to Francis D.L. Mitchell);  
LOUISE S. MITCHELL  
Louise S. Mitchell

FRANCIS D.L. MITCHELL (SEAL)  
Francis D.L. Mitchell

MARY KER KEATING  
Mary Ker Keating

THOS. J. KEATING JR. (SEAL)  
Thomas J. Keating Jr.  
EXECUTORS u/w of Henry B. W.  
Mitchell, deceased.

STATE OF NEW JERSEY,  
MERCER COUNTY,

:  
: TO WIT:  
:



THIS IS TO CERTIFY that on this 19th day of June, 1942, before the subscriber, a Notary Public of the State of New Jersey, in and for Mercer County, personally appeared Francis D.L. Mitchell, one of the Executors under the Will of Henry B. W. Mitchell, deceased, and did acknowledge the within and foregoing Deed of Assignment of Mortgage to be his act and deed;

IN TESTIMONY WHEREOF, I hereunto set my hand and Notarial Seal affix the day and year herein last above written.

Notary Public  
Seal.

DORIS B. HONTZ  
Doris B. Hontz  
NOTARY PUBLIC

STATE OF MARYLAND :  
: TO WIT:  
QUEEN ANNE'S COUNTY, :

THIS IS TO CERTIFY that on this 20th day of June 1942, before the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, personally appeared Thomas J. Keating, Jr., one of the Executors under the Will of Henry B. W. Mitchell, deceased, and did acknowledge the within and foregoing Deed of Assignment of Mortgage to be his act and deed.

IN TESTIMONY WHEREOF, I hereunto set my hand and Notarial Seal affix the day and year herein last above written.

Notary Public  
Seal.

MARY KER KEATING  
(Mary Ker Keating )

STATE OF MARYLAND TO WIT:  
QUEEN ANNE'S COUNTY,

I Hereby Certify that the foregoing is truly taken and copied from Liber A. S. G. Jr, No. 6, folio 289 A Land Record Book for Queen Anne's County.

IN TESTIMONY Whereof I hereunto subscribe my name and affix the Seal of the Circuit Court for Queen Anne's County this 7th day of August in the year nineteen hundred and forty two.

A. Sydney Gadd Jr. Clerk

.....  
CERTIFIED COPY OF BOND  
Filed August 15, 1942.

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the fifteenth day of August in the year nineteen hundred and forty two, the following Bonds was brought to be recorded, to wit:

KNOW ALL MEN BY THESE PRESENTS: That we, Thomas J. Keating, of Centreville, Queen Anne's County, Maryland, as principal, and FIDELITY AND DEPOSIT COMPANY, a body corporate of the State of \_\_\_\_\_, and duly authorized to transact business in the State of Maryland, as Surety, are held and firmly bound unto the State of Maryland, in the full and just sum of Three Thousand Dollars (\$3,000.00), current money, to be paid to the said State or its certain Attorney, to which payment well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs, executors, administrators, and successors, jointly and severally, firmly by these presents, sealed with our seals and dated this Twelfth day of August, in the year nineteen hundred and forty two.

WHEREAS, by virtue of a power of sale contained in a mortgage from Herbert Z. Beaven and Mary C. Beaven, his wife, to Lena Covington, bearing date on or about the 6th day of June, 1922, the said Lena Covington, or her assigns, are authorized and empowered to make sale of the property described in said mortgage, in case of default being made in the payment of the principal debt secured by said mortgage or of the interest thereon in whole or in part, . And whereas, default has been made in the payment of the interest and principal aforesaid, and the said Lena Covington; and her assignees, by duly recorded assignments assigned said mortgage by mesne assignments unto the said Principal for the purpose of foreclosure, and the said Principal is about to execute said power and make sale of the property described as aforesaid in said mortgage.

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH: That if the Above bounde, Thomas J. Keating, do and shall well and faithfully abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of such mortgage property or the proceeds thereof, then the above obligation to be void and of no effect, otherwise to be and remain in full force and virtue in law.

Signed, sealed and delivered in the presence of :  
JOHN PALMER SMITH  
John Palmer Smith

THOMAS J. KEATING (SEAL)  
Thomas J. Keating

Fidelity and Deposit Company of Maryland

Corp.  
Seal.

By; E. V. Shockley  
E. V. Shockley, Attorney-in-Fact

Attached is the Power of Attorney.

Bond  
And on the back of the foregoing/is thus endorsed to wit:  
Security approved and Bond filed Aug, 15, 1942.

A. Sydney Gadd Jr.  
Clerk

STATE OF MARYLAND  
 QUEEN ANNE'S COUNTY

TO WIT:

I hereby certify that the foregoing is truly taken and copied from Liber W. H. C. No. 1, folio 216 A Bond Record Book for Queen Anne's County.

In Testimony Whereof I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County this 15th day of August in the year nineteen hundred and forty two.

Seals Place.

A. Sydney Gadd Jr.  
 Clerk

REPORT OF SALE  
 Filed Sept. 9, 1942

Thomas J. Keating, Assignee of Mortgage,  
 vs  
 Herbert Z. Beaven, Mary C. Beaven, his wife, Mortgagors.

IN THE CIRCUIT COURT FOR  
 QUEEN ANNE'S COUNTY, IN EQUITY  
 CHANCERY NO . 3330.

TO THE HONORABLE, THE JUDGES OF SAID COURT:-

The Report of Thomas J. Keating, Assignee of Mortgage, (and assignee by mesne assignments of the mortgage from Herbert Z. Beaven and Mary C. Beaven, his wife, to Lena Covington, said mortgage being dated June 6th, 1922, and recorded among the land records of Queen Anne's County in Liber J. F. R. #9, folio 55, etc., default having occurred in the terms of said mortgage, the said Thomas J. Keating, assignee as aforesaid, by virtue of the power of sale contained in the above described mortgage, after having giving bond as security, approved by the Clerk of this Court for the faithful performance and discharge of the trust reposed in him under said mortgage, and after giving notice of the time, place and manner and terms of sale by advertisement inserted in the Queen Anne's Record Observer and in the Queenstown News, two newspapers printed and published in Queen Anne's County, Maryland, for more than twenty days before the day of sale, to wit, four four successive weeks beginning on the 13th day of August, 1942, and ending on the 3rd day of September, 1942, as per certificates filed herewith, and as provided in said mortgage, did pursuant to said notices and advertisements, attend in front of the Court House Door in the Town of Centreville, Queen Anne's County, Maryland, on Saturday, September 5th, 1942, beginning at the hour of two o'clock P.M., and did then and there proceed to make sale of the real estate described in said advertisement and mortgage, to wit:-

Parcel No. 1, All that lot or parcel of land situate, lying and being in the Third Election District of Queen Anne's County, Maryland, on the right side of the public road leading from Centreville to Hope, bounded on the east by the farm known as "Needwood", formerly belonging to the late Wm. McKenney (now owned by Charles S. Quimby), on the south by the land formerly belonging to the late Margaret T. Gadd and also by the land of Walter S. Turpin and the other children of Wm. T. P. Turpin, deed, (now belonging to J. R. E. Turpin), on the west by the land hereafter described as Parcel No. 2, and on the north by the land formerly of Samuel Seney, and now of Bordley Seward (and the said public road), and containing 10 acres of land, more or less.

Parcel No. 2. All that lot or parcel of land situate, lying and being in the Third Election District of Queen Anne's County, Maryland, on the right side of the said public road leading from Centreville to Hope, bounded on the east by the land hereinabove described as Parcel No. 1., on the south by the land of Walter S. Turpin and the other children of Wm. T. P. Turpin (now the land of J. R. E. Turpin on the west by the land formerly of Isabel W. Thawley and Claude R. Whitaker and John T. Bruehl now belonging to J. Grant Yates) and containing 8 acres and one-half of an acre, of land, more or less.

Containing in the aggregate 18-1/2 acres of land, more or less, improved by a frame dwelling house and outbuildings and located on a stone road about 1 mile northeast of Centreville and now in the occupancy of one Spedden Hardesty.

Being the same land conveyed to the said mortgagors by Jos. S. and Virginia H. Loflin by deed dated April 14, 1919, and recorded in Liber J. F. R. No. 2, folio 182, etc.

And your assignee and Vendor sold the above described property to Charles Percy Arrington and Gretta Arrington, his wife, as tenants by the entireties, of Centreville, Queen Anne's County, Maryland, who were then and there the highest bidders therefor at and for the sum of Five Thousand Dollars (\$5,000.00).

The said purchaser have paid a deposit on said property of Five Hundred Dollars (\$500.00), and to make another payment of \$1,000.00 within the space of one week, and will pay the balance of the purchase money upon final ratification of the sale.

Your assignee- vendor made the following particular announcements immediately preceding the selling of said property.

Possession to the purchaser at once, upon compliance with terms of sale, subject to the final ratification of the sale by the Court, and

All buildings and outbuildings, with the exception of one brooder house at the west side of the property, now on the property, go with the property, and

All taxes are paid up to January 1st., 1942, Taxes for the Calendar year 1942, state and county, shall be adjusted as of the day of sale, purchaser to pay 4-12s and the assignee to pay 8-12s thereof, and

Fire insurance premiums to be adjusted as of day of sale; and

All title papers, revenue stamps and notary fees at the expense of the purchaser.

Filed herewith:-

- Certificate of advertisement in the Queen Anne's Record Observer.
- Certificate of advertisement in The Queenstown News:
- Certificate of the Auctioneer.

And as in duty bound, etc.,

Thos. J. Keating  
Assignee and Vendor

John Palmer Smith  
Solicitor for Assignee & Vendor

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 9th day of September, 1942, before the Subscriber, Clerk of the Circuit Court for Queen Anne's County, personally appeared Thomas J. Keating, Assignee of Mortgage and Vendor, the party making the above mentioned and enclosed Report of Sale, and made oath in due form of law that the matters and things stated in the foregoing Report of Sale to be true and correct as therein stated to the best of his knowledge and belief, and that the sale was fairly made;

And further made oath as aforesaid that there has been no change in the matters and facts set forth in the affidavits to Military Service filed heretofore in this cause, and that the status of the parties mentioned in said affidavit is the same as was on the date of the filing of said affidavit .

A. Sydney Gadd Jr.  
Clerk

Filed Sept. 9, 1942.

.....  
CERTIFICATE OF PUBLIC SALE IN  
QUEEN ANNE'S RECORD OBSERVER  
Filed Sept. 9, 1942.

PUBLIC SALE  
ASSIGNEE'S SALE OF DWELLING AND 18½ Acres near Centreville, Md.

Default having occurred in the terms of the mortgage from Herbert Z. Beaven and Mary C. Beaven, his wife, to Lena Covington, said mortgage being dated June 6th, 1922, and recorded among the land records of Queen Anne's County in Liber J. F. R. No.9, fol 55, and , the undersigned Assignee of said mortgage by mesne assignments, will sell at Public Sale to the highest bidder in front of the Court House, at the town of Centreville, Queen Anne's County, Maryland, Maryland on SAT. SEPTEMBER 5, 1942, beginning at the hour of 2:00 o'clock P.M., the following property, to wit:

Parcel No. 1. All that lot or parcel of land situate, lying and being in the Third Election District of Queen Anne's County, Maryland, on the right side of the public road leading from Centreville, to Hope, bounded on the east by the farm known as " NeedwoodW formerly belonging to the late Wm. McKenney (now owned by Charles S. Quimby), on the south by the land formerly belonging to the late Margaret T. Gadd and also by the land of Walter S. Turpin and the other children of Wm. T. P. Turpin, deed. (now belonging to J. R. E. Trupon) on the west by the land hereafter described as Parcel No. 2, and on the north by the land formerly of Samuel Seney and now of Bordley Seward (and the said public road), and containing 10 acres of land, more or less; and

Parcel No. 2. All that lot or parcel of land situate, lying and being in the Third Elcetion District of Queen Anne's County, Md., on the right side of the said public road leading from Centreville to Hope, bounded on the east by the land hereinabove described as Parcel No. 1., on the south of the land of Walter S. Turpin and the other children of Wm. T. P. Turpin (mow the land J. R. E. Turpon), on the west by the land formerly of Isabel W. Thawley and Claude R. Whitaker and John T. Bruehl (now belonging to J. Grant Yates, and containing eight and one- half acres of land, more or less.

Containing in the aggregate 18½ acres of land, more or less, and improved by a frame dwelling house and outbuildings, and splendidly loacted on stone road about 1 mile northwest of Centreville, and is now in the occupancy of Mr, Spedden Hardesty.

Being the same land conveyed to the said mortgagors by Jos. B. and Virginia H. Loflin, by deed dated April 14, 1919, and recorded in Liber JLF. R. NO. 2 fol. 182.

TERMS OF SALE: CASH  
Further particulars day of sale.

THOMAS J. KEATING  
Assignee of Mortgage.

John Palmer Smith,  
Solicitor for Assignee  
J. Elmer Anthony, Auct.

QUEEN ANNE'S RECORD - OBSERVER  
Centreville, Md. September 5th, 1942.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO. hereby certifies that the Advertisement of Sale of the Real Estate near Centreville, being 18-1/2 Acres & dwg, & bldgs. in the case of Thomas J. Keating, Assignee of Mortgage, vs Herbert Z. Beaven and Mary C. Beaven, his wife, mortgagors, a true copy of which is hereby annexed, was inserted in the QUEEN ANNE'S RECORD OBSERVER, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week for four successive weeks, the first publication thereof having been made in said newspaper on the 13th day of August 1942, being more than twenty days before the 5th day of Sept, 1942.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING CO.

By Glenn T. James  
Manager

Filed Sept. 9, 1942.

.....  
CERTIFICATE OF ASSIGNEE SALE OF  
DWELLING AND 18½ ACRES.  
Filed Sept. 9, 1942.

ASSIGNEE SALE OF DWELLING AND 18 ½ ACRES  
near Centreville, Md.

Default having occurred in the terms of the mortgage from Herbert Z. Beaven and Mary C. Beaven, his wife, to Lena Covington, said mortgage being dated June 6th, 1922, and recorded among the land records of Queen Anne's County in Liber J. F. R. No. 9, fol 55, & the undersigned Assignee of said mortgage by mesme assignments will sell at Public Sale to the highest bidder in front of the Court House, at the Town of Centreville, Queen Anne's County, Maryland, on SATURDAY, SEPT. 5th, 1942. beginning at the hour of 2:00 o'clock P. M., the following Property to wit:

Parcel No. 1 All that lot or parcel of land situate, lying and being in the Third Election District of Queen Anne's County, Maryland, on the right side of the public road leading from Centreville to Hope, bounded on the east by the farm known as "Needwood" formerly belonging to the late Wm. McKenney (now owned by Charles S. Quimby), on the south by the land formerly belonging to the late Margaret T. Gadd and also by the land of Walter S. Turpin and the other children of Wm. J. R. E. Turpin) on the West by the land hereafter described as Parcel No. 2 and on the north by the land formerly of Samuel Seney, and now of Bordley Seward ( and the said public road), and containing 10 acres of land, more or less; and

Parcel No. 2. All that lot or parcel of land situate, lying and being in the Third Election District of Queen Anne's County, Md., on the right side of the said public road leading from Centreville to Hope, bounded on the east by the land hereinabove described as Parcel No. 1., on the south by the land of Walter S. Turpin and the other children of Wm. E. P. Turpin (now the land of J. R. E. Turpin), on the west by the land formerly of Isabel W. Thawley and Claude R. Whitaker and John T. Bruehl (now belonging to J. Grant Yates), and containing 8 ½ acres of land, more or less.

Containing in the aggregate 18½ acres of land, more or less, and improved by a frame dwelling house and outbuildings, and splendidly located on a stone road about 1 mile northeast of Centreville, and is now in the occupancy of Mr. Spedden Hardesty.

Being the same land conveyed to the said mortgagors by Jos. B. and Virginia H. Loflin, his deed dated April 14, 1919, and recorded in Liber J. F. R. No. 2, fol. 182.

TERMS OF SALE :- CASH. Further particulars day of sale.

THOMAS J. KEATING  
Assignee of Mortgage

John Palmer Smith  
Solicitor for Assignee  
J. Elmer Anthony, Auctioneer

THE QUEENSTOWN NEWS  
Queenstown, Md.  
September 7th, 1942.

THE QUEENSTOWN NEWS PUBLISHING COMPANY, hereby certifies that the Advertisement of sale of the Real Estate near Centreville, being 18-1/2 acres and dwelling and outbuildings, in the case of Thomas J. Keating, Assignee of Mortgage, vs. Herbert Z. Beaven and Mary C. Beaven, his wife, Mortgagors, a true copy of which is hereto annexed, was inserted in the Queenstown, News, a weekly newspaper printed and published at Queenstown Queen Anne's County, Maryland, once a week for four successive weeks, the first publication having been made in said newspaper on the 13th day of August, 1942, being more than twenty days before the 5th day of September, 1942.

THE QUEENSTOWN NEWS PUBLISHING COMPANY  
By M. W. Aker  
Editor.

Filed Sept. 9, 1942.

.....  
CERTIFICATE OF J. ELMER ANTHONY,  
Auctioneer  
Filed Sept. 9, 1942.

Centreville, Maryland  
September 5th, 1942.

I HEREBY CERTIFY, that I sold at public auction on Saturday, September 5th, 1942, beginning at the hour of 2:00 P.M., in front of the Court House Door, at Centreville, Queen Anne's County, Maryland, the real estate located on right hand side of the public road leading from Centreville to Hope, in the Third Election District of Queen Anne's County, Maryland, about one mile northeast from Centreville, containing 18-1/2 acres of land in the aggregate, more or less, improved by a dwelling house and outbuildings, to Charles Percey Arrington and Gretta Arrington, his wife, as tenants by the entireties, at and for the sum of Five Thousand Dollars (\$5,000.00), they being then and there the highest bidders therefor.

J. Elmer Anthony  
Auctioneer.

Filed Sept. 9, 1942.

.....  
N I S I  
Filed September 9, 1942.

	N I S I	
Thomas J. Keating,	:	In the Circuit Court
Assignee, of Mortgage,	:	
	:	for Queen Anne's County
vs	:	
	:	in Equity
Herbert Z. Beaven and	:	
Mary C. Beaven, his wife,	:	Chancery No. 3303
Mortgagors.	:	

ORDERED, This 9th. day of September A. D., 1942, that the sale of real estate made and reported in this cause by Thos. J. Keating, Assignee and Vendor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 12th day of November next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 12th day of October next.

The Report states the amount of sales to be \$5,000.00

A. Sydney Gadd Jr. Clerk

Filed September 9, 1942.

.....  
ORDER FOR ASSIGNMENT OF MORTGAGE  
FOR FORECLOSURE AND COLLECTION  
Filed Sept. 9, 1942.

IN THE MATTER OF THE ESTATE	IN THE CIRCUIT COURT
	OF
OF	QUEEN ANNE'S COUNTY.

Henry B. W. Mitchell, deceased,

TO THE HONORABLE, the judges of said Court:

THE PETITION of Francis D. L. Mitchell and Thomas J. Keating, Jr., Executors, by Thomas J. Keating, Jr., their Attorney, respectfully shows unto your Honors:

THAT, as will appear by the Amended List of Debts heretofore filed in this Cause, there were certain Mortgages which your Petitioners returned as doubtful debts; as follows:

Lillie E. Baker and husband, principal of Mortgage, dated 7/22/27, recorded in Liber B. H. T. #7, folio 49, in the amount of Five Hundred Dollars (\$500.00), with interest accrued to 7/5/41 of One Hundred Seven Dollars and Fifty Cents, (\$107.50);

Theodore Carroll and wife, principal of Mortgage, dated 7/21/37, recorded in Liber W.H.C. #5-A, folio 203, in the amount of Twenty five Hundred Dollars (\$2500.00), with interest accrued to 7/5/41, in the amount of Three Hundred Forty Dollars and Forty-One Cents (\$340.41);

H. Z. Beaven and wife, principal of First Mortgage to Lena Covington, dated 6/6/22, recorded in Liber J. F. R. #9, folio 55, assigned to H. B. W. Mitchell, by Deed of Assignment dated 7/11/36, recorded in Liber W. H. C. #3-A, folio 244, in the amount of Twenty six Hundred Dollars (\$2600.00) with interest accrued to 7/5/41 in the amount of ( the interest on this Mortgage and the next following Mortgage, which is on the same property, have been calculated together).

Edward O. Smith and wife, principal, of Second Mortgage to Herbert Z. Beaven and wife, dated 5/9/25, recorded in Liber B.H.T. #3, folio 445, assigned to H. B. W. Mitchell for balance of Six Hundred Fifty Dollars (\$650.00), with interest on the two (2) above Mortgages in the amount of Four Hundred Fifty-two Dollars and Nine Cents (\$452.09);

J. Elmer Jones and wife, principal of Mortgage, dated 8/27/13, recorded in Liber W. F. W. #4, folio 35; in the amount of Two Hundred Eighty Dollars (\$280.00). (There is no record of this Mortgage or any interest account in the books of the Decedent).

That these Mortgages are in default for the non-payment of principal and interest due thereon:

THAT your Petitioners desire to proceed with the collection of said Mortgage debts and to that end desire to transfer and assign said Mortgages unto Thomas J. Keating, for collection by foreclosure or otherwise:

WHEREFORE, your petitioner prays your Honors to pass an Order authorizing and permitting your Petitioners to assign the aforesaid Mortgages unto Thomas J. Keating for collection by foreclosure or otherwise.

Respectfully submitted,

FRANCIS D.L. MITCHELL &  
THOMAS J. KEATING JR.,  
EXECUTORS  
By Thos. J. Keating, Jr.  
Attorney for Executors of  
H. B. W. Mitchell, deceased

ORDER OF COURT

UPON THE AFOREGOING PETITION, it is, by the Orphans' Court of Queen Anne's County, this 16 day of June, 1942, ORDERED that Francis D. L. Mitchell and Thõmas J. Keating, Jr., Executors be and they are hereby authorized to assign and transfer the Mortgages mentioned in said Petition unto Thomas J. Keating for collection by foreclosure or otherwise.

Henry C. Bowen  
C. Tilghman Bishop  
Harry B. Moore  
Judges of Orphans' Court of Queen Anne's County,

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

I, Norman S. Dudley, Register of Wills for Queen Anne's County, State of Maryland, do hereby certify that the foregoing is a true and whole copy of the Petition and Order of Court thereon of Thos. J. Keating, Jr, and Francis D. L. Mitchell, executors of the last will and testament of H. B. W. Mitchell, deceased, as filed and passed on the 16th day of June, 1942, by the Orphans' Court of Queen Anne's County, and recorded among the Retition and Order Records in said court.

In testimony whereof I hereunto set my hand and affix the seal of my office this 21st day of August, 1942.

Corp.  
Seals.

Norman S. Dudley  
Register of Wills

Filed Sept. 9, 1942.

.....  
CERTIFIED COPY OF ADDITIONAL BOND  
Filed Nov. 14, 1942.

Queen Anne's County, to wit: Be it remembered that on this fourteenth day of November, in the year nineteen hundred and forty two, the following Bond was brought to be recorded, to wit: -

FIDELITY AND DEPOSIT COMPANY OF MARYLAND  
BALTIMORE  
KNOW ALL MEN BY THESE PRESENTS:

That we, Thomas J. Keating, of Queen Anne County, Maryland as Principal, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a body corporate, duly incorporated under the laws of the State of Maryland, as Surety, are held and firmly bound unto the State of Maryland, in the full and just sum of Two Thousand Dollars, to be paid to the State or its certain Attorney, to which payment well and truly to be made, and done, we bind ourselves and each of us, our and each of our Heirs, Executors, Administrators, Successors or Assigns jointly and severally, firmly by these presents.

Sealed with our seals and dated this 12th day of NOVEMBER in the year of our Lord ONE THOUSAND NINE HUNDRED AND FORTY TWO.

Whereas, the above bounden THOMAS J. KEATING, by virtue of the power contained in a mortgage from HERBERT Z. BEAVEN AND MARY C. BEAVEN to LENA COVINGTON bearing date the SIXTH day of JUNE, 1922, and recorded among the mortgage records of Queen Anne's County, Maryland in Liber J. F. R. No.9, folio 55 &c. and by mesne assignments now of record among said mortgage records duly assigned to the said Thomas J. Keating, is about to sell the land and premises described in said mortgage default having been made in the payment of the money as specified, and in the conditions and covenants therein contained.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bounden THOMAS J. KEATING do and shall well and truly and faithfully perform the trust reposed in him as assignee under the mortgage aforesaid, and shall abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of said mortgaged property, or the proceeds, therefo, then the above obligation to be void, otherwise to be and remain in full force and virtue in law.

In Testimony Whereof, the above bounden THOMAS J. KEATING has hereto set his hand and seal and the said body corporate has caused these presents to be duly signed by its Attorney-in- Fact, attasted by its \_\_\_\_\_, the day and year first herein above written.

Signed, sealed and delivered  
in the presence of  
Mary Ker Keating

Thos. J. Keating (SEAL)  
Thos. J. Keating

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

Attest:  
As to Surety  
Anna Blob  
Anna Bolb/

By E. V. Shockley  
E. V. Shockley, Attorney in-  
Fact.

Corporate Seals Place.

A Copy of Power of Attorney attached hereto.

And on the back of the foregoing Bond was thus endorsed to wit:

Additional Bond filed and security approved Nov. 14th, 1942.

A. Sydney Gadd Jr.

STATE OF MARYLAND  
QUEEN ANNE'S COUNTY TO WIT:

I hereby Certify that the foregoing is truly taken and copied from Liber W. H. C. No.1, folio 299 A Bond Record Book for Queen Anne's County.

In Testimony Whereof I have hereunto subscribed my name and affix the Seal of the Circuit Court for Queen Anne's County this 14th day of November in the year nineteen hundred and forty two.  
Seals Place.

A. Sydney Gadd Jr.  
A. Sydney Gadd Jr.  
Clerk

.....  
CERTIFICATE OF NISI FROM QUEENSTOWN  
NEWS  
Filed Nov. 18, 1942.

THOMAS J. KEATING, Assignee of Mortgage : IN THE CIRCUIT COURT FOR QUEEN  
vs : ANNES COUNTY IN EQUITY  
HERBERT Z. BEAVEN AND MARY :  
C. BEAVEN, his wife, Mortgagores. : CHANCERY NO. #3330

ORDERED, This 9th day of September A. D. , 1942, that the sale of real estate made and reported in this cause by Thos. J. Keating, Assignee and Vendor, be ratified and confirmed unless cause to the contrary thereof be known on or before the 12th. day of November next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 12 th day of October next.

The Report states the amount of sales to be \$5,000.00.

True-Copy : A. Sydney Gadd Jr. Clerk  
Tgst: A. Sydney Gadd Jr. Clerk

Filed September 9, 1942.

THE QUEENSTOWN NEWS

Queenstown, Md. Nov. 19, 1942.

THE QUEENSTOWN NEWS hereby certified that the ORDER NISI in the case of Thomas J. Keating, Assignee of Mortgage vs. Herbert Z. Beaven and Mary C. Beaven, his wife, Mortgagors, a true copy of which is hereto annexed, was inserted in The Queenstown News, a weekly newspaper printed and published at Queenstown, Queen Anne's County, Maryland, once a week for four successive weeks, the first publication thereof having been made in said newspaper on the 11th day of September, 1942, being more than four weeks before the 12 th day of October, 1942.

THE QUEENSTOWN NEWS

By W. W. Aker  
Editor and Publisher.

Filed Nov. 18, 1942.

.....  
FINAL ORDER OF RATIFICATION  
Filed Nov. 19, 1942.

THOMAS J. KEATING, : IN THE CIRCUIT COURT FOR  
ASSIGNEE OF MORTGAGE. : QUEEN ANNE'S COUNTY, IN EQUITY  
VS : CHANCERY NO.3330  
HERBERT Z. BEAVEN  
MARY C. BEAVEN HIS WIFE,  
MORTGAGORS.

FINAL ORDER OF RATIFICATION

ORDERED this 19th day of November, 1942, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that the sale of the real estate made by Thomas J. Keating, Assignee of Mortgage, and reported in this cause, be and the same is hereby finally ratified and confirmed, no cause to the contrary thereof having been shon, although due notice appears to have been duly given as required by the preceding Order Nisi heretofore passed in this Court; and the said Thomas J. Keating, Assignee as aforesaid, is allowed the usual commissions allowed by this Court upon the sale of real estate and for all expenses, not personal, upon producing the vouchers therefor before the Auditor.

Wm. R. Horney  
Judge.

Filed Nov. 19, 1942.

ORDER OF COURT  
FILED Nov. 21, 1942.

THOMAS J. KEATING, : IN THE CIRCUIT COURT FOR  
ASSIGNEE OF MORTGAGE :  
VS : QUEEN ANNE'S COUNTY,  
HERBERT Z. BEAVEN AND :  
MARY C. BEAVEN, HIS WIFE, : IN EQUITY  
MORTGAGORS. : Cause No. 3330.

ORDER OF COURT

Due to the oversight and failure to file the Statement of the Mortgage Debt in this Cause, IT IS ORDERED, this 21st day of November, 1942, by the Circuit Court for Queen Anne's County, in Equity, that the Order of this court, dated November 19th, 1942, finally ratifying and confirming the sale of the real estate made and reported in this Cause, be, and the same is hereby rescinded.

Wm. R. Horney  
Judge.

Filed Nov. 21, 1942.

STATEMENT OF MORTGAGE DEBT  
Filed Nov. 21, 1942.

THOMAS J. KEATING, ASSIGNEE : IN THE CIRCUIT COURT FOR  
OF MORTGAGE, :  
VS : QUEEN ANNE'S COUNTY  
HERBERT Z. BEAVEN AND MARY :  
C. BEAVEN, HIS WIFE, MORTGAGORS. : IN EQUITY.

STATEMENT OF MORTGAGE DEBT

Statement of the mortgage debt due and owing as of the day of sale.

Amount of mortgage debt .....\$2600.00

Interest to September 5th, 1942. .... 474.09

\$3074.09

To 5% attorney's commissions

153.71

3227.80

STATE OF MARYLAND  
QUEEN ANNE'S COUNTY, TO WIT:

I HEREBY CERTIFY, That on this 21st day of November, 1942, before the Subscriber, Clerk of the Circuit Court for Queen Anne's County, personally appeared Thomas J. Keating, Assignee of Mortgage, and made oath in due form of law that the foregoing Statement of Mortgage debt is true to the best of his knowledge and belief.

A. Sydney Gadd Jr.  
Clerk

Filed Nov. 21, 1942.

ORDER OF COURT RATIFYING SALE  
Filed Nov. 23, 1942.

THOMAS J. KEATING, ASSIGNEE OF : IN THE CIRCUIT COURT FOR  
MORTGAGE. :  
VS : QUEEN ANNE'S COUNTY,  
HERBERT Z. BEAVEN AND :  
MARY C. BEAVEN, HIS WIFE, : IN EQUITY.  
MORTGAGORS. : Chancery No. 3330

ORDER OF COURT

ORDERED, this 21st day of November, 1942, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that the sale of the real estate made by Thomas J. Keating, Assignee of Mortgage, and reported in this Cause, be and the same is hereby finally ratified and confirmed, no cause to the contrary thereof having been shown, although due notice appears to have been duly given as required by the preceding Order of Nisi heretofore passed in this Cause; and the said Thomas J. Keating, Assignee as aforesaid, is allowed the usual commissions allowed by this Court upon the sale of real estate and for all expenses, not personal, upon producing the vouchers therefore before the Auditor.

Wm. R. Horney  
Judge.

Filed Nov. 24th, 1942.



.....  
AUDIT  
REPORT AND ACCOUNT OF THE AUDITOR  
Filed Dec. 15, 1942.

In the Circuit Court for Queen Anne's County, in Equity

Thomas J. Keating, assignee of mortgage , : CHANCERY DOCKET  
versus :  
Herbert Z. Beaven and Mary C. Beaven, :  
his wife, mortgagors. : CAUSE NO. 3330/

To the Honorable, the Judges of said Court:-

The Report of Madison Brown, your auditor, unto Your Honors respectfully sets forth:-

That these proceedings were instituted and conducted by the plaintiff for the collection of a mortgage debt charged on land by and through the sale of the land and the amount of the sale is more than sufficient to pay the mortgage indebtedness and all costs and commissions so that there is " a surplus mortgage sale".

That, Honorable Thomas J. Keating, assignee of the mortgage described in this cause and to whom said mortgage had been assigned for the purpose of collection, in the attached account, is charged with the amount of the gross mortgage sale made and reported by him and thereout the auditor has allowed thereout as follows:

Unto said assignee and attorney, the vendor making the sale, his commissions for making/sale , his costs of advertising the sale and theseveral orders nisi of the cause, the cost of his bonds, the bill presented by the auctioneer, at the sale for crying the sale, the court costs and costs of fire insurance obtained on the property.

Unto the auditors, his fee, unto the executors of Henry B. W. Mitchell, who assigned the mortgage for collection, the entire amount of the mortgage debt as of the day of sale per the statement of mortgage debt filed.

Which is respectfully submitted,

Madison Brown  
AUDITOR

CAUSE NUMBER 3330

The proceeds of the sale of the mortgaged real estate of Herbert Z. Beaven and Mary B. Beaven, his wife, mortgagors making the mortgage mentioned in this cause and under which the sale herein described was made, IN ACCOUNT WITH Thomas J. Keating, assignee of said mortgage and as such the vendor making said sale.

1942 CR  
Sept. 5 By amount of the gross sale made on this date per the report of sale filed in this cause, to wit: the sum of .....\$5,000.00

1942 DR  
Sept. 5 To Thomas J. Keating, said assignee, and the vendor making the sale mentioned, for his commission forso doing per terms of said mortgage, the sum of \$245.00

To same vendor, for cost of advertising notices of said sale in the Queen Anne's Record and Observer newspaper, per receipted account for same exhibited to the auditor, the sum of .....51.75

To the same vendor for cost of advertising in Queenstown news notices of the mortgage sale per receipted account exhibited, .....\$30.00  
and cost of advertising order nisi on the sale per receipted account exhibited, 5.00  
total costs of ..... 35.00 35.00

To the same vendor, for the charge of J. E. Anthony, auctioneer, for crying the sale mentioned per his account renered exhibited to the auditor, the sum of ..... 50.00

To the same vendor for the amount of state and county taxes of year 1942 on the land sold under the mortgage and paid by him per terms of the sale according to this report of sale, per receipted tax account of J. E. Bryan, treasurer, exhibited to the auditor, the sum of ef ..... 33.75

To the same vendor for the cost of the first bond filed by him.....12.00...  
second bond filed by him, .....10.00  
in this cause paid by him to the corporate surety on said bonds per receipted accounts for same exhibited to the auditor a total amount of .....22.00 22.00

To same vendor for the cost of certain insurance against fire obtained by holders of mortgge on improvements on mortgaged property and paid by the vendor, per receipted account for same exhibited to the auditor, the sum of ..... 9.83

CAUSE NUMBER 3330

DR.

To the same vendor, for the cost of advertising the order nisi to be passed as to this audit, the sum of .....\$3.50

To Madison Brown, auditor, for stating this account, the sum of..... 10.00

To Francis D. L. Mitchell and Thomas J. Keating jr., executors of Henry B. W. Mitchell former assignee of said mortgage in full payment of the mortgage debt due and owing under the mortgage as of the day of sale, inclusive, of the principal mortgage debt, .....\$2,600.00 of the interest thereon, ..... 474.00

3,074.09

of attorney's commissions for collection thereof, per terms of mortgage, ..... 153.71

\$3,227.80

per statement of mortgage debt filed, a total amount of .....\$3,227.80

To Thomas J. Keating, said assignee and vendor for payment of the court costs of this cause per statement of costs made by clerk of court and exhibited to the auditor, being as follows:

Appearance fee of plaintiff's attorney,..... 10.00 Costs of the said clerk, ..... 22.75 Costs of the Register of Wills, ..... 1.50

Total of these costs, to wit: the sum of ..... 34.25 34.25

\$ 3,722.88

To balance, being surplus mortgage sale, the same to remain in the hands of Thomas J. Keating, assignee and the vendor of this cause, subject to the future order of this court, the sum of ..... 1,277.12

5,000.00 5,000.00

1942 September 5:

CR

By balance brought down to remain subject to future of court, to wit: the sum of ..... 1,277.12

1942. December 15,

Madison Brown Auditor

Filed Dec. 15, 1942.

..... NISI AUDIT Filed Dec. 15th, 1942.

NISI RATIFICATION OF AUDIT

Thomas J. Keating, assignee of mortgage, vs Herbert Z. Beaven and Mary C. Beaven, his wife, mortgagors IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY IN EQUITY. Cause No. 3330

ORDERED, This 16th day of December in the year nineteen hundred and forty two, that the Report and Account filed in these proceedings by Madison Brown, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 8th day of January, 1943; provided a copy of this order be published once a week in each of two successive weeks before the 2nd. day of January, 1943, in some newspaper printed and published in Queen Anne's County.

A. Sydney Gadd Jr, Clerk

Filed December 16, 1942.

..... PETITION TO HAVE SURPLUS PROCEEDS OF SALE APPLIED TO LIENS, ETC. Filed Dec. 21, 1942,

THOMAS J. KEATING, ASSIGNEE OF MORTGAGE VS HERBERT Z. BEAVEN, AND MARY C. BEAVEN HIS WIFE, MORTGAGORS. IN THE CIRCUIT COURT FOR QUEEN ANNES COUNTY, IN EQUITY CHANCERY NO . 3330.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Thomas J. Keating, Assignee of the second Mortgage Lien on the property in these proceedings mentioned and described, unto your Honors respectfully shows:

1. That, by the audit stated by Madison Brown, Auditor, which audit is filed in these proceedings, there is shown an undistributed balance of \$41,277.12 as surplus proceeds of sale which is audited to be retained by the Assignee in these proceedings subject to the future order of this court.

2. That by mesne assignments your Petitioner became the holder, for the purpose of foreclosure and collection, of the second mortgage lien on the property and premises in these proceedings mentioned and described, said second mortgage being described as executed by Edward O. Smith and Fannie M. Smith, his wife, unto Herbert Z. Beaven and Mary B. Beaven, his wife, and bearing date the 9th day of May, 1925, and recorded among the land records of Queen Anne's County in Liber B. H. T. #3, folio 445, etc., in the principal sum of \$1400.00, under which said second mortgage the balance of the principal debt now due is the sum of \$650.00, with interest thereon from the 5th day of July, 1941, until paid, which interest up to September 5th, 1942, (the day of sale reported herein) is the sum of \$45.50, and with costs of collection in the sum of \$34.75, certified copy of which second mortgage (certified copy of the Order of the Orphans' Court for Queen Anne's county relative to the assignment of said second mortgage having been heretofore filed in this Cause) being filed herewith and prayed to be taken as part hereof.

3. That your Petitioner is advised that he is entitled to have the surplus of sale applied to the payment of the aforesaid second mortgage lien, interest and costs as aforesaid.

4. Your Petitioner therefore prays this Court to pass an order directing Madison Brown, Auditor in this Cause, to give notice by Publication to all Lienors, Judgment Creditors and Assignees of the said Edward O. Smith, and Fannie M. Smith, and all persons claiming an interest in the Equity of Redemption in the property in these proceedings mentioned and described in file their claims properly authenticated with him as Provided by the Equity Rules of this Court and thereafter to state and Audit distributing the surplus proceeds of sale in this Cause.

Respectfully submitted,

John Palmer Smith  
Solicitor for Petitioner.

Thos. J. Keating  
Assignee of the second mortgage lien  
Petitioner.

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:-

I hereby Certify, that on this 21st day of December, 1942, before the Subscriber, Clerk of the Circuit Court for Queen Anne's County, personally appeared Thomas J. Keating, the Petitioner above named, and made oath in due form of law that the matter and things above set forth are true to the best of his knowledge, information and belief,

A. Sydney Gadd Jr.  
Clerk

Filed Dec. 21, 1942.

.....  
CERTIFIED COPY OF MORTGAGE  
PETITIONER'S EXHIBIT NO. 1.  
Filed Dec. 21, 1942.

#11,280. QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the eighteen day of May in the year nineteen hundred and twenty five, the following Mortgage was brought to be recorded, to wit:

THIS MORTGAGE, Made THIS NINTH DAY OF May, in the year nineteen hundred and twenty five, by Edward O. Smith and Fannie M. Smith, his wife, of Jersey City, in the State of New Jersey.

WHEREAS, said Edward O. Smith is indebted unto Herbert Z. Beaven and Mary C. Beaven his wife, of Queen Anne's County, State of Maryland, as tenants by the entireties, in the full and just sum of one thousand, four hundred dollars (\$1,400.00), for the balance of the purchase money for the land and premises hereinafter described, which said sum of one thousand, four hundred dollars, together with interest thereon at the rate of six per centum per annum, is to be paid as follows: Two hundred and fifty dollars (\$250.00). together with interest on the whole amount, at the expiration of six months from this date, two hundred and fifty dollars (\$250.00), together with interest on the entire amount then owing of said original amount of said mortgage at the expiration of one year from this date, two hundred and fifty dollars (\$250.00), together with interest on the entire amount then owing under said mortgage at the expiration of eighteen months from this date, and the entire residue of the amount intended to be secured by this mortgage, together with interest, at the expiration of two years from this date, and there was an express condition precedent to the conveyance of said land by these mortgagees to said Edward O. Smith, that the balance of the purchase money therefor, to wit: One thousand, four hundred dollars, together with the interest to accrue thereon, were to be secured and the prompt payment thereof assured by the execution of these presents.

NOW, THEREFORE, THIS MORTGAGE WITNESSETH: That for and in consideration of the premises and the aforesaid sum of One thousand, four hundred dollars, the said Edward O. Smith and Fannie M. Smith, his wife, do hereby grant and convey unto Herbert Z. Beaven and Mary B. Beaven, his wife, as tenants by the entireties, their heirs and assigns, the following real estate, to wit: Parcel No. 1 All that lot or parcel of

land situate, lying and being in the Third Election District of Queen Anne's County aforesaid, on the right side of the public road leading from Centreville to Hope, bounded on the East by the farm known as "Needwood" of Henrietta McK. Holton, on the South by the land formerly belonging to the late Margaret T. Gadd and also by the land of John R. E. Turpin, on the West by the land hereinafter described and on the North by the aforesaid public road, and containing ten acres of land, more or less. Parcel No. 2: All that lot or parcel of land, situate, lying and being in The Third Election District of Queen Anne's County aforesaid, on the right of the public road above mentioned, bounded on the East by the land described above as "Parcel No. 1", on the South by the land of John R. E. Turpin, on the west by the land of Mrs. Lulu Swain, and containing eight acres and one half of a perch of land, more or less, and being the same and all the land that was conveyed unto said Edward O. Smith by deed of even date herewith, and to be recorded among the land record books for Queen Anne's County, immediately preceding the recording of this mortgage.

Together with all rights, roads, ways, waters, privileges and advantages, thereto belonging or in any wise appertaining, and the buildings and improvements thereon erected and being.

And it is hereby agreed that, in the event of a sale of the above described property under the power of sale hereinafter expressed, all annual crops, pitched, planted or growing upon said property at the time of sale shall pass to the purchaser of said property.

Provided, that if the said Edward O. Smith, his heirs, executors, administrators, or assigns, shall well and truly pay to the said Herbert Z. Beaven, and Mary B. Beaven, their executors, administrators or assigns, the aforesaid sum of one thousand, four hundred dollars, together with the interest to accrue thereon, at the rate of six per centum per annum as follows: two hundred and fifty dollars, together with interest on the whole amount at the expiration of six months from this date; two hundred and fifty dollars, together with interest on the entire amount then owing of said original amount of said mortgage at the expiration of one year from this date; two hundred and fifty dollars, together with interest on the entire amount then owing under said mortgage at the expiration of eighteen months from date, and the entire residue of the amount intended to be secured by this mortgage together with interest from this date, at the expiration of two years from this date and the interest to accrue thereon, as above set forth and shall perform all the covenants, conditions, and agreements herein on their part to be performed, then this mortgage shall be void, and until default be made in the premises, the said Edward O. Smith, his heirs, and assigns shall possess said property.

And the said Edward O. Smith, for himself, his heirs, executors, administrators and assigns, hereby covenants to pay, as they severally fall due, the debt and interest hereby intended to be secured, all taxes, assessments, public dues and charges levied or that may be levied thereon, and on the property hereby conveyed, all costs and attorney's commissions and charges incurred in the collection of said debt and interest, or any part of either, and to insure, and pending this mortgage to keep insured, the improvements on said premises to the amount of at least their insurable value, in some Company or Companies approved by the said Herbert Z. Beaven, and Mary B. Beaven, their executors, administrators or assigns, and to have the said policy or policies, so framed or endorsed, that the proceeds arising from said policy or policies, in case of loss shall be applied to the payment of this mortgage, and to deliver, upon demand, to the mortgagees, their executors, administrator or assigns, said policy or policies, and that no act or thing shall be done whereby said mortgaged premises may be depreciated or lessened in value.

But, in case of default in payment of said debt, or the interest to accrue thereon, or any part of either, as they severally fall due, or in any covenant, condition or agreement, in this mortgage, then the whole debt intended hereby shall be due and demandable and the said Herbert Z. Beaven and Mary B. Beaven, or either of them, their or either of their executors, administrators, or assigns, or H. B. W. Mitchell, their hereby duly constituted Attorney for the purpose, are hereby authorized and empowered to sell said premises upon giving twenty days previous notice of the time, place, manner and terms of sale by advertisement in a newspaper printed and published in Queen Anne's County, Maryland, and such other notice as party selling may deem expedient, for cash, or for cash and credit, at the option of the person making the sale, the credit payments, if any, to bear interest from day of sale, and to be secured by the note or notes of the purchaser, with security to be approved by the person making the sale, and to apply the proceeds of sale to the payment of, first, all expenses incident to such sale including compensation to the person making sale the same as allowed to Trustees selling real estate under decree of the Circuit Court for Queen Anne's County, in Equity; second, all moneys owing hereunder or secured hereby, whether the same shall have then matured or not, and, third, the balance to E. O. Smith, or whoever may be entitled to same.

And it is hereby agreed that when default be made in any covenant or condition contained in this mortgage and when suit has been docketed in the proper Court for the purpose of the foreclosure of this mortgage under the power of sale above granted, the said Herbert Z. Beaven and Mary B. Beaven, their executors, administrators or assigns, or H. W. Mitchell, their said Attorney, shall not be required and accept the principal and interest of said mortgage indebtedness in satisfaction thereof, unless the tender of said mortgage indebtedness be accompanied by the payment of all expenses incurred under said foreclosure proceedings, including all costs of advertisement, Court costs and all expenses incurred to the time of said tender and a commission on the total amount of the mortgage indebtedness, principal and interest, equal to one half the commission allowed trustees for making sale of real estate under decree of the Circuit Court for Queen Anne's County, in Equity, and which said costs, expenses and commissions the said Edward O. Smith, for himself, his heirs, executors, administrators and assigns, hereby covenants to pay.

Witness our hands and seals.

Witness:  
W. S. Roehren

Edward O. Smith (SEAL)  
Fannie M. Smith (SEAL)

STATE OF NEW JERSEY, Jersey City, to wit:

I hereby certify that on this 11th day of May, in the year nineteen hundred and twenty five, before me, the subscriber, a Notary Public of the State of New Jersey, in and for Jersey City, personally appeared Edward O. Smith, and Fannie M. Smith, his wife, and did each acknowledge the within and foregoing mortgage to be their respective act and deed.

In testimony whereof I hereunto subscribe my name and Notarial Seal affix, the day and year hereinlast above written.

Notary Public  
Seal.

W. S. Roehren  
NOTARY PUBLIC

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I hereby Certify that on this sixteenth day of May, in the year nineteen hundred and twenty five, before me, the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, personally appeared Herbert Z. Beaven, one of the within mortgagees, and made oath that the consideration stated in the within and foregoing mortgage was true and bona fide as therein set forth.

IN TESTIMONY WHEREOF I hereunto subscribe my name and notarial seal affix the day and year herein last above written.

Notary Public

Bertha G. Durney  
NOTARY PUBLIC

Queen Anne's County, to wit: Be it remembered that on the sixteenth day of February, in the year nineteen hundred and twenty six, the following assignment was brought to be recorded, to wit:

For value received we hereby transfer and assign the within and foregoing mortgage unto H. B. W. Mitchell. Witness our hand and seals this 16th day of February, nineteen hundred and twenty six.

Witness:

Wm.W. Rhodes

Herbert Z. Beaven (SEAL)

Mary B. Beaven (SEAL)

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Twentieth day of June, in the year nineteen hundred and forty two, the following Assignment was filed for record, to wit:-

PURSUANT to an Order of the Orphans' Court of Queen Anne's County passed on the 16th day of June, 1942, in the Matter of the Estate of Henry B. W. Mitchell, deceased, the within and foregoing Mortgage is hereby transferred and assigned unto Thomas J. Keating for the purpose of collection by foreclosure or otherwise.

WITNESS our hands and seals this 18th day of June 1942.

Test: (as to Francis D. L. Mitchell);  
Charles J. B. Mitchell  
Charles J. B. Mitchell

FRANCIS D. L. MITCHELL (SEAL)  
Francis D. L. Mitchell)  
THOS. J. KEATING JR. (SEAL)  
Thos. J. Keating Jr.

Test: (as to Thos. J. Keating, Jr.,) EXECUTORS u/w of Henry B. W. Mitchell, deceased.  
MARY KER KEATING  
(Mary Ker Keating)

STATE OF MARYLAND

TO WIT:

QUEEN ANNE'S COUNTY

I hereby Certify that the foregoing is truly taken and copied from Liber B. H. T. No. 3, folio 445 a Land Record Book for Queen Anne's County.

Seals  
place.

In Testimony Whereof I have hereunto subscribed my name and affix the Seal of the Circuit Court for Queen Anne's County this 21st day of December in the year nineteen hundred and forty two.

A. Sydney Gadd Jr. Clerk

ORDER OF COURT  
Filed Dec. 21, 1942.

ORDER OF COURT

The foregoing Petition having been read and considered, it is therefore, this 21st day of December, 1942, ORDERED by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that the proceedings, of the above entitled Cause be, and the same are hereby referred to Madison Brown, Auditor of this Court, who is hereby directed to give notice by Publication in some newspaper published in said County once a week for four successive weeks, to all judgment creditor, lienors and/or assignees of Herbert Z. Beaven and Mary B. Beaven, his wife, and all personas claiming an interest in the Equity of Redemption in the property in these proceedings mentioned and described, to file their claims, with the vouchers thereof, with him on or before a certain day ( which shall be 60 days from the date of the first publication) named in said notice.

And it is further ORDERED, that the said Madison Brown, Auditor, be and he is hereby authorized to take such testimony as may be necessary to establish said claims, and he is hereby directed to state and return to this Court an Audit

distributing the surplus proceeds of sale of this Cause to the Claimants thereof as their rights may appear.

Wm. R. Horney  
Judge.

Filed Dec. 21, 1942.

.....  
CERTIFICATE PUBLICATION NISI AUDIT  
Filed Jan. 8th 1943,

NISI RATIFICATION OF AUDIT

Thomas J. Keating, assignee of mortgage : In the Circuit Court for Queen  
vs : Anne's County  
Herbert Z. Beaven and Mary C. Beaven, : in Equity.  
His wife, mortgagors. : Cause No. 3330

ORDERED, This 16th day of December in the year nineteen hundred and forty two that the Report and Account filed in these proceedings by Madison Brown, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 8th day of January, 1943; provided a copy of this order be published once a week in each of two successive weeks before the 2nd day of January, 1943, in some newspaper printed and published in Queen Anne's County.

A. SYDNEY GADD JR.  
Clerk

Filed Dec. 16, 1942.

True Copy  
Test: A. SYDNEY GADD JR.  
Clerk

QUEEN ANNE'S RECORD - OBSERVER  
Centrevill, Md. Jan 7, 1943.

THE QUEEN ANNE'S RECORD And OBSERVER PUBLISHING COMPANY, A body corporate, does hereby certify that the Nisi Ratification of Audit in the case/ estate of Thomas J. Keating assignee vs. Herbert Z. Beaven and Mary B. Beaven his wife, mortgagors a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD OBSERVER, a weekly newspaper printed and publshied at Centreville, in Queen Anne's County, Maryland, once a week for two successive weeks before the 2nd day of January 1943, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD - OBSERVER was on the 17th day of December 1942, and the last insertion on the 24th day of December 1942.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

By Myrtle Lewis

Filed Jan .8th, 1943.

.....  
ORDER OF COURT  
Filed Jan 9th, 1943.

THOMAS J. KEATING, : IN THE CIRCUIT COURT  
ASSIGNEE OF MORTGAGE, :  
VS : FOR QUEEN ANNE'S COUNTY  
HERBERT Z. BEAVEN, & MARY C. :  
BEAVEN, HIS WIFE, MORTGAGORS. : IN EQUITY.  
: Chancery No. 3330

ORDER OF COURT

ORDERED, on this 9th day of January, in the year nineteen hundred and forty three, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that the within and foregoing Report and Account of Madison Brown, as the Auditor of this Court, be andt he same is hereby ratified and confirmed, no cause to the contrary thereof having been shown, although it appears that notice has been given in accordance with the Order Nisi heretofore passed in this cause in relation to said Report and Account, and Thomas J. Keating, the party making the sale described in the cause, be and he is hereby authorized and directed to apply the proceeds of sale in accordance with said account, except as to the balance shown on page 3 of the Account undistributed, which balance of \$1277.12 is directed to be held by said Thomas J. Keating until further order of this Court.

Wm. R. Horney  
Judge.

Filed Jan 9th , 1943,

CAUSE NUMBER 3328

QUEEN ANNE'S COUNTY, TOWIT: Be it remembered that on this Twenty Second day of July in the year nineteen hundred and forty two, the following Order to Docket Suit was brought to be recorded to wit: -

Richard T. Earle, Assignee, : In the Circuit Court
vs : for Queen Anne's County,
Joseph Golt and Estella : in Equity
V. Golt, his wife. : Chy. #3328.

Mr. A. S. Gadd, Jr., Clerk:

Kindly docket suit as per above titling, record assignment of mortgage from the Sudlersville Bank to myself, said mortgage being given by Joseph Golt and Estella V. Golt to said Ban, recorded in Liber W. F. W. No.1, folio 12 etc., file a certified copy of said mortgage and assignment in this cause, approve accompanying bond and file in this cause.

Richard T. Earle
Atty, for plaintiff.

Filed July 22nd 1942.

CERTIFIED COPY OF MORTGAGE
Filed July 22nd, 1942

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this ninth day of December, in the year nineteen hundred and eleven, the following MORTGAGE was brought to be recorded, to wit:

THIS MORTGAGE, Made this Sixth day of November in the year nineteen hundred and eleven, by Joseph Golt and Estella V. Golt, his wife, both of Queen Anne's County, in the State of Maryland.

WHEREAS, the said Joseph Golt and the said Estella V. Golt, his wife, are jointly and severally, indebted unto the body corporate, The Sudlersville Bank of Maryland, upon a promissory note for the sum of Three hundred and fifty dollars, (\$350.00), bearing even date herewith, and payable to the said body corporate, six months after date, at its banking house, in the town of Sudlersville, Queen Anne's County, Maryland, said note being given for money loaned by said body corporate; and, whereas, as a condition precedent to the making of said loan and the acceptance of said note, it was agreed that this mortgage be executed to secure the payment of said loan as represented by said promissory note and as represented by any and all renewals thereof, whether said renewals be in part or in whole:

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES, and of the said sum of three hundred and fifty dollars, (\$350.00), the said Joseph Golt and the said Estella V. Golt, his wife, do hereby grant and convey unto said body corporate, The Sudlersville Bank of Maryland, its successors and assigns, in fee simple, the following real estate, to wit:

ALL that tract or parcel of land called Harris Ramblas, in Queen Anne's County, Maryland, on the public road leading from Sudlersville to Templeville, it being a part of the William Carson's land, adjoining the lands of Mr. Lutes on the north, William Ware on the West and Capt. Glanding on the south and contained in the following metes and bounds, courses and distances, Beginning on the west side of said road at a corner for Mr. Lutes and runs south seventeen and one fourth degrees East with the road, forty five perches to the land of Mr. Glanding, then with the Glanding land south seventy three and one half degrees west, one hundred and nine and seven tenths perches to W. Waresland, thence with Wares land north twenty five degrees west, four hundred and sixty eighty perches, to Mr. Lutes land, thence with said land north seventy three and one half degrees East, one hundred and sixteen and seven tenths perches to the place of Beginning, containing thirty one acres, three rods and fourteen perches of land, more or less, being the same property described in a deed to the said Joseph Golt from Herman Johnson and Martha J. Johnson, his wife, bearing date the Sixth day of November, in the year nineteen hundred and eleven and to be recorded among the Land Record Books for Queen Anne's County, Maryland, immediately preceding the recording of this mortgage.

TOGETHER with all rights, roads, ways, waters, privileges and advantages thereto belonging, or in any wise appertaining, and the buildings and improvements thereon erected and being.

AND it is hereby agreed that, in the event of a sale of the above described property under the power of sale hereinafter expressed, all annual crops, pitched, planted or growing upon said property at the time of sale shall pass to the purchaser of said property.

PROVIDED, that if the said Joseph Golt and the said Estella Golt, his wife, their of either or their heirs, executors, administrators or assigns, shall well and truly pay to the said body corporate, The Sudlersville Bank of Maryland, its successors, or assigns the aforesaid sum of three hundred and fifty dollars as represented by the aforesaid promissory note and as represented by any and all renewals thereof, whether said renewals be in part or as a whole, and the interest to accrue thereon, as above set forth, and shall perform all the covenants, condition and agreements herein of their part to be performed, then this mortgage shall be void, and until default be made in the premises the said Joseph Golt, his heirs and assigns shall possess said property.

AND the said Joseph Golt and the said Estelle V. Golt, his wife,

jointly and severally, for themselves and for each of them, and for their and each of their heirs, executors, administrators, and assigns hereby covenant to pay, as they severally fall due, the debt and interest hereby intended to be secured, all taxes, assessments, public sues and charges, levied or that may be levied thereon, and on the property hereby conveyed, all costs and attorney's commissions and charges incurred in the collection of said debt and interest, or any part of either and to insure, and pending this mortgage to keep insured, the improvements on said premises to the amount of the insurable value of such improvements, in some Company or Companies approved by the said body corporate, The Sudlersville Bank of Maryland, its successors, or assigns, and to have the said policy or policies so framed or endorsed, that the proceeds, arising from said policy or policies, in case of loss, shall be applied to the payment of this mortgage, and to deliver, upon demand, to the mortgage, its successors or assigns, said policy or policies, and that no act or thing shall be done whereby said mortgage premises may be depreciated or lessened in value.

BUT, in case of default in payment of said debt, or the interest to accrue thereon, or any part of either, as they severally fall due, or in any covenant, condition or agreement in this mortgage, then the whole debt intended hereby to be secured and all moneys owing hereunder or secured hereby shall be due and demandable and the said body corporate, The Sudlersville Bank of Maryland, its successors or assigns, or THOMAS J. KEATING their hereby duly constituted Attorney for the purpose, are hereby authorized and empowered to sell said premises upon giving twenty days previous notice of the time, place, manner, and terms of sale by advertisement in a newspaper printed and published in Queen Anne's County, Maryland, and such other notice as party selling may deem expedient, for cash, or for cash and credit at the option of the person making the sale, the credit payments, if any, to bear interest, from day of sale, and to be secured by the note or notes of the purchaser, with security to be approved by the person making the sale, and to apply the proceeds of sale to the payment of, first, all expenses incident to such sale, including compensation to the person making sale the same as allowed to Trustee selling real estate under decree of the Circuit Court for Queen Anne's County, in Equity, second, all moneys owing hereunder or secured hereby, whether the same shall have matured or not: and third, the balance to the Mortgagees, or whoever may be entitled to same.

AND it is hereby agreed that when default be made in any covenant or conditioned in this mortgage and when suit has been docketed in the proper Court for the purpose of the foreclosure of this mortgage under the power of sale above granted, the said body corporate, The Sudlersville Bank of Maryland, its successors or assigns, or THOMAS J. KEATING their said Attorney, shall not be required to receive and accept the principal and interest of said mortgage indebtedness satisfaction thereof, unless the tender of said mortgage indebtedness be accompanied by the payment, of all expenses incurred under said foreclosure proceedings, including, all costs of advertisement, Court costs and all expense incurred to the time of said tender and a commission on the total amount of the mortgage indebtedness, principal and interest, equal to one-half the commission allowed Trustees for making sale of real estate under decree of the Circuit Court for Queen Anne's County, in Equity, and which said cost, expenses and commissions the said Mortgagees, for themselves and for each of them and for their and each of their heirs, executors, administrators and assigns, hereby covenant to pay.

Witness the hands and seals of the said Grantors the day and year first above written.

TEST:

S. C. FAULKNER

his  
JOSEPH X GOLT (SEAL)  
mark

ESTELLA V. GOLT (SEAL)

State of Maryland,

Queen Anne's County, to wit:-

I hereby certify that on this 6th day of November, in the year nineteen hundred and eleven, before the subscriber, a Justice of Peace of the State of Maryland, in and for Queen Anne's County, personally appeared Joseph Golt and Estella V. Golt, his wife, and each acknowledged the foregoing Mortgage to be their respective act and deed.

SAMUEL C. FAULKNER  
Justice of the Peace

State of Maryland,

Queen Anne's County, to wit:-

I hereby certify that on this 6th day of Nov, in the year nineteen hundred and eleven, before the subscriber, a Justice of the Peace of the State of Maryland, in and for Queen Anne's County personally appeared John F. Stokes, Cashier and agent for the body corporate, The Sudlersville Bank of Maryland, and made oath in due form of law, that the consideration stated in the foregoing mortgage is true and bona fide as therein set forth.

And at the same time, before me, the said John F. Stokes also made oath in due form of law, that he is the duly authorized Cashier and Agent of the said body corporate, The Sudlersville Bank of Maryland, and duly authorized to make the oath as to the consideration stated in this mortgage.

SAMUEL C. FAULKNER  
Justice of the Peace.

For value received the Sudlersville Bank of Maryland, a body corporate does hereby assign and transfer the within and foregoing mortgage and mortgage indebtedness secured thereby to Richard T. Earle for the purpose of foreclosure and collection.



In testimony thereof we have this 20th day of July in the year 1942 caused the signature of the said body corporate to be hereto subscribed by Dudley G. Roe its President and the Corporate seal to be hereto attached and duly attested by its Cashier.

Test: The Sudlersville Bank of Maryland  
By John F. Stokes (Cashier) By Dudley G. Roe. (President)  
John F. Stokes (Cashier) Dudley G. Roe (President)

Assignment recorded at the foot of the record Liber W. F. W. #1, folio 15, a land record book for Queen Anne's County this 22nd day of July 1942.

A. Sydney Gadd Jr. Clerk

STATE OF MARYLAND  
QUEEN ANNE'S COUNTY TO WIT:

I HEREBY CERTIFY that the foregoing is truly taken and copied from Liber W. F. W. No.1, folio 12, etc., at Land Record Book for Queen Anne's County.

Seals Place. IN TESTIMONY WHEREOF I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County this 22nd, day of July, in the year nineteen hundred and forty two.

A. Sydney Gadd Jr. Clerk

.....  
CERTIFIED COPY OF BOND  
Filed July 22nd. 1942.

Queen Anne's County, to wit: Be it remembered that on this twenty Third day of July in the year nineteen hundred and forty two, the following Bond was brought to be recorded to wit:

KNOW ALL MEN BY THESE PRESENTS, that we, Richard T. Earle of Queen Anne's County, State of Maryland, as principal, and Glens Falls Indemnity Company, a body corporate, duly authorized by its Charter to become sole surety on bonds, as surety, are held and firmly bound unto the State of Maryland in the full and just sum of ONE THOUSAND DOLLARS (\$1,000.00) current money to be paid to the said State or its certain attorney, to which payment well and truly to be made and done we bind ourselves, our and each our heirs, personal representatives, successors and assigns, jointly and severally by these presents, sealed with our seals and dated this twenty second day of July in the year nineteen hundred and forty two.

WHEREAS, the above bounden, Richard T. Earle, is about to exercise the power of sale contained in a certain mortgage given by Joseph Golt and Estella V. Golt, dated the sixth day of November, 1911, to The Sudlersville Bank of Maryland, and recorded in Liber W. F. W. No.1, folio 12 etc., a Land Record Book for Queen Anne's County, and default having occurred in said mortgage, has been assigned to Richard T. Earle for the purpose of foreclosure and collection.

Now the condition of the above obligation is such that if the above bounden, Richard T. Earle, shall well and faithfully abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of such mortgage property or the proceeds thereof, then this obligation shall be void, otherwise to be and remain in full force and virtue in law.

Signed, sealed and delivered in presence of

Richard T. Earle (SEAL)  
Richard T. Earle

John Palmer Smith  
John Palmer Smith

Glens Falls Indemnity Company  
By L. Herman Meredith  
L. Herman Meredith, Attorney

Filed July 22nd, 1942.

Corporate Seals  
Place.

And on the back of the foregoing is thus endorsed to wit:

Bond filed and security approved July 22nd 1942.

A. Sydney Gadd Jr. Clerk

STATE OF MARYLAND  
QUEEN ANNE'S COUNTY TO WIT:

I hereby Certify that the foregoing Bond was truly taken and copied from Liber W. H. C. No.1, folio 211, A Bond Record Book for Queen Anne's County.

Seals Place. In Testimony Whereof I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County this 22nd day of July in the year nineteen hundred and forty two.

A. Sydney Gadd Jr.  
Clerk

STATEMENT OF MORTGAGE DEBT  
Filed Aug. 8th, 1942.

Richard T. Earle, Assignee, : In the Circuit Court for Queen  
vs : Anne's County, in Equity,  
Joseph Golt and Estelle : Cause No. 3328  
V. Golt, his wife, :

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I hereby certify that on this 7th day of August in the year nine-  
teen hundred and forty two, before me, the subscriber, a Notary Public of the State  
of Maryland in and for Queen Anne's County, personally appeared Dudley G. Roe,  
President of the Sudlersville Bank of Maryland, a body ocrporate assignor of the  
mortgage being foreclosed in these proceedings and made oath in due form of law that  
the mortgage debt secured by the mortgage in this cause, remaining due and unpaid  
is the sum of One hundred Dollars (\$100.00), with interest thereon at the rate of  
is per centum from the 2nd, day of May, 1942,. In witness whereof I have hereunto  
subscribed my name and affixed my noatraial Seal.

John F. Stokes Notary  
Notary Public Public  
Seal.

Filed Aug, 8th, 1942.

AFFIDAVIT AS REQRARDS  
TO MILITARY SERVICE  
Filed Aug. 8th, 1942.

Chy. 3328

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I hereby certify that on this 7th day of August in the year nine-  
teen hundred and forty two, personally appeared before me, the subscriber, a Notary  
Public of the State of Maryland in and for Queen Anne's County, Dudley G. Roe, President  
of The Sudlersville Bank of Maryland, a body corporate and made oath in due form of  
law, Joseph Golt and Estella V. Golt, defendants in a foreclosure suit brought by  
Richard T. Earle, assignee of the said body corporate, are dead and therefore they  
sould not be engaged in the Military Services of the United States now where they  
engaged in said Military Services three months prior to the making of this affidavit.

Witness my hand and Notarial Seal.

Notary Public Seal. John F. Stokes  
Notary Public

Filed August 8th, 1942.

ASSIGNEE OF SALE OF VALUABLE REAL  
ESTATE  
Filed Aug. 18th, 1942.

ASSIGNEE SALE OF VALUABLE REAL ESTATE

The undersigned assignee by cirtue of a power of sale contained in a certain  
mortgage, bearing date of the Sixth day of November in the year nineteen hundred  
and eleven, given by Joseph Golt and Estella V. Golt, his wife, to The Sudlers-  
ville Bank of Maryland, and recorded in Liber W. F. W. Nol. folio 12 and etc., a  
Land Record Book for Queen Anne's County, default having occured in the terms of  
said mortgage, will offer at public sale on TUESDAY, AUG. 18, 1942., between the hours  
of one and two o'clock p/m. in front of the Court House in Centreville, Queen  
Anne's County, Maryland, all that lot or tract of land situate in the First Elect-  
ion District of Queen Anne's County, Maryland, on the public road from Sudlersville  
to Templeville, being a part of the William Carson's land, adjoining the lands  
now or fomerly owned by Mr. Lutes, William Ware and Capt. Glanding and contains thirty  
one acres, three woods and fourteen perches of land, more or less, improved by a  
dwelling house and other outbuildings, and being the same land granted and conveyed  
to the said Woseph Golt by deed from Herman Johnson and wife, bearing date of  
November 6th, 1911, and recorded just prior to the mortgage aforesaid.

Terms of Sale. One third of the purchase money to be paid on day of sale,  
the bal nce to bear interest from day of sale to be paid upon the ratification of  
sale, the unpaid balance to be secured b the note of the purchaser with surety  
thereon to be approved by the undersigned trustee and to bear interest from the day  
of sale, or all cash upon the day of sale at the election to be adjusted as of day  
of sale, possessions to be given upon day of sale, fitle pa ers and revenue stamps  
to be expenses of purchaser.

Richard T. Earle  
Assignee

J. Elmer Anthony , Auctioneer.

QUEEN ANNES RECORD -OBSERVER  
Centreville, Md. Aug 18, 1942.

THE QUEEN ANNES RECORD AND OBSERVER PUBLISHING CO. hereby certifies that

the Assignees' Sale of Valuable Real Estate in the case of Joseph Golt and Estella V. Golt to Dudlersville Nat'l Bank a true copy of which is hereto annexed, was inserted in the QUEEN ANNE'S RECORD -OBSERVER, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week for four (4) successive weeks the first publication thereof having been made in said newspaper on the 23rd day of July, 1942, being more than three weeks before the 18th day of August 1942.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO.

By Myrtle M. Lewis

Filed Aug. 18 th, 1942.

.....  
REPORT OF SALE  
Filed Aug. 18th, 1942.

Richard T. Earle, Assignee : IN The Circuit Court for  
vs : Queen Anne's County, in Equity  
Joseph Golt and : Cause No. 3328  
Estella Golt, his wife :

REPORT OF SALE.

Richard T. Earle, Assignee, having file an approved bond in the sum of One Thousand dollars, filed an affidavit showing the defendants were not engaged in the military services of the United States, did in pursuance of the power of sale contained in said mortgage, default having occurred, did give more than twenty days previous notice of the time, place and terms of sale inserted in The Queen Anne's Record Observer, a newspaper printed and published in Queen Anne's County, did on August the 18th, 1942, in front of the Court House in Centreville, Queen Anne's County, Maryland, attend the sale, after first reading said advertisement of sale, then offered said real estate described in said mortgage for sale to the highest bidder, throught J. Elmer Anthony, Auctioneer, and sold the same to Edward Frazier and Vera Frazier, his wife, at and for the sum of FIVE HUNDRED AND FIFTEEN DOLLARS (\$515.00), they being then and there the highest bidder, that they have paid the sum of Two Hundred and Fifteen Dollars (\$215.00) and made satisfactory arrangement to pay the balance upon ratification of sale.

Respectfully submitted.

Richard T. Earle  
Assignee

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

I hereby certify that on this 18th day of August, 1942, personally appeared before me, the subscrierr, The Clerk of the Circuit Court for Queen Anne's County, Richard T. Earle, Assignee, and made oath in due form of law that the matters and facts set forth in the within and aforegoing report of sale are true as therein stated and that said sale was fairly made.

A. Sydney Gadd Jr.  
Clerk of the Circuit Court for Queen Anne's County.

Filed Aug. 18, 1942.

.....  
NISI SALE  
Filed Aug. 18th, 1942.

N I S I

Richard T. Earle, Assignee : In the Circuit Court for  
vs : Queen Anne's County  
Joseph Golt and Estella V. : in Equity  
Golt, his wife, : Chancery No. 3328

ORDERED, This 18th day of August, A. D. 1942, that the sale of real estate made and reported in this cause by Richard T. Earle, Assignee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 22nd day of October next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 22nd day of September next.

The Report states the amount of sales to be \$515.00

A. Sydney Gadd Jr. Clerk

Filed August 18, 1942.

.....  
CERTIFICATE PUBLICATION  
NISI SALE.  
Filed Oct 23, 1942,

N I S I

Richard T. Earle, Assignee : In the Circuit Court for Queen  
 vs : Anne's County, in Equity  
 Joseph Golt and Estella : Chancery No. 3328  
 V. Golt, his wife. :

ORDERED, This 18th day of August, A. D., 1942, that the sale of real estate made and reported in this cause by Richard T. Earle, Assignee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 22nd day of October next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 22nd day of September next.

The Report states the amount of sales to be \$515.00.

A. Sydney Gadd Jr.  
 Clerk

True Copy  
 Test:

A. Sydney Gadd Jr.  
 Clerk

QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. October 23, 1942

The QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO. hereby certifies that the Order Nisi in the case of Richard T. Earle, Assignee vs Joseph Golt and Estella V. Golt, his wife a true copy of which is hereto annexed, was inserted in the QUEEN ANNE'S RECORD - OBSERVER, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week for four(4) successive weeks the first publication thereof having been made in said newspaper on the 20th day of August, 1942, being more than four weeks before the 22nd day of September, 1942.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO

By Myrtle M. Lewis

Filed Oct. 23, 1942.

.....  
 AFFIDAVIT AS TO MILITARY  
 SERVICE OF DEFENDANT  
 Filed Oct 24, 1942.

Richard T. Earle, Assignee : In the Circuit Court for  
 vs : Queen Anne's County, in Equity.  
 Joseph Golt and :  
 Estella V. Golt, his wife, : Chy. #3328

I hereby certify that on this 24th day of October, in the year nineteen hundred and forty two, personally appeared before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, Richard T. Earle, Assignee and plaintiff in the above cause, and made oath in due form of law that the defendants, Joseph Golt and Estella V. Golt, his wife, are neither one engaged in the military services of the United States nor have they or either of them been so engaged within three months prior to the making of this affidavit.

A. Sydney Gadd Jr. Clerk of the  
 Circuit Court for Queen Anne's County.

Filed Oct. 24, 1942.

.....  
 ORDER OF COURT  
 Filed Oct 24, 1942.

ORDERED by the Circuit Court for Queen Anne's County in Equity, this 24th day of October, in the year nineteen hundred and forty two, that the sale of the real estate made and reported in this cause be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown although notice appears to have been given by certificate of publication of previous order nisi to said sale; that the assignee be allowed his usual commissions and all expenses, not persona, upon the production of proper vouchers therefor.

Wm. R. Horney  
 Judge.

Filed Oct 24th, 1942.

.....  
 PETITION SEEKING TO DISTRIBUTING  
 NET PROCEEDS OF SALE TO CREDITOR  
 OF MORTGAGOR  
 Filed Oct 24, 1942.

Richard T. Earle, Assignee : In the Circuit Court for  
 vs : Queen Anne's County, in Equity  
 Joseph Golt and Estella :  
 V. Golt, his wife . : Cause No. 3328

TO THE HONORABLE, THE JUDGES OF SAID COURT:-

The Petition of The Welfare Board for Queen Anne's County, State of

Maryland, who files this petition as well for itself as for all other creditors of Joseph Golt, deceased, who will come in and contribute to the expenses of these proceedings, to your Honors respectfully shows:

1. That your Petitioner is the legally constituted Board to administer whatever funds, State, County and Federal, that may be allocated to Queen Anne's County, Maryland, to be expended under The Old Age Assistance Act, and as such Board under said Act contributed from said funds to the support of the said Joseph Golt in his life time the sum of SIX HUNDRED AND NINETY FOUR DOLLARS (\$694.00), as per itemized statement attached hereto and made a part hereof, no part of which sum so expended has been returned and which under the law constituted and is a debt against any property that the said Joseph Golt died possessed.
2. That the said Joseph Golt being seized and possessed of the real estate sold in these proceedings, subject nevertheless to the mortgage foreclosed herein, died in March, 1942, leaving no personal estate, and no letters of administration therefore have been granted on his estate, and the real estate sold herein constituted his only property; that Estella V. Golt, who had a dower in said real estate predeceased the said Joseph Golt.
3. That the mortgage indebtedness as shown by a statement thereof filed in these proceedings amounted to the sum of One Hundred Dollars with interest thereon from the Second day of May, 1942; and that the real estate sold in these proceedings for the sum of Five Hundred and Fifteen Dollars, therefore after the payment of all necessary and proper costs, there will be considerable surplus proceeds of sale to which the said Joseph Golt would have been entitled if living and which should be applied so far as necessary to the payments of his debts, any surplus remaining thereafter to be distributed to his heirs at law.
4. That the said Joseph Golt left surviving him as his only heirs at law, the following children and grand-children, to wit: a son, Thomas H. Golt, who is intermarried with Lottie M. Golt, and they reside at or near Marydel, Queen Anne's County, Maryland, a daughter, Emma Morris, who is intermarried with Virgil Morris and they reside at Sudlersville, Queen Anne's County, Maryland, a daughter Ella Graham, who is intermarried with Benjamin Graham and they reside at or near Millington, Kent County, Maryland, a daughter, Clara Garrett, who is intermarried with William B. Garrett and they reside at or near Smyrna, State of Delaware; two grand-sons of a deceased, daughter Thomas Glanding, who is intermarried with Eva Glanding and they reside at or near Barclay, Queen Anne's County, Maryland, and Benjamin Glanding, who is intermarried with Mary Glanding and they reside at or near Sudlersville, Queen Anne's County, Maryland, and that all of said Heirs of the said Joseph Golt are adults,
5. Your petitioner is advised and alleges that it has right together with all other creditors of the said Joseph Golt, that may come in and contribute to the expenses of this cause, to have the surplus net proceeds of the sale of the real estate or so much thereof as may be necessary, distributed in this cause to said creditors.

TO THE END THEREFORE:

1. That your petitioner and other creditors of the said Joseph Golt that may come in and contribute to the expenses of this cause, may be distributed under an order of this Court the net proceeds of the sale of said ~~real~~ real estate or so much thereof as may be necessary after the payment of said mortgage indebtedness.
2. That your petitioner may have such other and further relief as may be right and proper in the premises.

May it please the Court to grant unto your petitioner the writs of subpoena directed to the Sheriff of Queen Anne's County, Maryland, commanding him to summons Thomas H. Golt and Lottie M. Golt, his wife, who reside at or near Marydel in Queen Anne's County, Emma Morris and Virgil Morris, her husband, who reside at or near Barclay, Benjamin Glanding and Mary Glanding, his wife, who reside at or near Sudlersville, all in Queen Anne's County, Maryland, and to the Sheriff of Kent County, Maryland, commanding him to summons Ella Graham and Benjamin Graham, her husband, who reside at or near Millington, Kent County, Maryland to appear either in person or by solicitor, on a day certain to be named therein, in this Court and show cause, if any they may have, why the petition herein should not be granted as prayed, and Order of Publication against Clara Garrett and William B. Garrett, her husband, residents of Smyrna, State of Delaware, and non-residents of the State of Maryland, setting forth the object and substance of this petition and warning them to be and appear in this Court on a day certain to be named therein in either person or by solicitor and who cause, if any they have, why the petition herein should not be granted as prayed, and a Notice to Creditors of the said Joseph Bolt, deceased, directing them to file their claims, with vouchers therefor with the Clerk of this Court on or before a day certain to be named therein or else be excluded from the distribution of the net surplus proceeds of sale to be distributed in this cause.

Respectfully submitted,

Richard T. Earle,  
Atty, for The Welfare Board for Queen Anne's County, Maryland.

Date March 24, 1942.

Mr. Joseph Golt, Marydel, Maryland, Case #109, received from the Queen Anne's County Welfare Board the following amount in Old Age Assistance:

April, 1936, to Mar., 1941, incl.-60 mons.	@ \$9.00-	\$540.00
April, 1941, to Feb., 1942, incl.-11 mons.	@14.00	<u>154.00</u>

Total: \$694.00

Mr. Golt died 3-7-42/

Filed Oct. 24, 1942.

ORDER OF PUBLICATION AND NOTICE TO CREDITORS  
Filed Oct. 24th, 1942.

AND ORDER OF COURT:  
Filed Oct 24th, 1942.

Richard T. Earle, Assignee : In the Circuit Court for  
vs : Queen Anne's County,  
Joseph Golt and Estelle V. Golt : In Equity.  
his wife. :

ORDERED This 24th, day of October, 1942, by the Circuit Court for Queen Anne's County in Equity, and by the authority of said Court, that Thomas H. Golt, who intermarried with Little M. Golt, Emma Morris who intermarried with Virgil Morris, Ella Graham who intermarried with Benjamin Graham, adults, children of Joseph Golt, and Thomas Glanding, a grandson of Joseph Golt, who intermarried with Eva Glanding, and Benjamin Glanding, a grand-son of Joseph Golt, who intermarried with Mary Glanding, be and they are hereby warned to appear and answer the petition of The Welfare Board for Queen Anne's County on or before the 18th day of November, next; be service of the writ of Subpoena upon them, on or before the 2nd day of November, next.

Wm. R. Horney  
Judge

Filed Oct 24th, 1942.

ORDER OF PUBLICATION AND NOTICE TO CREDITORS

Richard T. Earle, Assignee, : In the Circuit Court for  
vs : Queen Anne's County,  
Joseph Golt, and : in Equity.  
Estella V. Golt, his wife. : Cause No 3328

The object of this suit is to have the surplus proceeds of sale under a mortgage applied to pay creditors of Joseph Golt, late of Queen Anne's County, deceased.

The Petition states that the said Joseph Golt died intestate before the sale under the mortgage, indebted to The Welfare Board of Queen Anne's County in the sum of SIX HUNDRED AND NINETY FOUR DOLLARS for money advanced under the Old Age Assistance Act, and to others, that Joseph Golt left no personal estate nor were letters of Administration granted on his estate, that the land sold for more than enough to satisfy the mortgage, and his creditors are entitled to the surplus proceeds; that Joseph Golt left surviving him as his only heirs at law, Thomas H. Golt, a son, who is intermarried with Lottie M. Golt, Ella Morris, a daughter, who is intermarried with Virgil Morris, Thomas Glanding, a grand-son, who is intermarried with Eva Glanding, Benjamin Glanding, a grandson, who is intermarried with Mary Glanding, all resident of Queen Anne's County, Ella Graham, a daughter, who is intermarried with Benjamin Graham, who reside in Kent County, Maryland, Clara Garrett, who is intermarried to William B. Garrett, and they reside in Smyrna, State of Delaware, all adults.

ORDERED, this 24th, day of October, 1942, by the Circuit Court for Queen Anne's County, in Equity, that the creditors of Joseph Golt, deceased, file their claims, with vouchers, with the Clerk of this Court on or before the Fifteenth day of January, 1943, or be excluded from participation in the distribution of said surplus proceeds of sale.

ORDERED, further, that notice of the object and purpose of said petition be given Clara Garrett and William B. Garrett, her husband, non-residents, by publishing this order in some weekly newspaper published in Queen Anne's County, once in each of four successive weeks before the 30th day of November, next, warning them to appear in this Court, in person or by attorney, on or before the 16th day of December, next, to show cause, if any they have, why the petition should not be granted.

Wm. R. Horney  
Judge.

Filed Oct 24th, 1942.

SUBPOENA FOR BENJAMIN GLANDING AND MARY GLANDING, HIS WIFE, TO APPEAR AND ANSWER  
Filed Oct 28th, 1942.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Benjamin Glanding and Mary Glanding, his wife,

SEALS OF QUEEN ANNE'S COUNTY, GRETTING:  
PLACE.

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the First Monday of November, next, to answer the complaint of Richard T. Earle, Assignee, against you in said court exhibited.

Hereof failnot, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins, Shief Judge of our said Court, the First Monday of October 1942. Issued the Twenty fourth day of October 1942.

Richard T. Earle, Solicitor for Complainant; A. Sydney Gadd Jr. Clerk

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of November next, being the Return Day.

The foregoing is thus endorsed to wit: Summned Mary Glanding Oct 27th, 1942. Edward E. Coursey, Sheriff; A. Sydney Gadd Jr. Clerk; One Est Benjamin Glanding Edward E. Coursey.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Thomas H. Golt and Lottis M. Golt, his wife,

SEALS PLACE.

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the First Monday of November next, to answer the complaint of Richard T. Earle, Assignee, against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins, Chief Judge of our said Court, the First Monday of October, 1942. Issued the Twenty Fourth day of October 1942.

Richard T. Earle, Solicitor for Complainant; A. Sydney Gadd Jr. Clerk

TO THE DEFENDANT, You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of November next, being the Return Day.

And on the back of the foregoing is thus endorsed: Summned Thomas H. Golt and Lottie M. Golt Oct 27th, 1942. Edward E. Coursey, Sheriff; A. Sydney Gadd Jr. Clerk

SUBPOENA FOR EMMA MORRIS AND VIRGIL MORRIS, HER HUSBAND, TO APPEAR AND ANSWER. Filed Oct 28th, 1942.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Emma Morris and Virgil Morris, her husband,

SEALS PLACE.

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the First Monday of November next, to answer the complaint of Richard T. Earle, Assignee, against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable, Stephen R. Collins, Chief Judge of our said Court, the First Monday of October 1942. Issued the Twenty fourth day of October 1942.

Richard T. Earle, Solicitor for Complainant; A. Sydney Gadd Jr. Clerk

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of November next, being the Return Day.

And on the back of the foregoing is thus endorsed to wit: Summned Virgil Morris Oct 7, 1942,

Non Est Emma Morris

Edward E. Coursey Sheriff; Edward E. Coursey Sheriff

Filed Oct 28th, 1942.

SUBPOENA FOR THOMAS GLANDING AND EVA GLANDING, HIS WIFE TO APPEAR AND ANSWER Filed Oct 28th, 1942.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Thomas Glanding and Eva Glanding, his wife,

SEALS  
PLACE.

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the First Monday of November next, to answer the complaint of Richard T. Earle, Assignee, against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins, Chief Judge of our said Court, the First Monday of October 1942  
Issued the Twenty fourth day of October 1942.

A. Sydney Gadd Jr. Clerk

Richard T. Earle  
Solicitor for Complainant

TO THE DEFENDANT, You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of November next, being the Return Day.

A. Sydney Gadd Jr. Clerk

And on the back of the foregoing is thus endorsed to wit:-

Subpoena for Thomas Glanding and Eva Glanding, his wife, to appear and answer.  
Summoned Thomas Glanding and Eva Glanding Oct 27, 1942.  
Edward E. Coursey  
Sheriff .

.....  
ANSWER OF THOMAS GLANDING AND  
EVA GLANDING, HIS WIFE,  
Filed Oct 29th, 1942,

Richard T. Earle, Assignee : In the Circuit Court for  
vs : Queen Anne's County, In Equity  
Joseph Golt and : Cause No 3328.  
Estella V. Golt, his wife, :

TO THE HONORABLE, THE JUDGES OF SAID COURT:-

The Answer of Thomas Glanding and Eva Glanding, his wife, to the petition against them and others in this cause exhibited, says:

That they admit the matters and facts set forth in said petition and consent that the Court shall pass such a decree or order as shall be right and proper in the premises.

Test: Richard T. Earle Thomas Glanding  
Thomas Glanding  
Eva Glanding  
Eva Glanding

Filed Oct 29th, 1942.

.....  
SUBPOENA FOR BENJAMIN GLANDING AND  
MARY GLANDING, HIS WIFE, TO APPEAR  
AND ANSWER.  
Filed Nov 5th, 1942.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND  
TO Benjamin Glanding and Mary Glanding, his wife.

SEALS  
PLACE.

OF CECIL COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the First Monday of November next, to answer the complaint of Richard T. Earle, Assignee, against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins, Chief Judge of our said Court, the First Monday of October 1942  
Issued the Twenty fourth day of October 1942.

A. Sydney Gadd Jr.  
Clerk

Richard T. Earle  
Solicitor for Petitioners

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of November next, being the Return Day.

A. Sydney Gadd Jr.  
Clerk

And on the back of the foregoing is thus endorsed to wit:  
Summoned by reading and leaving copy of Summons with Benjamin Glanding and Mary Glanding Non.Est Oct 30th, 1942.

David J. Randolph Sheriff



ANSWER OF BENJAMIN GLANDING AND MARY GLANDING, HIS WIFE, Filed Nov. 5th, 1942.

Richard T. Earle, Assignee, vs Joseph Golt, and Estella V. Golt, his wife. In the Circuit Court for Queen Anne's County, In Equity. Cause No. 3328.

TO THE HONORABLE, THE JUDGES OF SAID COURT:-

The answer of Benjamin Glanding and Mary Glanding, his wife, to the Petition of the Welfare Board of Queen Anne's County, against them and others exhibited, says:

That the defendants, admit the matters and facts setforth in said petition and consent that the Court shall pass such a decree or order as is right and proper in the premises.

Test: Cora Reed, Benjamin Glanding, Mary Glanding.

Filed Nov 5th, 1942.

PETITION FOR FEE AND ORDER OF COURT THEREON Filed Dec. 21, 1942.

Richard T. Earle, Assignee vs Joseph Golt and Estella V. Golt, his wife, In the Circuit Court for Queen Anne's County, in Equity. No. 3328.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Richard T. Earle, to your Honors, respectfully shows:

1. That has conducted the foreclosure proceedings in this cause and there is a difference between said mortgage indebtedness and the selling price of the real estate sold herein of several hundred dollars, that the said so made has been duly ratified; and that as attorney for The Queen Anne's County Welfare Board he has filed a petition in the nature of a creditors bill for the purpose of applying said surplus proceeds for the benefit of creditors of the said Joseph Golt the heaviest creditor being the said Welfare Board.

2. That the filing of said petition also involved a notice to creditors and order of publication against the heirs of the said Joseph Golt residing without the State of Maryland.

That your petitioner believes that he should be recompensed for his legal services in conducting these proceedings in this cause since the ratification of the sale made herein and respectfully ask the Court to pass an order in this cause allowing your petitioner such a sum as would be right and proper in the premises.

Respectfully submitted, Richard T. Earle

Filed Dec. 21, 1942.

ORDER OF COURT

The foregoing petition having been read and considered and the services claimed to have been rendered in having been examined, It is thereupon ORDERED this 21st day of December 1942, that the said assignee to himself the sum of Forty, which the Court considers a fair fee for the services as set forth in said petition.

Wm R. Horney Judge.

Filed Dec. 21, 1942.

CERTIFICATE OF PUBLICATION OF NOTICE TO CREDITORS Filed Jan 16, 1943.

ORDER OF PUBLICATION AND NOTICE TO CREDITORS

Richard T. Earle, Assignee vs Estell V. Golt, his wife, In the Circuit Court for Queen Anne's County In Equity. Cause No. 3328.

The object of this suit is to have the surplus proceeds of sale under a mortgage applied to pay creditors of Joseph Golt, late of Queen Anne's County, deceased.

The Petition states that the said Joseph Golt died intestate before the sale under the mortgage, indebted to The Welfare Board of Queen Anne's County in the sum of SIX HUNDRED AND NINETY FOUR DOLLARS for money advances under the Old Age Assistance Act, and to others, that Joseph Golt left no personal estate nor were letters of Administration granted on his estate, that the land sold for more than enough to satisfy the mortgage, and his creditors are entitled to the surplus proceeds; that Joseph Golt left surviving him as his only heirs at law Thomas H. Golt, a son, who is intermarried with Lottie M. Golt, Ella Morris, a daughter, who is intermarried with Virgil Morris, Thomas Glanding, a grand-son, who is intermarried with Eva Glanding, Benjamin Glanding, a grand-son, who is intermarried with Mary Glanding, all residents of Queen Anne's County, Ella Graham, a daughter, who is intermarried with Benjamin Graham, who reside in Kent County, Maryland Clara Garrett, who is intermarried to William B. Garrett, and they reside in Smyrna, State of Delaware, all adults.

ORDERED, this 24th day of October, 1942, by the Circuit Court for Queen Anne's County, in Equity, that the creditors of Joseph Golt, deceased, file their claims, with vouchers, with the Clerk of this Court on or before the Fifteenth day of January, 1943, or be excluded from participation in the distribution of said surplus proceeds of sale :

ORDERED, further , that notice of the object and purpose of said petition be given Clara Garrett and William B. Garrett, her husband, non-residents, by publishing this order in some weekly newspaper published in Queen Anne's County, once in each of four successive weeks before the 30th day of November, next, warning them to appear in this Court, in person or by attorney, on or before the 16th day of December, next, to show cause, if any there have, why the petition should not be granted.

Wm. R. Horney  
Judge.

Filed October 24, 1942.

True Copy  
Test:

A. Sydney Gadd Jr. Clerk

QUEEN ANNE'S RECORD - OBSERVER  
Centreville, Md. Jan 16, 1943.

THE QUEEN ANNES RECORD AND OBSERVER PUBLISHING COMPANY , a body corporate, does hereby certify that the Order of Publication and Notice to Creditors in the case of Richard T. Earle, assignee vs. Joseph Golt & Estell V. Golt, his wife, a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD OBSERVER, a weekly newspaper printed and published at Centreville, in QUEEN ANNE'S COUNTY, MARYLAND, once a week for four successive weeks before the 30th day of November 1942, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD - OBSERVER, was on the 29th day of October 1942, and the last insertion on the 19th day of November 1942.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING  
COMPANY

By Myrtle Lewis

Filed Jan. 16, 1943.

AMENDED STATEMENT OF MORTGAGE  
INDEBTEDNESS  
Filed Jan 19, 1943.

Richard T. Earle, Assignee , : In the Circuit Court for  
vs : Queen Anne's County, in Equity  
Joseph Golt and : Cause No. 3328.  
Estella V. Golt, his wife, :

AMENDED STATEMENT OF MORTGAGE INDEBTEDNESS.

Joseph Golt and Estella V. Golt, his wife,

To Richard T. Earle, Assignee, Dr.

To Balance due on mortgage given by the said Joseph Golt and Estella V. Golt, his wife, dated the 6th, day of November, 1911, and recorded in Liber W. F. W. No.1, folio 12 etc., a Land Record Book for Queen Anne's County, given to The Sudlersville Bank of Maryland and by said bank on the 20th day of July, 1942, assigned to the said Richard T. Earle for the purpose of foreclosure and collection.

Principa Mortgage indebtedness due and unpaid .....	100.00
Interest on said indebtedness from May 2nd., 1942 to August 18th, day of Sale.	1.80
	<hr/>
	101.80
Richard T. Earle for collection thereof 5% Com.	5.09
	<hr/>
	106.89

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I hereby certify that on this 19th day of January, 1943, personally appeared Before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, Richard T. Earle and made oath in due form of law that the above foregoing statement of said mortgage indebtedness is true as therein set forth

and that said mortgage was assigned to him for the purpose of foreclosure and collection. Witness my hand the day and year first above mentioned.

A. Sydney Gadd Jr.  
Clerk of the Circuit Court for  
Queen Anne's County.

Filed Jan 19th, 1943.

.....  
AUDIT  
Filed Feb 3rd, 1943.

In the Circuit Court for Queen Anne's County, in Equity.

Richard T. Earle, Assignee, :  
 : Chancery Docket,  
versus :  
 : Cause No. 3328.  
Joseph Golt, et al., Mortgagors . :

To the Honorable, the Judges of said Court:-

The Report of Madison Brown, your auditor, unto Your Honors respectfully sets forth:-

The within account has been stated by the auditor by the direction and at the request of Richard T. Earle, the party making the sale set forth in the report of sale filed in this cause.

The mortgaged property at said sale sold for more than enough to pay the mortgage debt and the costs and commissions incident to the mortgage sale so that there is a surplus mortgage sale in the hands of the vendor.

This surplus mortgage sale has been distributed under the proceedings instituted in this cause against the same by the Welfare Board of Queen Anne's County. Notice to creditors of the mortgagor was given in accordance with the order of the court filed in this cause and under said order there appears to have been filed two claims only, as follows:

The claim of Thomas H. Golt for the cost of the funeral expenses of Joseph Golt, the mortgagor which claim was filed January 23, 1943 and was intended to take the place of the claims filed by Thomas H. Golt for the same funeral expenses previously filed and the amount of the amended claim, \$113.50 is allowed in the account.

The claim of the Welfare Board against Joseph Golt filed January 28th, 1943 is for \$ 694.00 and is intended to take the place of the claim of said Welfare Board previously filed and this claim receives in the within account a sum of money on account of the claim so filed for the proceeds of the sale of the cause does not allow the payment of said claim in full.

In the within account the vendor mentioned, Richard T. Earle, is charged with the amount of the mortgage sale made by him per his report and then by the within account there are allowed the following items thereout, to wit:

To Richard T. Earle, his commission for making the mortgage sale per terms of the mortgage, the Court costs, of the cause, the fee allowed him for legal services by the order of the Court, the costs of advertising the notices of the sale, the several orders nisi of the cause, notice to creditors and the order of publication of the cause, the costs of his bond, the cost of his auctioneer, certain taxes paid by him and unto The Sudlersville Bank of Maryland is allowed the mortgage claim filed by it in full and unto Madison Brown, auditor is allowed his fee and unto Thomas H. Golt the full amount of said funeral expenses paid by him and unto Queen Anne's County Welfare Board is allowed \$52.87, the amount of the proceeds of sale less the allowances thereout made above.

The auditor has allowed the claim of Thomas H. Golt for the funeral expenses of Joseph Golt as a preference claim against the estate of Joseph Golt under Section 242 of Articles 93 of the Code of Public General Laws of Maryland.

Which is respectfully submitted,

Madison Brown  
Auditor

February 2, 1943.

CAUSE NO. 3328.

The proceeds of the sale of the mortgaged real estate of Joseph Golt, the mortgagor making the mortgage described in this cause IN ACCOUNT WITH Richard T. Earle, assignee of said mortgage and the vendor thereunder of the sale of the mortgaged property reported as sold in this cause.

CR.

1942  
Aug  
18 By amount of the mortgage sale made this date per report of  
sale of vendor filed in this cause, to wit: .....515.00

1942  
Aug  
18 To Richard T. Earle, the vendor above mentioned for his  
commissions under the mortgage for making the sale reported  
by him herein, the sum of .....\$35.98.. ....

To same vendor for the Court costs of this cause per bill of costs made by the clerk of court and exhibited to auditor, as follows:

Re: Mortgage Sale:  
 Appearance fee of R. E. Earle, .....\$10.00  
 Costs of clerk, ..... 18.75  
 Re: Creditor's Petition: .....  
 Appearance fee of R. T. Earle, ..... 10.00  
 costs of clerk, ..... 13.60  
 Sheriff, Cecil County, ..... 2.75  
 Sheriff, Queen Anne's County, ..... 4.50  
 Total costs allowed, ..... 59.60 \$59.60

To same vendor for the amount of the fee allowed him for legal services rendered under the Creditor's Petition filed in this case against heirs at law of mortgagor, per order of court dated December, 21, 1942, to wit: the sum of ..... \$40.00

To the same vendor for costs of advertising notices of the mortgage sale in Queen Anne's Record-Observer newspaper, paid the publishers of said paper receipted account exhibited, the sum of ..... \$32.40

To same vendor for cost of advertising order nisi on date, order of publication of this cause and notices to creditors, passed herein, in the same newspaper mentioned above, per receipted account for same exhibited, the sum of ..... \$49.55

To the same vendor for the costs of advertising the order nisi to be passed as to this audit, paid to the same newspaper mentioned above, per receipted account for same exhibited, the sum of ..... \$3.50

To the same vendor for the costs of his bond filed in this cause paid the corporate surety on said bond, per receipted account for same exhibited, the sum of ..... \$10.00

CAUSE NO. 3328

DR.

To Richard T. Earle, vendor above mentioned, for the amount paid by him to J. E. Anthony, as has auctioneer of the sale made, per receipt for same exhibited, the sum of ..... 15.00

To the same vendor for the amount of state and county taxes on the real estate sold for year 1942, paid under terms of sale by the vendor, per tax account receipted and exhibited, the sum of ,,, ..... \$1.71

To the Sudlersville Bank of Maryland, the mortgagee named in the mortgage mentioned above and assignor thereof unto said vendor for purposes of collection of the full amount due said bank under said mortgage per amended statement of mortgage per amended statement of mortgage debt filed herein on January 19, 1943, to wit: the sum of .....\$106.89

To Madison Brown, Auditor, for stating this account, the sum of , ..... 9.00  
 348.63

To Thomas H. Golt, for the cost of the funeral expenses of Joseph Golt, the mortgagor, per claim of Thomas H. Golt, for same filed in this cause, to wit: the sum of ..... \$113.50  
 462.13

To Queen Anne's County Welfare Board in part payment of claim filed by said Welfare Board in this cause against estate of Joseph Golt for financial assistance rendered said Joseph Golt in his lifetime per said claim appears, this balance, to wit: the sum of ,,,... \$37.87

515.00 515.00

February 2, 1943.

Madison Brown  
 Auditor

Filed Feb. 3rd.

.....  
 N I S I A U D I T  
 Filed Feb. 3rd, 1943.

N I S I RATIFICATION OF AUDIT

Richard T. Earle, assignee  
 vs  
 Joseph Golt, et al.,  
 : In the Circuit Court for  
 : Queen Anne's County,  
 :  
 : In Equity.  
 Cause No. 3328

Mortgagors. : Cause No. 3328.

ORDERED, This 3rd day of February in the year nineteen hundred and forty three, that the Report and Account filed in these proceedings by Madison Br own, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on ar before the 26th day of February, 1943; provided a copy of this order be published once a week in each of two successive weeks before the 19th day of February , 1943, in some newspaper printed and published in Queen Anne's County.

A. Sydney Gadd Jr. Clerk

Filed February 3, 1943.

.....  
CERTIFICATE OF NISI RATIFICATION  
OF AUDIT  
Filed Mar 3, 1943.

NISI RATIFICATION OF AUDIT

Richard T. Earle, assignee, : In the Circuit Court for  
: Queen Anne's County,  
VS :  
Joseph Golt, et al.,mortgagors : In Equity.  
Cause No. 3328.

ORDERED, This 3rd day of February in the year nineteen hundred and forty three, that the Report and Account filed in these proceedings be Madison Brown, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown or before the 26th day of February, 1943; provided a copy of this order be published once a week in each of two successive weeks before the 19th day of February , 1943, in some newspaper printed and published in Queen Anne's County.

A. SYDNEY GADD JR.  
Clerk

Filed Debruary 3, 1943.

True Copy  
Test: A. Sydney Gadd Jr.  
Clerk

QUEEN ANNE'S RECORD - OBSERVER  
Centreville, Md. March 5, 1943.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMRANY, a body corporate does hereby certify that the Nisi Ratification of Audit in the case/estate of Richard T. Earle, Assignee vs. Joseph Golt, et al Cause No. 3328 in the Circuit Court , Equity. a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD -OBSERVER, a weekly newspaper printed and published at Centre-ville, in Queen Anne's County, Maryland, once a week for two successive weeks before the 19 day of Feb 1943, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD OBSERVER was on the 4 day of Feb/ 1943, and the last insertion on the 11day of Feb. 1943.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING  
COMRANY  
By Glenn T. James

Filed Mar 3, 1943.

.....  
ORDER OF COURT  
Filed March 5, 1943.

Richard T. Earle, Assignee : In the Circuit Court for Queen  
: Anne's County, in Equity  
vs :  
Joseph and Estella : Cause No . 3328.  
V. Golt, his wife, :

It is ORDERED this 5th day of March, 1943, by the Circuit Court for Queen Anne's County, in Equity, that the within and foregoing report and account of Madison Brown, auditor, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, although notice appears to have been given as shown by the certificate of publication of the previous order nisi, and Richard T. Earle, assignee, in this cause is hereby directed to make distribution in accordance therewith , with a due propoertion of interest as the same has been or may hereafter be received .

Wm. R. Horney  
Judge

Filed March 5, 1943.

## CAUSE NUMBER 3284

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this twenty sixth day of July in the year nineteen hundred and forty one the following Bill of Complaint was brought to be recorded, to wit:

## IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY IN EQUITY.

Nina Bryan Wuster and E. Albert Wuster,  
her husband,  
Nina Bryan Wuster, Administratrix d.b.n.  
of H. Price Bryan,  
Albert W. Bryan and Marc M. Bryan, Infants,  
by their mother and next friend, Germaine  
Bryan,  
Germaine Bryan, R. Glenn King,  
Plaintiffs.

vs

Albert W. Bryan, Infant, and Marc M. Bryan,  
Infant,  
Thomas E. Bryan,  
Raymond C. Bryan and Alice T. Bryan, his wife,  
John Palmer Smith,  
Cora T. Jump, Margaret M. Seward,  
Charles M. Jump, Frank Jump,  
Thomas J. Keating, Jr., Surviving Trustee  
for Forman and Mason, Bankrupts,  
Richard T. Earle,  
Defendants.

## TO THE HONORABLE, THE JUDGES OF SAID COURT.

Your orators complaining, say:

1. That one Thomas E. Bryan, late of Queen Anne's County, Maryland, deceased, was in his lifetime seized and possessed of the hereinafter described real estate, and did by deed dated January 4th, 1895, grant and convey the same to his wife, Annie E. Bryan, for and during her natural life and no longer, with remainder over to the heirs of his body of his said wife, Annie E. Bryan, lawfully begotten, share and share alike, said deed being recorded in Liber W. H. C. No.2, folio 283 & etc., a Land Record Book for Queen Anne's County, a certified copy of which deed marked "Plaintiff's Exhibit No.1" is filed herewith and prayed to be taken as a part hereof; the said deed conveying several pieces of property, the property herein the subject of this suit, is set forth as Lot No.1 and is described as follows, to wit: "All that lot of Woodland, situated in the Third Election District of Queen Anne's County aforesaid, commonly known as the James T. Earle Woodlot, adjoining the Woodlot of Mary T. Tilghman and others, containing twenty five acres of land, being the same lot of Woodland conveyed to the said Thomas E. Bryan by John B. Brown and Edwin H. Brown, Trustees, by deed dated the 27th. day of December, 1894, and recorded in Liber W. H. C. No.2, a Land Record Book for Queen Anne's County aforesaid".
2. That the said Thomas E. Bryan, grantor in said deed, died on or about the year nineteen hundred in Queen Anne's County, having had the following heirs of his body of his said wife, Annie E. Bryan, lawfully begotten, to wit: Thomas E. Bryan, one of the defendants, Albert William Bryan, Nina Bryan, Helen Bryan, Raymond C. Bryan, also one of the defendants, and H. Price Bryan, all of whom survived their said father, Thomas E. Bryan.
3. That the widow of the said Thomas E. Bryan, the said Annie E. Bryan, grantee for life in the aforesaid deed, survived the said Thomas E. Bryan and died in Queen Anne's County in the month of May, 1940.
4. That the defendant, Thomas E. Bryan, son of the said Thomas E. Bryan and Annie E. Bryan is seized and possessed of an undivided one sixth interest in the aforesaid tract of land, subject nevertheless to any lien that may have arisen against said interest; there being only one judgment, to wit:  
Judgment lien in favor of Richard T. Earle, one of the defendants, a certified copy of which is filed herewith and prayed to be taken as a part hereof, marked "Plaintiffs Exhibit No. 2".
5. That the said Albert William Bryan, a son of Thomas E. And Annie E. Bryan, arrived and died in France, Europe, sometime between the years 1936 and 1940, leaving the Plaintiffs, Germaine Bryan, his widow, and Albert W. Bryan and March M. Bryan, both infants, sons, as his only heirs at law, that his estate has been fully administered upon in France and closed and that the said Germaine Bryan, Albert W. and Marc M. Bryan are residents of the State of Pennsylvania and are each seized of an undivided eighteenth interest in the aforesaid real estate.
6. That your oratrix, Nina Bryan Wuster, a daughter of the said Thomas E. and Annie E. Bryan, is married to your orator, E. Albert Wuster and is seized of an undivided one sixth interest in the aforesaid real estate.
7. That Helen Bryan, a daughter of the said Thomas E. and Annie E. Bryan, married your orator R. Glenn King, and died sometime in the year 1920, leaving a last will and testament, duly admitted to probate by The Orphans' Court for Baltimore City, a certi-

fied copy of which marked "Plaintiffs Exhibit No. 3" is filed herewith and prayed to be taken as a part hereof, and in which will the said Helen Bryan King left all of her property, real and personal to R. Glenn King and who by virtue of said will is seized of an undivided one sixth interest in the said real estate.

8. That Raymond C. Bryan, a son of the said Thomas E. and Annie E. Bryan, is married to the defendant Alice T. Bryand and is seized of an undivided one sixth interest in the aforesaid real estate, subject nevertheless to any liens that may be against same, which liens are as follows, to wit:

a. Judgment lien in favor of John Palmer Smith, a certified copy of which marked "Plaintiff Exhibit No. 4" is foled herewith and made a part hereof:

b. Judgment lien in favor of F. G. Jump, a certified copy of which is filed as a part hereof marked "Plaintiffs Exhibit No. 5; that the said F. G. Jump is dead and that his estate has not been administered upon, nor any will filed, and that the said Coar T. Jump, is his widow, and that Margaret M. Seward, Charles M. Jump and Frank Jump are his children and they constitute his next of kin and heirs at law.

c. Three judgments in favor of H. B. W. Mitchell and Thomas J. Keating, Jr., surviving Trustees in bankruptcy of Forman and Mason, and that the said H. B. W. Mitchell is dead and that the said Thomas J. Keating, Jr., is the surviving trustee, certified copies of which judgments marked Plaintiffs Exhibit Nos. 6, 7 and 8 are filed herewith as a part hereof.

9. That H. Price Bryan, a son of Thomas E. and Annie E. Bryan, died unmarried and intestate in the month of June, 1936, that letters of Administration on his estate were granted unto Annie E. Bryan and upon her death letters of administration, d. b.n. on the estate of H. Price Bryan were granted unto Nina Bryan Wuster, a certificate showing the granting of said letters marked "Plaintiffs Exhibit No. 9" is filed herewith and made a part hereof, that an administration account has been filed in said Orphans Court of Queen Anne's County that granted said letters, showing the payments of all judgments in full but only the payment in part of several accounts filed by The Trustees of The Trusteed Assets of The Centreville National Bank of Maryland, and that the said Nina Bryan Wuster, Admr. d.b.n. of H. Price Bryan is entitled to the proceeds of a one sixth interest, for the purpose of distribution among the unpaid creditors of H. Price Bryan.

10. That the aforesaid Woodland consisting of 25 acres of land, more or less, has no buildings thereon, that it is in the custody of no one, that it would be not only be not only be for the benefit and advantage of the infants in this cause but for all the parties to this suit that the said real estate be sold and that the net proceeds derived from the sale thereof be distributed under the future order of this Honorable Court to those to whom the same is entitled.

11. That Albert W. and March M. Bryan are both infants, non-residents of the State of Maryland and reside with their mother Germaine Bryan at or near Philadelphia, State of Pennsylvania.

That the defendants Thomas E. Bryan, Raymond C. Bryan and Alice T. Bryan, his wife, are all adults and residents of Baltimore City, State of Maryland.

That the defendant, Frank Jump, is an adult and resides in Talbot County, Maryland.

That the defendants, John Palmer Smith, Cora T. Jump, Margaret M. Seward, Charles M. Jump, Richard T. Earle, and Thomas J. Keating, Jr., Surviving Trustee for Forman and Mason, Bankrupts, are all adults and residents of Queen Anne's County, State of Maryland.

To the end that:

1. That a decree may be passed by this Honorable Court appointing a trustee or trustees to make seal of the real estate described in these proceedings:

2. That the said real estate may be sold and that the proceeds to be derived from the sale thereof may be distributed under the direction of this Court to whom may be entitled thereto.

3. That your orators may have such other and further relief as may be right and proper in the premises.

May it please the Court to grant unto your orators the writ of subpoenas directed to the Sheriff of Baltimore City, Maryland, commanding him to summon Thomas E. Bryan, Raymond C. bryan, and Alice T. Bryan all of Baltimore City; and to the Sheriff of Talbot County, Maryland, to summons Frank Jump of Easton, Talbot County, Maryland; and to the Sheriff of Queen Anne's County, Maryland, to summons John Palmer Smith, Cora T. Jump, Margaret M. Seward, Charles M. Jump, Thomas J. Keating Jr., Surviving Trustee for Forman and Mason, Bankrupts, and Richard T. Earle, all residents of Queen Anne's County, commonding them and each of them to appear on a day certain to be named therein and show cause if any they may have why the relief prayed should not be granted; and may it please the Court to grant unto your orators an Order of Publication against Albert W. Bryan and Marc M. Bryan, Infants, redents of the State of Pennsylvania and non-residents of the State of the State of Maryland, advising them and each of them of the object and substance of this suit and commanding them and each of them to be and appear in this Court on a day certain to be named in said order and show cause if any them have why the relief prayed should not be granted.

Respectfully submitted

RICHARD T. EARLE  
Atty. for Plaintiffs.

PLAINTIFF EXHIBIT NO.1,  
 COPY OF DEED  
 Filed Nov 29th, 1941

Queen Anne's County, to wit: Be it remembered, that on the Fourth day of January, in the year One Thousand eight hundred and ninety five, the following Deed was brought to be recorded to wit:

This Deed, made this Fourth day of January, in the year Eighteen hundred and ninety five, by Thomas E. Bryan of Queen Anne's County in the State of Maryland, Witnesseth: Whereas John S. Price, late of Queen Anne's County, deceased, by his last will and testament dated the 31<sup>st</sup> day of May, 1863, and recorded in Liber S. T. H. No.1, folio 268, a Will Record Book for Queen Anne's County aforesaid, gave and devised certain real estate, hereinafter described as Lot No. 3, to his daughter, Catherine A. Price, who afterwards intermarried with the said Thomas E. Bryan:- By this will certain other real estate was devised to John T. Price, Mary Emma Price, and Robert W. Price. Upon the death of John T. and Mary Emma, the said Catherine E. Bryan nee Price, purchased the said Robert W. Price's interest in the farm left by the said Mary Emma, which is hereinafter described as Lot No. 4. And Whereas the said Catherine A. Bryan, nee Price, late of Queen Anne's County, deceased, by her last will and testament, dated the 1<sup>st</sup> day of April 1879, and duly of record among the Will Records of Queen Anne's County aforesaid, gave and devised all her real estate to her husband Thomas E. Bryan, in trust, until her daughter Minnie Price Bryan arrived at the age of eighteen years, when it was to be divided between the said Thomas E. Bryan and Minnie Price Bryan share and share alike, and in case either of them should die without leaving issue or descendants of issue living at the time of his or her death, their share should pass to the survivor. And whereas the said Minnie Price Bryan has long since arrived at the age of Eighteen years, thus giving the said Thomas E. Bryan an undivided one half interest in the above mentioned land, which he desires to convey, together with other real estate held by him in fee.

Now Therefore in consideration of the foregoing premises and the sum of Twelve hundred dollars, the receipt whereof is hereby acknowledged, the said Thomas E. Bryan, does hereby grant and convey unto Annie E. Bryan, his wife, for and during her natural life and no longer, with remainder over to the heirs of his body of his said wife, Annie E. Bryan, lawfully begotten, share and share alike the following described real estate, to wit:

Lot No. 1 . All that lot of Woodland, situated in the Third Election District of Queen Anne's County aforesaid, commonly known as the James T. Earle Woodlot, adjoining the Woodlot of Mary J. Tilghman and others, containing twenty five acres of land, being the same lot of Woodland conveyed to the said Thomas E. Bryan by John B. Brown and Edwin H. Brown, Trustees, by deed dated the 27<sup>th</sup> day of December 1894, and recorded in Liber W. H. C. No.2, a Land Record Book for Queen Anne's County aforesaid.

Lot No. 2 . All that lot of land situated in the Third Election District of Queen Anne's County on the public road leading from Hibernia to Corsica Neck, containing one half acre, more or less, being the same land described in a deed from Ellen Dickerson and others to the said Thomas E. Bryan, dated the 27<sup>th</sup> day of December 1884, and recorded in Liber S. C. D. No.5, a Land Record Book as aforesaid. And also all his right, title, interest and estate of, in and to the following tracts-

Lot No. 3 All that part of a tract called "Denbeigh", situated near Centreville, County aforesaid, and contained within the following metes and bounds, courses and distances, to wit: Beginning at the North East corner thereof, upon the public road running from Centreville to Easton, and running thence with the road South three degrees East one hundred and thirty four perches and two tenths of a perch, thence South eighty eight degrees west one hundred and two perches, the South three degrees East two perches, thence South eighty seven degrees west thirty two perches, thence North forty two degrees East thirty six perches and six tenths of a perch, thence North forty eight degrees west seventy one perches and a half perch, thence South eighty seven degrees west one hundred and three perches and four tenths of a perch, thence North three degrees west sixty two perches and three tenths of a perch, thence North forty two degrees East twenty three perches and a half perch, thence north thirty four degrees East eighty seven perches and three tenths of a perch, thence South fifty seven degrees East ninety six perches, thence South sixty three thirty minutes East twenty four perches, thence South seventy nine degrees East forty eighty perches, thence South seventy four degrees thirty minutes East twelve perches, and thence South seventy seven degrees thirty minutes East forty perches to the beginning, containing two hundred and sixteen acres three roods and twenty seven perches of land, being the same land described in a Deed from Lloyd Tilghman, Executor, James E. Bailey and Eleanora Bailey to John S. Price, dated the 8<sup>th</sup> day of June 1863, and recorded in Liber S. E. D. No.3, folio 547, &c., a Land Record as aforesaid, excepting excepting, therefrom twelve acres which was given and devised to Robert W. Price, by the last will and testament of his father the said John S. Price, and also all that tract of land, containing twenty nine acres, three roods and two perches of land, containing twenty nine acres, three roods and two perches of land, which was conveyed by the said Thomas E. Bryan and wife to Robert W. Price, by Deed dated the 10<sup>th</sup> day of February 1870, and recorded in Liber J. W. No.2, folio 30 &c., a Land Record Book as aforesaid.

Lot No. 4 All that tract or parcel of land called "Chester" situated in Queen Anne's County aforesaid, and contained within the following metes and bounds, courses and distances, to wit: Beginning at a Stone on the Eastern side of the road from Hibernia to the Steamboat landing on Corsica Creek, and running with the road North forty seven degrees thirty minutes west one hundred and fifteen perches, thence North fifty three degrees west thirty eighty perches and three tenths of a perch, thence South thirty three degrees thirty minutes west two hundred and twenty seven perches to the road from Queenstown to Centreville, thence with said road the following courses North seventy five degrees West twenty one perches, thence South eighty four degrees East thirty five perches thence North



eighty two degrees East thirty four perches, thence South seventy five degrees East twenty four perches, thence North eighty four degrees East twenty perches, thence North fifty five degrees East sixteen perches, thence North forty one degrees East twenty four perches, thence North fifty eighty degrees East forty four perches, thence North twenty one degrees East four perches, and thence North forty seven degrees East forty four perches and a half perch to the beginning, containing one hundred and forty three acres, three roods and thirty perches of land, more or less; being part of several tracts called or known by "Jamaicas Addition", "Smithfield", "Adventure", "Lexon", being the same land conveyed to John S. Price, by Charles E. Skinner, and wife, by Deed dated the 1<sup>st</sup> day of May 1862, and recorded in Liber M. B. No.2,-91 a Land Record Book as aforesaid, and also the same land devised to Mary Emma Price by her father,

As Witness his hand and seal.

Test: R. HOPPER SMITH THOMAS EDWARD BRYAN (SEAL)

State of Maryland, Queen Anne's County, to wit:

I hereby Certify, that on this Fourth day of January, in the year Eighteen hundred and ninety five, before me, the subscriber, a Justice of the Peace of the State of Maryland, in and for Queen Anne's County aforesaid, personally appeared Thomas E. Bryan and acknowledged the foregoing Deed to be his act.

R. Hopper Smith J. P.

State of Maryland, Queen Anne's County, to wit:

I hereby certify that the foregoing is truly taken and copied from Liber W. H. C. No.1 2, folios 283, etc., a Land Record Book for Queen Anne's County.

In Testimony Whereof I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County this 21st day of June, in the year nineteen hundred and forty one.

A. Sydney Gadd Jr. Clerk

.....  
CERTIFIED COPY OF JUDGMENT  
Plaintiff Exhibit No. 2  
Filed July 26th, 1941.

In The Circuit Court for Queen Anne's County, Maryland.

Nov. Term, 191936, No. 21. Appearances.

R. T. Earle

William R. Horney, Robert E. C. Lowe and : Filed January 15th, 1937.  
David D. Taylor, Trustees of the Trusteed : Order to docket suit, Narr  
Asstes of the The Centreville National : and Note with power to  
Bank of Maryland, May 17th, 1940 to the : enter judgment by confession  
use of Richard T. Earle, without recourse : Statement and Agreement.  
or guarantee, and order to strike :  
21 out the appearance of Harper & Horney : January 15th, 1937, Judgment  
and enter the appearance of Richard T. : entered by confession  
Earle for Plff, as per order filed ; by the Defendants in favor  
of the Plaintiffs, for the  
sum of Two Hundred four-  
teen dollars and twenty eight  
cents (\$214.28) with inter-  
est from date hereof until  
paid, and costs of suit,  
with all exemptions waived,  
and \$10.70 commissions.

Annie E. Bryan  
Thomas E. Bryan

Clerk \$2.65  
Appr. 5.00 Pd. 1/11/38/

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, SCT?

I hereby certify that the above is a true short copy of the original Judgment rendered in the Circuit Court for Queen Anne's County in the State of Maryland, at the above entitled term, and also of the subsequent docket entries in said case; and that there is no entry or proceeding in the said Court to show that the said Judgment or any part thereof, hath been paid or satisfied.

Seals  
Place.

In TESTIMONY WHEREOF, I hereunto subscribe my name and affix the Seal of the Circuit Court for Queen Anne's County, on this 28th day of June in the year of our Lord, nineteen hundred and forty one.

A. Sydney Gadd Jr.  
Clerk of the Circuit Court for Queen Anne's County.

PLAINTIFF EXHIBIT NO. 33  
Filed July 26th, 1941  
Copy of Will

I, Helen Bryan King, of Baltimore City, State of Maryland, being of sound and disposing mind, memory and understanding, do make, publish and declare this instrument of writing to be my last will and testament, hereby revoking all other wills and codicils heretofore made by me.

I direct my Executor, hereinafter named, to pay all my just debts and funeral expenses.

I give, devise, and bequeath all my property, and estate of every kind and description, real, personal and mixed, and wheresoever situate, and howsoever acquired by me, and over which I have, or might have, the power of disposition, unto my beloved husband, R. Glenn King, absolutely.

I appoint my said husband, R. Glenn King my Executors, and confer upon him full power and authority to make such sale of my real and personal property, or to do any other thing which may be necessary to settle my estate.

Helen Bryan King (SEAL)

Signed, sealed, published and declared by Helen Bryan King, the above named testatrix, this eleventh day of October, in the year 1918, as and for her last will and testament, who at her request, in her presentt, and in the presence of each other, have subscribed our names as witnesses thereto.

Witness Henry W. King  
Witness Edward S. King

BALTIMORE CITY, ss.

On the 11th day of March, 1920, came R. Glenn King and made oath in due form of law, that he does not know of any Will or Codicil of Helen Bryan King late of said City, deceased, other than the above instrument of writing, and that he received this Will from Testatrix and retained the same to this time. Notice and that Testatrix departed this life on the 7th day of February, 1920.

Sworn to in open Court,

Test: Howard E. Jackson  
Register of Wills for Baltimore City.

BALTIMORE CITY, ss.

On the 11th day of March, 1920, came Henry W. King one of the subscribing witnesses to the foregoing last Will and Testament of Helen Bryan King late of said city, deceased, and made oath in due form of law that he did see Testatrix sign and seal this Will; that he heard her publish, pronounce and declare the same to be her last Will and Testament; that at the time of her so doing she was to the best of their apprehension of sound disposing mind, memory, understanding; and that he together with Edward S. King, the other subscribing witness thereto., subscribed their names as witnesses to this Will in her presence at her request; and in the presence of each other.

Sworn to in open Court.

Test: Howard W. Jackson  
Register of Will for Baltimore City.

BALTIMORE CITY, SS

On the 11th day of March 1920, came Henry W. King and made oath in due form of law, that he is familiar with the handwriting of Edward S. King one of the attesting witnesses to the last Will and Testament of Helen Bryan King late of said city, deceased, and he verily believes that the signature of the said Edward S. King as so written is the true and genuine signature of said Edward S. King who is now out of the State

Sworn to in open Court.

Test: Howard W. Jackson  
Register of Wills for Baltimore City.

IN THE ORPHANS COURT OF BALTIMORE CITY:

The Court, after having carefully examined the above last Will and Testament of Helen Bryan King, late of Baltimore City, deceased, and also evidence adduced as to its validity, Orders and Decrees; this 11th day of March, 1920, that the same be admitted in this Court as the true and genuine last Will and Testament of the said Helen Bryan King, deceased.

JUDGES ( Myer J. Block  
( Harry C. Gaither  
( William M. Dunn

STATE OF MARYLAND

SEALS  
PLACE.

BALTIMORE, CITY, ss.

I, JOHN H. BOUSE, Register of Wills, and, by law, keeper of the Seal and of the Records, and of the Original Papers of the Orphans' Court of Baltimore City, DO HEREBY CERTIFY THAT the foregoing is a true and fully copy of Last Will and Testament of Helen Bryan King, late of said city, deceased, together with the proofs and probate thereof, etc., taken from Wills Liber H. W. J. No. 134, Folio No. 342. etc., bein one of the records filed, recorded and kept in the office of the Register of Wills for Baltimore City.

In Testimony Whereof, I hereunto subscribed my name and affix the Seal of said Court and office, this 10. day of June, in the year of our Lord nineteen hundred and forty one.

Seals  
Place.

John H. Bouse  
Register of Wills for Baltimore City.

.....  
CERTIFIED COPY OF JUDGMENT  
PLAINTIFF EXHIBIT NO. 4  
Filed July 26th, 1941

Centreville, Md.  
July 1st. 1942.

Raymond C. Bryan,

Alice T. Bryan,

To  
John Palmer Smith, .....Dr.

1922.  
May 8th,

To judgment claim as per attached Certificate of Judgment \$77.79

In interest from May 8th, 1922, to July 1st. 1942. 93.90

Judgment and Int, to July 1st, 1942. .... 171.69

To Clerk's costs 7.85

State of Maryland, Queen Anne's County, to wit:-

Notary Public  
Seals.

I hereby certify, that on this first day of July, 1942, before the Subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, personally appeared John Palmer Smith and made oath in due form of law that he has not received any part of the sum for which the judgment was passed, except such part as is credited.

Witness my hand and Notarial Seal.

Katherine C. Morris  
Katherine C. Morris  
Notary Public

My Commission expires May 3- 1943.

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY, MARYLAND

J. P.S. John Palmer Smith, Lien of this : No. 32 Trials  
Judgment waived as against : May TERM, 1935.  
Woodland known as Parcel A of the : No. 20 Apprs. May 1922, Judgt.  
Harrimore Tract described in Deed : Filed May 20th, 1934, Order to issued  
Price Trustee to Palisman, Inc. dated: Scire Facias for the sum of \$77.79  
Dec. 1. 1937, as per order of : with int. & costs.  
Clerk Plff filed 12/ 7/ 37 : 2nd. Scire Facias iss'd and returned  
\$2.85 : Sept. 30/34 endorsed Scire Feci  
Appr. : 1/28/35 Mo. and leave to consolidate  
5.00 : No. 4 Apprs. Jan 1935 with this case;  
Raymond C. Bryan : Motion for Judgment Flat Nisi; Motion  
Alice T. Bryan : granted, Consolication made bringing  
forward the name of H. Price Bryan  
a Defendant in this case, on the motion  
in this case as of 1/28/35

May 6th, 1935 Motion for Flat Executors motion granted:  
May 6th 1935 Judgment Fiat Executor for the amount of Original Judgment, with interest and costs, credits on original Judgment infany to be allowed.

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, Sct.

I hereby certify that the above is a true short copy of the original Judgment recndered in the Circuit Court for Queen Anne's County, in the State of Maryland, at the above entitled term, and also of the subsequent docket entries in said case; and that there is no entry or proceeding in the said Court to show that the said Judgment, or any part thereof, hath been paid or satisfied.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the Seal of the Circuit Court for Queen Anne's County, on this

Seals Place. 28th day of June in the Year of our Lord nineteen hundred and 41

A. Sydney Gadd Jr. Clerk of the Circuit Court for Queen Anne's County.

CERTIFIED COPY OF JUDGMENT Filed July 26, 41 Exhibit No. 5

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY, MARYLAND

J. P. S.

F. G. Jump (Lien of this Judgment waived as against Woodland Known as " Parcel A" of the Larrimore Tract, described in Deed-Price Trustee to Talisman Inc. dated Dec. 1. 1937 as per order of Plfft fld. 12/7/37

1935 May#33.

Raymond C. Bryan Alice T. Bryan

Clerk\$2.75 Apprs 5.00

May Term, 1935, Trials. No. 21 Appr. May 1922 Judgt. Filed May 20th, 1934 Order to issue Scire Facias for the sum of.....\$82.15 with int, & costs. 2nd Scire Facias issued and returned Sept. 30/34 endorsed Scire Feci 1/28/35 Motion for Judgment Fiat Nisi: mo granted. Cont'd May 6th, 1935 Motion for Fiat Executor: motion granted May 6th, 1935. Judgment Fiat Executor for amount of Original Judgment, with interest and costs Credits on Original Judgment, if any, to be allowed.

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, SCT:

I hereby certify that the above is a true short copy of the original Judgment rendered in the Circuit Court for Queen Anne's County in the State of Maryland, at the above entitled term, and also of the subsequent docket entries in said case; and that there is no entry or proceeding in the said Court to show that the said Judgment, or any part thereof, hath been paid or satisfied.

IN TESTIMONY WHEREOF, I hereunto subscribed my name and affix the Seal of the Circuit Court for Queen Anne's County on this \_\_\_ day of \_\_\_ in the year of our Lord, nineteen hundred and \_\_\_.

Seals Place.

Clerk of the Circuit Court for Queen Anne's County.

CERTIFIED COPY OF JUDGMENT PLAINTIFFS EXHIBIT NO. 6 Filed July 26th, 1941.

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY, MARYLAND

J.P.S.

H. B. W. Mitchell, Thomas J. Keating Jr., and Edwin H. Brown, Jr. Trustees in Bankrupt of Pere T. Forman and John M. Mason, Co-Partners, trading as Forman and Mason, Lien of this Judgment waived as against Woodland Known as Parcel "A" of the Larrimore Tract" described in deed; Price, Trustee to Talisman Inc. dated Dec. 1-1937 as per order of Pltffs, fld, 12/7/37.

Annie E. Bryan, Thomas E. Bryan Raymond C. Bryan

Appr. \$5.00 Clerk 2.95

No. 37 Trials May TERM. 1935. No. 89 Apprs. July 1922 Filed July 27th, 1934 Order to issue Scire Facias on Judgment for .....437.35 with int, from Nov. 4th, 22. Scire Facias issued July 30/34 returned Scire Feci. 1/28/35 Motion for Judgment Fiat Nisi Motion Granted & cont'd; May 6th, 1935 motion for Fiat Executio: motion granted Motion to amend names of Plaintiffs to read as follows: H. B. W. Mitchell Thomas J. Thomas Jr. and Edwin H. Brown, Jr. Trustee, in Bankrupt cy of Pere T. Forman and John Mason, Co-Partner trading as Forman & Mason, Mo. granted.

May 6th, 1935 Judgment Fiat Executio for amount of original Judgment, with interest and costs; Credits on Original if any to be allowed.

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, SCT:

I hereby certify that the above is a true short copy of the original Judgment rendered in the Circuit Court for Queen Anne's County, in the State of Maryland, at the above entitled term, and also of the subsequent docket entries in said case; and that there is no entry or proceeding in the said Court to show that the said Judgment, or any part thereof, hath been paid or satisfied.

Seals  
Place.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and  
affix the Seal of the Circuit Court for Queen Anne's  
County, on this 28th day of June in the year of our  
Lord nineteen hundred and 41

A. Sydney Gadd Jr.  
Clerk of the Circuit Court for Queen  
Anne's County,

.....  
CERTIFIED COPY OF JUDGMENT  
PLAINTIFF EXHIBIT NO. 7  
Filed July 26th, 1941

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY, MARYLAND

J.P.S.	H. B.W. Mitchell, Thomas J. Keating	:	No. 35 Trials
	Jr., and Edwin H. Brown, Jr. Trustees of:	:	May TERM, 1935.
	Pere T. Forman and John M. Mason, Co-	:	No. 87 Apprs. July 1922.
	Partners, trading as Forman and Mason:	:	Filed July 27th, 1934 Order to
	Lien of this Judgment waived as against	:	issue Scire Facias on Judgt. for
	Woodland, Known as Parcel "A" of the	:	with int from Nov. 4-22/28 <sup>35</sup> Scire
	Larrimore Tract, described in Deed	:	Facias iss'd July 30-34 & returned
	Price, Trustee to Talisman Inc, dated	:	Scire Feci.
	Dec. 1-1937, as per order of Ptff, fld.	:	1/28/35 Motion for Judgment Fiat
	12/7/37	:	nisi, Motion granted & contd;
		:	5/6/35 Motion for Fiat Executio:
Apprs.	5.00	:	Motion granted: Motion to amend
Clerk	<u>2.95</u>	:	names of Plaintiffs to read as
		:	follows: H.B.W. Mitchell, Thomas
	Raymond C. Bryan	:	J. Keating, Jr. and Edwin H. Brown,
	Alice T. Bryan	:	Jr., Trustee in Bankruptcy of Pere
	Annie E. Bryan	:	T. Forman and John M. Mason, co-
		:	partners trading as Forman and

Mason: motion granted May 6th, 1935 Judgment Fiat Executio for the amount of the  
Original Judgment, with interest and costs: Credis on Original, if any, to be allow-  
ed.

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, SCT:

I hereby certify that the above is a true short copy of the  
original Judgment rendered in the Circuit Court for Queen Anne's County, in  
the State of Maryland, at the above entitled term, and also of the subseqent  
docket entries in said case; and that there is no entry or proceeding in the  
said Court to show that the said Judgment, or any part thereof, hath been paid  
or satisfied.

Seals Place.

IN TESTIMONY WHEREOF, I hereunto subscribe my name  
and affix the Seal of the Circuit Court for Queen  
Anne's County, on this 28th day of June in the year  
of our Lordnineteen hundred and forty one.

A. Sydney Gadd Jr.  
Clerk of the Circuit Court for  
Queen Anne's County.

.....  
CERTIFIED COPY OF JUDGMENT  
PLAINTIFF EXHIBIT NO. 8  
Filed July 26th, 1941

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY, MARYLAND.

J.P.S	H.B.W. Mitchell, Thomas J.	:	No. 36 Trials
	Keating, Jr. and Edwin H. Brown,	:	May TERM, 1935.
	Jr. Trustees in Bankruptcy of Pere	:	No. 88 Apprs. July 1922.
	T. Forman and John M. Mason, trading as:	:	Filed July 27th, 1934, Order to
	Froman and Mason:	:	issue Scire Facias and Judgment for
	Lien of this judgment waived as	:	with int from Nov. 4, th, 22' \$664.25
	against Woodland Known as Parcel "A"	:	Scire Facias issued July 30/34.
	of the Larrimore Tract, described in	:	Returned Scire Feci 1/28/35 Motion
	Deed, Price, Trustee to Talisman Inc.	:	for Judgment Fiat Nisi; Motion
	dated Dec. 1, 1937, as per order of	:	Granted cont'd.
	Pltffs, fld, 12.7.37.	:	May 6th, 35 Motion for Fiat Executio,
		:	Mo. Granted Motion to amend names of
	Raymond C. Bryan	:	Plaintiff to read as follows: H.B.W.
	Alice T. Bryan	:	Mitchell, Thomas J. Keating, Jr.
	Annie E. Bryan	:	and Edwin H. Brown, Jr, Trustee in
		:	Bankruptcy of Pere T. Forman and
		:	John M. Mason, Co-Partners trading
		:	as Forman and Mason, Mo Granted.

May 6th, 1935, Judgment Fiat Executio for amount of Original Judgment, with interest  
and costs, credits or Original Judgment if any, to be allowed.

Appr. \$5.00  
Clerk 2.95

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, Sct.

I hereby certify that the above is a true short copy of the  
original Judgment rendered in the Circuit Court for Queen Anne's County, in the  
State of Maryland, at the above entitled term, and also of the subsequent docket  
entries in said case: and that there is no entry or proceeding in the said Court,  
to show that the said Judgment, or any part thereof, hath been paid or satisfied.

Seals Place.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the Seal of the Circuit Court for Queen Anne's County, on this 28th day of June in the year of our Lord nineteen hundred and 41.

A. Sydney Gadd Jr.  
Clerk of the Circuit Court for Queen Anne's County.

PLAINTIFF EXHIBIT NO. 9  
Filed July 26th, 1941

CERTIFICATE OF ADMINISTRATION

STATE OF MARYLAND,

QUEEN ANNE'S COUNTY, TO WIT:

I, Norman S. Dudley, Register of Wills in and for Queen Anne's County, State of Maryland, and by law keeper of the Seal and of the Records, and of the original papers of the Orphans' Court for Queen Anne's County, DO HEREBY CERTIFY that it appears from the Records in said Court that on the 28th day of May A.D., nineteen hundred and forty, Letters of Administration of all and singular the good, chattels, credits and personal estate of H. Price Bryan late of Queen Anne's County, deceased, were granted and committed unto Nina Bryan Wuster, after she had entered into bond with approved security for the due performance thereof, according to law, and after she had taken the oath by law required of her.

Seals Place.

IN Testimony Whereof, I Norman S. Dudley, Register of Wills for Queen Anne's County, aforesaid, do hereunto set my hand and affix the Seal of the Orphans' Court of Queen Anne's County, this 25th day of July, nineteen hundred and forty one.

Norman S. Dudley  
Register of Wills for Queen Anne's County.

ORDER OF PUBLICATION  
Filed July 26th, 1941.

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY IN EQUITY.

Nina Bryan Wuster and E. Albert Wuster,  
her husband,  
Nina Bryan Wuster, Administratrix d.b.n.  
of H. Price Bryan,  
Albert W. Bryan, and Marc, M. Bryan, Infants,  
by their mother and next friend, Germaine Bryan,  
Germaine Bryan, R. Glenn King,  
Plaintiffs.

vs

Albert W. Bryan, Infant, and Marc, M. Bryan,  
Infant,  
Thomas E. Bryan, Raymond C. Bryan, and Alice T.  
Bryan, his wife,  
John Palmer Smith, Cora T. Jump,  
Margaret M. Seaward, Charles M.  
Jump, Frank Jump, Thomas J.  
Keating, Jr., Surviving Trustee for  
Forman and Mason, Bankrupts, Richard T. Earle,  
Defendants.

ORDER OF PUBLICATION.

The object of this suit is to have the Court pass a decree to appoint a Trustee to make sale of the real estate described in these proceedings, to wit; 25 acres of Woodland, more or less, located in the Third Election District of Queen Anne's County, Maryland, known as The James T. Earle Woodlot.

The Bill of Complaint states that the aforesaid woodland was owned by one Thomas E. Bryan, late of Queen Anne's County, Maryland, deceased, and was by him conveyed to his wife, Annie E. Bryan, for and during her natural life and no longer, with remainders over to his heirs lawfully begotten by him and his said wife, share and share alike.

That the said Thomas E. Bryan died in Queen Anne's County sometimes in the year 1900, leaving surviving him his widow, Annie E. Bryan and the following heirs of his body lawfully begotten of his said wife, Annie E. Bryan, to wit: Thomas E. Bryan, Albert William Bryan, Nina Bryan, Raymond C. Bryan and H. Price Bryan.

That Thomas E. Bryan is seized of an undivided one sixth interest subject to a judgment lien in favor of Richard T. Earle.

That Annie E. Bryan died in May, 1940.

That Albert William Bryan died in France, Europe, Between the years 1936 and 1940, leaving as his heirs, his widow, Germaine Bryan, and two children, Albert W. and

and Marc M. Bryan, both infants, and that each of them is seized of an undivided one eighteenth interest in the aforesaid real estate, and that the estate of the said Albert William Bryan has been fully administered upon.

That Nina Bryan Wuster, formerly Nina Bryan, is married to E. Albert Wuster, and is seized of an undivided one sixth interest in the aforesaid real estate.

That Helen Bryan married R. Glenn King, executed a will duly admitted to probate in Baltimore City, bequeathing and devising her entire estate to the said R. Glenn King, that said estate is fully administered upon and that R. Glenn King is seized and undivided one sixth interest in the aforesaid real estate.

That Raymond C. Bryan is married to Alice T. Bryan and is seized of an undivided one sixth interest subject to the following judgment, to wit: Judgment in favor of John Palmer Smith, Judgment in favor of F. G. Jump, and that F. G. Jump, is dead, his estate is not administered upon but leaving the following heirs at law and next of kin, to wit: Cora T. Jump, widow, Margaret M. Seward, Charles M. Jump and Fran Jump; three judgments in favor of Thomas J. Keating, Jr., surviving Trustee for Forman and Mason, Bankrupts.

That H. Price Bryan died intestate in June, 1936, that letters of administration were granted to Annie E. Bryan and upon her death letters of administration d.b.n. on his estate were granted to Nina Bryan Wuster by The Orphans Court for Queen Anne's County, that an administration account has been filed and all preference claims have been paid but that a divided only has been paid on unsecured claims and that the said Nina Bryan Wuster Admr. d.b.n. is entitled to receive the net proceeds from the sale of undivided one sixth interest of the aforesaid real estate to be distributed to the unsecured creditors of H. Price Bryan, which have been filed in the Orphans' Court for Queen Anne's County.

That the sale of the aforesaid real estate would be to the interest, benefit and advantage of all the parties to this suit.

That all of the defendants, are adults and residents of the State of Maryland, save and except William W. and Marc. M. Bryan, who are infants and residents of the State of Pennsylvania and prays for an Order of Publication against the said Infant who are residents of the State of Pennsylvania and non-residents of the State of Maryland.

IT IS THEREUPON, this 26th day of June, 1941, ordered by the Circuit Court for Queen Anne's County in Equity that the plaintiffs by causing a copy of this order to be inserted in some newspaper published in said Queen Anne's County, once in each of four successive weeks before the 1st day of September, 1941, give notice to the said Albert W. Bryan, Infant, and Marc. M. Bryan, Infant, non-residents of the State of Maryland, of the object and substance of this bill and warning them to appear in this Court in person or by solicitor, on or before the 17th day of September, next, to show cause, if any they have, why a decree ought not to be passed as prayed.

A. Sydney Gadd Jr.  
Clerk of the Circuit Court for Queen Anne's County

Filed July 26th, 1941.

.....  
SUBPOENA FOR RESPONDENT TO APPEAR  
AND ANSWER  
Filed July 29th, 1941.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND.

TO Margaret M. Seward  
Seals Place.

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the first Monday of August next, to answer the complaint of Nina Bryan Wuster, et al, against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable, Stephan R. Collins, Chief Judge of our said Court, the first Monday of July 1941  
Issued the 26th day of July 1941

Richard T. Earle A. Sydney Gadd Jr. Clerk  
Solicitor for Complainants

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of August next, being the Return Day.

A. Sydney Gadd Jr. Clerk

And on the back of the foregoing is thus endorsed to wit:  
Served by reading to Margaret M. Seward July 28, 1941 and copy left with her

Edward E. Coursey Sheriff

Filed July 29th, 1941

.....  
SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
Filed July 29th, 1941

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO  
Seals Place Richard T. Earle

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the first Monday of August next, to answer the complaint of Nina Bryan Wuster, et al against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins, Chief Judge of our said Court, the first Monday of July 1941.  
Issued the \_\_\_\_\_ day of \_\_\_\_\_ 1941

Richard T. Earle \_\_\_\_\_ A. Sydney Gadd Jr. Clerk  
Solicitor for Complainants

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of August next, being the Return Day.

\_\_\_\_\_ A. Sydney Gadd Jr. Clerk

And on the back of the foregoing is thus endorsed to wit:

Served by reading to Richard T. Earle July 28, 1941 and copy left with him

\_\_\_\_\_ Edward E. Coursey Sheriff

.....  
SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
Filed July 29th, 1941.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO  
Seals Place Cora T. Jump

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court, of Equity, at Centreville, in said County, on the first Monday of August next, to answer the complaint of Nina Bryan Wuster, against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins, Chief Judge of our said Court, the first Monday of July 1941  
Issued the 26th day of July, 1941

\_\_\_\_\_ A. Sydney Gadd Jr. Clerk  
Richard T. Earle \_\_\_\_\_  
Solicitor for Complainants

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of August next, being the Return Day.

\_\_\_\_\_ A. Sydney Gadd Jr. Clerk

And on the back of the foregoing is thus endorsed to wit:

Served by reading to Cora T. Jump July 28, 1941 and copy left with her.

\_\_\_\_\_ Edward E. Coursey Sheriff

.....  
SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
Filed July 29, 1941.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND.

TO  
Seals Place. Thomas J. Keating, Jr. Surviving Trustee for Forman and Mason.

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and



appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the first Monday of August next, to answer the complaint of Nina Bryan Wuster, et al against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins, Chief Judge of our said Court, the first Monday of July 1941  
Issued the 26th day of July 1941.

Richard T. Earle A. Sydney Gadd Jr. Clerk  
Solicitor for Complainant.

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of August next, being the Return Day.

A. Sydney Gadd Jr. Clerk

And on the back of the foregoing is thus endorsed to wit:

Served by reading to Thomas J. Keating, Jr. July 28, 1941 and copy left with him,

Edward E. Coursey Sheriff

.....  
SUBPOENA FOR RESPONDENT TO APPEAR  
AND ANSWER  
Filed July 29, 1941.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO John Palmer Smith  
Seals Place.

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as A Court of Equity, at Centreville, in said County, on the first Monday of August next, to answer the complaint of Nina Bryah et al against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins, Chief Judges of our said Court, the first Monday of July 1941  
Issued the 26th day of July 1941

Richard T. Earle A. Sydney Gadd Jr. Clerk  
Solicitor for Complainant

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of August next, being the Return Day.

A. Sydney Gadd Jr. Clerk

And on the back of the foregoing is thus endorsed to wit:

Served reading to John Palmer Smith July 28, 1941 and copy left with him.

Edward E. Coursey Sheriff

.....  
SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
Filed July 29th, 1941

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Charles M. Jump  
Seals Place

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the first Monday of August next, to answer the complaint of Nina Bryan Wuster, et al against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable, Stephen R. Collins, Chief Judge of our said Court, the first Monday of July 1941  
Issued the 26th day of July 1941

Richard T. Earle A. Sydney Gadd Jr. Clerk  
Solicitor for Complainant

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of August next, being the Return Day.

A. Sydney Gadd Jr. Clerk

And on the back of the foregoing is thus endorsed to wit:

To appear and answer Served by reading to Charles W. Jump July 28, 1941 and copy left with him.

Edward E. Coursey Sheriff

.....  
SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER  
Filed July 31st. 1941

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Frank Jump  
Seals Place

OF TALBOT COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the first Monday of August next, to answer the complaint of Nina Bryan Wuster, et al against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins, Chief Judge of our said Court, the first Monday of July 1941  
Issued the 26th day of July 1941

A. Sydney Gadd Jr. Clerk

Richard T. Earle

Solicitor for Complainants

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday August next, being the Return Day.

A. Sydney Gadd Jr. Clerk

And on the back of the foregoing is thus endorsed to wit: \_\_\_\_\_

Summoned 7/30/41

Per John R. Scott Sheriff  
M. L. Aikenhead Deputy

Received the 29 day of July 1941 and forthwith delivered to the Sheriff of Talbott County for service.

Test T. J. Faulkner Clerk

.....  
ORDER OF PUBLICATION  
Filed Aug. 1st, 1941

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY, IN EQUITY.

Nina Bryan Wuster and E. Albert Wuster,  
her husband,  
Nina Bryan Wuster, Administratrix, d.b.n.  
of H. Price Bryan,  
Albert W. Bryan and Marc, M. Bryan, Infants,  
by their mother and next friend, Germaine  
Bryan,  
Germaine Bryan,  
R. Glenn King,

Plaintiffs,

vs

Albert W. Bryah, Infant, and Marc, M. Bryan,  
Infant,  
Thomas E. Bryan,  
Raymond C. Bryan and Alice T. Bryan, his wife,  
John Palmer Smith,  
Cora T. Jump,  
Margaret M. Seward,  
Charles M. Jump,  
Frank Jump,  
Thomas J. Keating, Jr, Surviving Trustee for  
Forman and Mason, Bankrupts, Richard T. Earle

Defendants.

## ORDER OF PUBLICATION,

The object of this suit is to have the Court pass a decree to appoint a Trustee to make sale of the real estate described in these proceedings, to wit: 25 Acres of Woodland, more or less, located in the Third Election District of Queen Anne's County, Maryland, known as The James T. Earle Woodlot.

The Bill of Complaint states that the aforesaid woodland was owned by one Thomas E. Bryan, late of Queen Anne's County, Maryland, deceased, and was by him conveyed to his wife, Annie E. Bryan, for and during her natural life and no longer, with remainders over to his heir lawfully begotten by him and his said wife, share and share alike.

That the said Thomas E. Bryan died in Queen Anne's County sometimes in the year 1900, leaving surviving him his widow, Annie E. Bryan and the following heirs of his body lawfully begotten of his said wife, Annie E. Bryan, to wit: Thomas E. Bryan, Albert William Bryan, Nina Bryan, Helen Bryan, Raymond C. Bryan and H. Price Bryan.

That Thomas E. Bryan is seized of an undivided one sixth interest subject to a judgment lien in favor of Richard T. Earle.

That Annie E. Bryan died in May, 1940.

That Albert William Bryan died in France, Europe, between the years 1936 and 1940, leaving as his heirs, his widow, Germaine Bryan, and two children, Albert W. and Marc, M. Bryan, both infants, and that each of them is seized of an undivided one eighteenth interest in the aforesaid real estate, and that the estate of the said Albert William Bryan has been fully administered upon.

That Nina Bryan Wuster, formerly Nina Bryan, is married to E. Albert Wuster, and is seized of an undivided one sixth interest in the aforesaid real estate.

That Helen Bryan married R. Glenn King, executed a will duly admitted to probate in Baltimore City, bequeathing and devising her entire estate to the said R. Glenn King, that said estate is fully administered upon, and that R. Glenn King is seized of an undivided one sixth interest in the aforesaid real estate.

That Raymond C. Bryan is married to Alice T. Bryan and is seized of an undivided one sixth interest subject to the following judgments, to wit: Judgment in favor of John Palmer Smith; Judgment in favor of F. G. Jump, and that F.G.Jump, is dead, his estate is not administered upon but leaving the following heirs at law and next of kin, to wit: Cora T. Jump, widow, Margaret M. Seward, Charles M. Jump and Frank Jump, three judgments in favor of Thomas J. Keating, Jr., surviving Trustee for Forman and Mason, Bankrupts.

That H. Price Bryan died intestate in June, 1936, that letters of administration were granted to Annie E. Bryan and upon her death letters of administration d.b.n. on his estate were granted to Nina Bryan Wuster by The Orphans Court for Queen Anne's County, that an administration account has been filed and all preference claims have been paid but that a dividend only has been paid on unsecured claims and that the said Nina Bryan Wuster Admr. d.b.n. is entitled to receive the net proceeds from the sale of undivided one sixth interest of the aforesaid real estate to be distributed to the unsecured creditors of H. Price Bryan, which have been filed in the Orphans' Court for Queen Anne's County.

That the sale of the aforesaid real estate would be to the interest, benefit and advantage of all the parties to this suit.

That all of the defendants are adults and residents of the State of Maryland, save and except William W. and Marc M. Bryan, who are infants and residents of the State of Pennsylvania and prays for an Order of Publication against the said Infants who are residents of the State of Pennsylvania and one-residents of the State of Maryland.

IT IS THEREUPON, This 26th day of June, 1941, ordered by the Circuit Court for Queen Anne's County, in Equity that the plaintiffs by causing a copy of this order to be inserted in some newspaper published in said Queen Anne's County, once in each of four successive weeks before the 1st day of September, 1941, give notice to the said Albert W. Bryan, Infant, and Marc M. Bryan, Infant, non-residents of the State of Maryland, of the object and substance of this bill and warning them to appear in this Court in person or by solicitor, on or before the 7th day of September, next, to show cause, if any then have, why a decree ought not to be passed as prayed.

A. Sydney Gadd Jr.  
Clerk of The Circuit Court for Queen Anne's  
County

Filed July 26th, 1941

State of Maryland, Queen Anne's County, to wit:

I hereby certify, that on the 26th day of July in the year 1941, the foregoing was truly taken and copied from the Original Order of Publication filed as above.

Seals Place.

In Testimony Whereof, I hereunto subscribe my name and affix the seal of the Circuit Court for Queen Anne's County this 26th day of July 1941.

A. Sydney Gadd Jr. Clerk

I, Henrietta Bryan Jefferis, a resident of the City of Philadelphia, over twenty one years of age, do hereby certify that I received from Richard T. Earle, Atty, of Centreville, Queen Anne's County, Maryland, the within Order of Publication

accompanied by another copy thereof, that on the 28th day of July, 1941, between the hours of 7 P.M. and 8 P.M., on the 28th day of July, 1941, I did take both copies to Argyle Court Rpts, Ardmore, Pa. where the said Albert W. Bryan and Marc. M. Bryan, resides with their mother, Germaine Bryan, and did read the said order of publication to the said infants, their mother being present and did leave a copy of the said Order of Publication with Germaine Bryan, their mother.

Henrietta B. Jeffers

State of Pennsylvania, City of Philadelphia, to wit:

I hereby certify that on this 29th day of July, 1941, personally appeared before me the subscriber, a Notary Public of the State of Pennsylvania in and for the City of Philadelphia, Henrietta Bryan Jeffers, the subscriber to the above certificate, and made oath in due form of law that the matters and facts set forth in the within and foregoing certificate are true as therein stated. In witness whereof I have hereunto subscribed my name and affixed my notarial seal.

Mary F. Kerns

Notary Public

Notary Public Seal.

Notary Public

My Commission Expires March 5, 1945.

Filed Aug. 1st, 1941

.....  
SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER  
Filed Aug. 4, 1941.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Raymond C. Bryan Alice T. Bryan

Seals Place.

OF BALTIMORE CITY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the first Monday of August, next, to answer the complaint of Nina Bryan Wuster, et al against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins, Chief Judge of our said Court, the first Monday of July 1941  
Issued the 26th day of July 1941

A. Sydney Gadd Jr. Clerk

Richard T. Earle

Solicitor for Complainants

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fiftendays of the first Monday of August next, being the Return Day.

A. Sydney Gadd Jr. Clerk

And on the back of the foregoing is thus endorsed/wit:  
to

Summoned Ambo and a copy of the Process left with each Defendant.

Joseph C. Deegan Sheriff

Henugo 7/31/41.

Fes. \$1.90

Filed Aug. 4th, 1941

.....  
SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER  
Filed Aug 4th, 1941

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Thomas E. Bryan

Seals Place.

OF BALTIMORE CITY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the first Monday of August next, to answer the complaint of Nina Bryan Wuster, et al against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable, Stephen R. Collins, Chief Judge of our said Court, the first Monday of July 1941

Issued the 26th day of July 1941

Richard T. Earle. \_\_\_\_\_  
Solicitor for Complainant \_\_\_\_\_  
A. Sydney Gadd Jr. Clerk

TO THE DEFENDANT : You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of August next, being the Return Day.

True Copy \_\_\_\_\_  
Test: A. Sydney Gadd Jr. Clerk

And on the back of the foregoing is thus endorsed to wit:

Non Est  
Hemegan  
Filed August 4th, 1941  
Joseph C. Deegan Sheriff

ORDER OF RICHARD T, EARLE  
SOLITOR. FOR COMPLAINANT TO  
RENEW OF THOMAS E. BRYAN  
Filed 8/5/41

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY.

No. 3284 Chy, Sept. Term, 1941.

Nina Bryan Wuster, et al

vs

Albert W. Bryan , Infant, et al

M r. A. Sydney Gadd Jr. Clerk

Issued Writ of Subpoena to the Sheriff of Baltimore City for Thomas E. Bryan. 25th St. between St. Paul & Charles.  
C/O Miss Minnie Bryan to appear and answer in the above entitled case.

Richard T. Earle  
Attorney for Plaintiff  
Filed 5th day of August 1941.

SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
Filed Sept. 4th, 1941

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Thomas E. Bryan

Seals Place.

OF BALTIMORE CITY, GREETING:

YOU ARE HEREBY COMMANEDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centre-ville, in said County, on the first Monday of September next, to answer the complaint of Nina Bryan Wuster, et al against you in said court exhibited.

Heref fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins, Chief Judge of our said Court, the first Monday of August 1941  
Issued the 5th day of August 1941.

Richard T. Earle \_\_\_\_\_  
Solicitor for Complainants \_\_\_\_\_  
A. Sydney Gadd Jr. Clerk

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of September next, being the Return Day.

True Copy \_\_\_\_\_  
Test: A. Sydney Gadd Jr. Clerk

And on the back of the foregoing is thus endorsed to wit:  
Non Est M.B. Banett

Filed Sept. 4th, 1941  
Joseph C. Deegan Sheriff

ORDER TO RENEW FOR  
THOMAS E. BRYAN  
Filed Sept. 8th, 1941.

Nina Bryan Wuster et al

In the Circuit Court for Queen Anne's County  
In Equity.

vs

No. Term, 19 Cause No. 3284

Albert W. Bryan, Infant et al

Judgment

Int, from

Costs

Credits

Recorded in Liber Fol.

Mr. A. S. Gadd Jr. Clerk

Clerk of the Circuit Court for Queen Anne's County:

You will please issue subpoena to the Sheriff of  
Baltimore city directing him to summon Thomas E. Bryan residing at either  
10 W 25th W., or 12 E. Earvale St. Baltimore.

Richard T. Earle  
Attorney for Plaintiff

Filed Sept. 6th, 1941.

SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER  
Filed Sept. 17th, 1941.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TD Thomas E. Bryan 9/15/41

Seals Place. OF BALTIMORE CITY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and  
appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at  
Centreville, in said County, on the first Monday of October next, to answer the  
complaint of Nina Bryan Wuster, et al against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins, Chief Judge of our said  
Court, the first Monday of September 1941.  
Issued the 8th day of September 1941.

A. Sydney Gadd Jr. Clerk

Richard T. Earle

Solicitor for Complainants

TO THE DEFENDANT: You are required to file your answer or other  
defense in the office of the Clerk of this Court within fifteen days of the first  
Monday of October next, being the Return Day.

A. Sydney Gadd Jr. Clerk

Summoned and a copy of the Process left with the defendant.

Joseph C. Deegan Sheriff

Fees \$.95

Forestall 9/15/41.

PETITION TO STRIKE OUT RICHARD T.  
EARLE AS ONE OF THE DEFENDANTS TO MAKE  
HIM ONE OF THE PLAINTIFF & ORDER OF  
COURT THEREON.  
Filed Nov. 13th, 1941

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY IN EQUITY.

Nina Bryan Wuster, et al.,  
Plaintiffs.

vs

Albert W. Bryan, Infant, et al.,  
Defendants.

Cause No. 3284

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Nina Bryan Wuster et al., Plaintiffs, by Richard T. Earle, their attorney, to your Honors respectfully shows;

1. That in the bill of complaint heretofore filed in this cause your petitioners inadvertently named Richard E. Earle, a Judgment creditor of Thomas E. Bryan, one of the defendants, also a defendant in this cause.

2. That your petitioners are advised that it is improper pleading for the attorney for the plaintiff to be named also as a defendant in the same cause.

3. That they desire that the name of Richard T. Earle party defendant be stricken from the Record as a defendant and that with the consent of the said Richard T. Earle, he be placed in said record as one of the plaintiffs in this cause, and that said change would make no material difference to any party to this cause.

Respectfully submitted.

Richard T. Earle  
Atty, for Plaintiffs.

Filed Nov. 13, 1941.

ORDER OF COURT

The foregoing petition having been read and considered, It is thereupon this 13th day of November, 1941, ORDERED By the Circuit Court for Queen Anne's County in equity and by the authority of said Court that the name of Richard T. Earle, as one of the defendants in this cause, be and it is hereby stricken from said bill of complaint as one of the defendant and that instead thereof the name of the said Richard T. Earle be and it is hereby added to as one of the plaintiffs in this cause.

Thos. J. Keating

Filed Nov. 13th, 1941

\*\*\*\*\*  
PETITION FOR APPOINTMENT OF  
GUARDIAN AD LITEM  
Filed Nov. 13th, 1941.

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY IN EQUITY

Nina Bryan Wuster, et al., :  
Plaintiffs :  
vs : Cause No. 3284  
Albert W. Bryan, Infant, et al, :  
Defendants. :

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of Nina Bryan Wuster et al., the plaintiffs in this cause respectfully shows:

That Albert W. Bryan and Marc M. Bryan, Infants, defendants in this cause have been properly summoned in this cause, by having served on them a copy of The Order of Publication in this cause by reading the same to them and a copy thereof left with their mother, as per affidavit of said service filed herein, but being infants they cannot answer the defend this suit for themselves.

Your petitioners therefore pray you Honors to appoint a guardian ad litem to appear and answer for said infants.

And as in duty bound, etc.,

Richard T. Earle  
Attorney for Plaintiffs

Subscribed and sworn to before me this 13th day of November, 1941, by Richard T. Earle.

A. Sydney Gadd Jr. Clerk

Filed Nov. 13th, 1941.

\*\*\*\*\*  
PETITION FOR DECREE PRO  
CONFESSO AND ORDER OF COURT  
Filed Nov. 13th, 1941

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY IN EQUITY.

Nina Bryan Wuster et al., :  
Plaintiffs, :  
vs : Cause No. 3284  
Albert W. Bryan, et al., :  
Defendants. :

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Nina Bryan Wuster et al., by Richard T. Earle, their attorney, to your Honors respectfully shows:

That summons has been served upon the following defendants, Thomas E. Bryan Raymond C. Bryan, Alice T. Bryan, his wife, John Palmer Smith, Cora T. Jump, Margaret M. Seward, Charles M. Jump, Thomas J. Keating, Jr., surviving trustee for Forman and Mason, Banrupts, and that more than fifteen days from the return has passed, as per returns of summons filed in this cause, and that each and every of said defendants named have failed to appear and answer to said bill of complaint, wherefore the plaintiffs, pray that a decree pro confesso may be passed against each of said defendants and that the papers may be sent this cause to one of the examiners of this court so that the plaintiffs, may take testimony to support the allegations of their bill of complaint.

Respectfully submitted.

Richard T. Earle  
Atty, for Plaintiffs.

Filed Nov. 13th, 1941.

The defendants, Thomas E. Bryan, Raymond C. Bryan, Alice T. Bryan, John Palmer Smith, Cora T. Jump, Margaret M. Seward, Charles M. Jump, Frank Jump, Thomas J. Keating, Jr., Surviving Trustee for Forman And Mason Bakrupt, having been duly summoned to appear to the bill of complaint, but each failed to to appear.

It is thereupon this 13th day of November, 1941, by The Circuit Court for Queen Anne's County in Equity adjudged ordered and decreed that the said Bill of Complaint be and the same is hereby taken pro confesso against the defendants, Thomas E. Bryan, Raymond C. Bryan, Alice T. Bryan, John Palmer Smith, Cora T. Jump, Margaret M. Seward, Charles M. Jump, Frank Jump, Thomas J. Keating, Jr., surviving trustee for Forman and Mason, Banrupts and it is further ordered that the papers in this cause be sent before one of the examiners of this Court so that the Plaintiffs may take depositions to support the allegations of their Bill of Complaint.

Thos. J. Keating

Filed Nov. 13th, 1941.

ORDER OF COURT  
FILED Nov. 13, th, 1941

ORDER OF COURT

ORDERED, This 13th day of November, 1941, by The Circuit Court for Queen Anne's County in Equity, upon the foregoing Petition and affidavit, that Edward Turner be, and he is hereby appointed guardian ad litem for Albert W. Bryan and Marc. M. Bryan, infant defendants in the above cause.

Thos. J. Keating

Filed Nov. 13th, 1941.

ANSWER OF GUARDIAN AD LITEM  
Filed Nov. 15th, 1941

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY IN EQUITY.

Nina Bryan Wuster, et al :  
Plaintiffs, :  
vs : Cause No. 3284  
Albert W. Bryan, et al,, :  
Defendants. :

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The joint and several answer of Albert W. Bryan and Marc. M. Bryan, Infants by Edward Turner, Their Guardiand as litem, duly appointed by order of this Court, to the Bill of Complaint of Nina Bryan Wuster et al against them exhibited.

These defendants being infants cannot admit any of the matters and things in said Bill alleged and submit their rights thereunder to the protection of this Court.

And as in duty bound & etc.,

Edward Turner  
AGuardian ad litem

DEPOSITIONS AND EXAMINERS RETURN  
Filed Nov. 29th, 1941.

Nina Bryan Wuster and E. Albert Wuster, : In the Circuit Court for  
her husband, :  
Nina Bryan Wuster, Administratrix d.b.n. : Queen Anne's County,  
of H. Price Bryan, :  
Albert W. Bryan and Marc M. Bryan, infants, : Maryland, in Equity.  
by their mother and next friend, Germaine Bryan, :  
Germaine Bryan, :  
R. Glenn King, :  
Plaintiffs, :



VS

Albert W. Bryan, infant, Marc M. Bryan, infant :  
 Thomas E. Bryan, :  
 Raymond C. Bryan and Alice T. Bryan, his wife, :  
 John Palmer Smith, :  
 Cora T. Jump, :  
 Margaret M. Seward, :  
 Charles M. Jump, :  
 Frank Jump, :  
 Thomas J. Keating jr, surviving Trustee for :  
 Forman and Mason, Bankrupts, :  
 Richard T. Earle, :  
 Defendants, :

To the Honorable, the Judges of said Court:

The subscriber, one of the regular Examiner's for this Court, having been notified by the Plaintiffs, of their desire to take testimony in the above entitled cause, did attend at the office of Richard T. Earle, Counsel for Plaintiffs, in the town of Centreville, Queen Anne's County, Maryland, and in his presence proceeded to take the following testimony, to wit:

Mrs. Mabel Bryan Harper, the first witness of lawful age produced on the part of the Plaintiff, being duly sworn and examined, deposes and says,

Question No.1. Mrs. Harper kindly state your name, age and residence?

Answer. My name is Mabel Bryan Harper, I am over fifty years of age, I reside in Queen Anne's County in the spring and summer and spend the late fall and winter in Baltimore.

Question No. 2 Mrs. Harper, this is a suit for the purpose of selling a woodlot of about 25 acres of land, that was deeded to Mrs. Annie E. Bryan by her husband, Thomas E. Bryan, for her life and after her death to the children of the said Annie E. and Thomas E. Bryan, did you know the said Annie E. Bryan and the children of the said Annie E. and Thomas E. Bryan?

Answer. Yes, I knew the said Annie E. Bryan, who died in Queen Anne's County in May, 1940, she was a sister of my mother, and I also knew all of the children of the said Annie E. and Thomas E. Bryan, they are my cousins.

Question 3. State if you know the children of the said Annie E. Bryan and Thomas E. Bryan, all of the, whether living or dead, and their residence if known to you?

Answer. Thomas E. Bryan is the oldest, he is single and resides in Baltimore City, Maryland, Nina E. Bryan, who is now Mrs. E. Albert Wuster and lives with her husband in the State of Washington; Raymond C. Bryan who is married to Alice T. Bryan and they live in Baltimore City, Maryland; Helen Bryan who married R. Glenn King, and died about 1920, leaving a will wherein she left everything to R. Glenn King; H. Price Bryan who was in the army and died intestate and single in the year 1936; William Albert Bryan who for many years lived in France and died there about in the year 1939, without leaving a will and left surviving him a widow, Germaine Bryan and two infants sons, William Albert Bryan and Marc M. Bryan and they all live in Philadelphia, Pennsylvania.

Question 4 Did you know Thomas E. Bryan the husband of the said Annie E. Bryan, is he living or dead?

Answer. He died when I was very young, I think about 1900.

Examiners Special.

Answer None.

Mabel B. Harper

The next witness produced on the part of the plaintiff was Mrs. William J. Price, Jr., who being sworn testifies as follows, to wit:

Question 1 Mrs. Price, will you state your name, approximate age and residence?

Answer My name is Julia S. Price, I am the widow of William J. Price, Jr. I reside in Queen Anne's County and am over fifty years of age.

Question 2 Mrs. Price this is a suit for the purpose of selling a certain woodlot near Centreville, which was deeded to the late Annie E. Bryan by her husband, Thomas E. Bryan, for life with remainder over to their children after her death, did you know the said Annie E. Bryan and her children and the children of Thomas E. Bryan?

Answer. Yes, I knew the late Annie E. Bryan, who died in Queen Anne's County in May, 1940, she was a sister of my late husband, William J. Price, Jr., and I knew her children and the children of Thomas E. Bryan?

Question 3 You have stated you knew the children of Annie E. and Thomas E. Bryan, state their residence of those living and which of said children are dead, if you know?

Answer. Thomas E. Bryan was a widower when he married Annie E. Bryan, he left one child by his first wife, Minnie Bryan, the children of Thomas E. and Annie E. Bryan are as follows, to wit: Thomas E. Bryan, who is single and at present time lives with his half sister, Minnie B. Bryan in Baltimore City, Maryland; Raymond C. Bryan who is married to Alice T. Bryan and resides in Baltimore City, Maryland; Helen Bryan who married R. Glenn King, lived in Baltimore City, died about 1920, and left a will leaving everything to her husband, R. Glenn King, Nina Bryan, who is now married to E. Albert Wuster and lives with him in the State of Washington; William Albert Bryan, who for many years lived in France, was married to Germaine Bryan, died in France about 1939, leaving his widow, Germaine Bryan and two infant sons surviving him, they are William Albert and Marc M. Bryan and they reside with their mother in Philadelphia, Pennsylvania; H. Price Bryan, who was in the army, did not marry, died without leaving a will in the year 1836.

Examiner's Special .

Answer

Juliet S. Price

The next witness called upon the part of the plaintiff was Oliver C. Jones, who being first sworn, states.

Question 1. Mr. Jones, state your name, age and residence and occupation?

Answer my name is Oliver C. Jones, I am 50 years of age, I reside in Queen Anne's County, Maryland, and am engaged in the real estate business.

Question 2 Mr. Jones, this is a suit for the purpose of selling a tract of woodland which was deeded to the late Annie E. Bryan by her husband, Thomas E. Bryan, with remainder over to their children, I herewith hand you a certified copy of which deed and ask you if you are familiar with the land? And direct your attention to Lot No. 1 in said deed.

Answer. Yes, I can not say that I know the same very intimately, but I know where it is and have been through it some years ago, it adjoins the Marion Mullikin Farm, the farm now owned by Warfield Emory and wife formerly belonging to Joe Carter, the farm formerly owned by C. M. West known as the Frank Farm, it contains about twenty five acres of woodland, some of which has been cut, at least was cut several years ago, I have not seen it for some time, it is worth at the outside figure about \$500.00, on account of no one living on it having an interest in it that are nearby it has no attention and might be depleted at any time.

The attorney for the plaintiff presents a certified copy of deed from Thomas E. Bryan to Annie E. Bryan with remainder over, from which description the witness identifies the land heretofore described, and asks the examiner to Mark the said deed Plaintiff Exhibit No. 1, which is done.

Question 3 Mr. Jones, from the location of the land, the value thereof as you know it, the ownership of the property being in the children of Annie E. Bryan and Thomas E. Bryan, would you think that the same should be held or sold and give reasons for your answer.

Answer I think that the same should be sold, for that it is located in a big body of woodland, not fenced off, there is none of the parties in interest who are near enough to give the same any attention and any one could go there and cut the same with little risk of being detected, lumber is high and I would think it to the interest and advantage of all the parties to have the same sold and distribute the proceeds.

Examiner's Special .

Answer Nothing further.

\_\_\_\_\_  
Oliver C. Jones

There being no further witnesses to be examined, and the Plaintiffs not desiring further time for the production of evidence, you Examiner herewith respectfully makes his Return, together, with the depositions of the witnesses produced before him and the Exhibit marked "Plaintiffs Exhibit #1" filed with him as a part of the evidence produced, and certifies that he was engaged as such Examiner two days and examined three witnesses, making costs chargeable to Plaintiffs, as follows:

Charles E. Tucker, Examiner,	\$8.00
Mabel Bryan Harper, Witness	.75
Juliet S. Price, Witness	.75
Oliver C. Jones, "	.75
Total.	<u>10.25</u>

Respectfully submitted,

Chas E. Tucker Examiner

PLAINTIFFS EXHIBIT #1  
FILED BY EXAMINER Nov. 28th, 1941  
Charles E. Tucker, Examiner.

Queen Anne's County, to wit: Be it remembered, that on the Fourth day of January, in the year One Thousand eighty hundred and ninety five, the following Deed was brought to be recorded, to wit:

This Deed, made this Fourth day of January, in the year Eighteen hundred and ninety five, by Thomas E. Bryan of Queen Anne's County in the State of Maryland, Witnesseth:  
Whereas John S. Price, late of Queen Anne's County, deceased, by his last will and testament dated the 31<sup>st</sup> day of May, 1863, and recorded in Liber S. T. H. No.1, folio 268, a Will Record Book for Queen Anne's County aforesaid, gave and devised certain real estate, hereinafter described as Lot No.3, to his daughter, Catherine A. Price who afterwards intermarried with the said Thomas E. Bryan:-  
By this will certain other real estate was devised to John T. Price, Mary Emma Price, and Robert W. Price,. Upon the death of John T. and Mary Emma, the said Catherine E. Bryan nee Price, purchased the said Robert W. Price's interest in the farm left by the said Mary Emma, which is hereinafter described as Lot No.4.  
And whereas the said Catherine A. Bryan, nee Price, late of Queen Anne's County, deceased, by her last will and testament, dated the 1<sup>st</sup> day of April 1879, and duly of record among the Will Records of Queen Anne's County aforesaid, gave and devised all her real estate to her husband Thomas E. Bryan, in trust, until her daughter Minnie Price Bryan arrived at the age of Eighteen years, when it was to be divided between the said Thomas E. Bryan and Minnie Price Bryan share and share alike, and in case either of them should die without leaving issue or descendants of issue living at the time of his or her death, their shares should pass to the survivor.  
And Whereas the said Minnie Price Bryan has long since arrived at the age of Eighteen years; thus giving the said Thomas E. Bryan an undivided one half interest in the above mentioned land, which he desires to convey, together with other real estate held by him in fee.

Now Therefore in consideration of the foregoing premises and the sum of Twelve hundred dollars, the receipt whereof is hereby acknowledged, the said Thomas E. Bryan does hereby acknowledged, the said Thomas E. Bryan does hereby grant and convey unto Annie E. Bryan, his wife, for and during her natural life and no longer, with remainder over to the heirs of his body of his said wife, Annie E. Bryan, lawfully begotten, share and share alike the following described real estate, to wit:

Lot No. 1. All that lot of Woodland, situated in the Third Election District of Queen Anne's County aforesaid, commonly known as the James E. Earle Woodlot", adjoining the Woodlot of Mary J. Tilghman and others, containing twenty five acres of land, being the same lot of Woodland conveyed to the said Thomas E. Bryan by John B. Brown and Edwin H. Brown, Trustee, by deed dated the 27<sup>th</sup> day of December 1894, and recorded in Liber W. H. C. No.2, a Land Record Book for Queen Anne's County aforesaid.

Lot No. 2 All that lot of land situated in the Third Election District of Queen Anne's County on the public road leading from Hibernia to Corsica Neck, containing one half acre, more or less, being the same land described in a deed from Ellen Dickerson and others to the same Thomas E. Bryan, dated the 27<sup>th</sup> day of December 1884, and recorded in Liber S. C. D. No.5, a Land Record Book as aforesaid.

And also all his right, title, interest and estate of, in and to the following tracts-

Lot No. 3 All that part of a tract called "Denbeigh", situated near Centreville, County aforesaid, and contained within the following metes and bounds, courses and distances, to wit: Beginning at the North East corner thereof, upon the public road running from Centreville to Easton, and running thence with the road South three degrees East one hundred and thirty four perches and two tenths of a perch, thence South eighty eight degrees west one hundred and two perches, thence South three degrees East two perches, thence South eighty seven degrees west thirty two perches, thence North forty two degrees East thirty six perches and six tenths of a perch, thence North forty eight degrees west seventy one perches and a half perch, thence South eighty seven degrees west one hundred and three perches and four tenths of a perch, thence North three degrees west sixty two perches and three tenths of a perch, thence North forty two degrees East twenty three perches and a half perch, thence North thirty four degrees East eighty seven perches and three tenths of a perch, thence South fifty seven degrees East ninety six perches thence South sixty three thirty minutes East twenty four perches, thence South seventy nine degrees East forty eight perches, thence South seventy four degrees thirty minutes East twelve perches, and thence South seventy seven degrees thirty minutes East forty perches to the beginning, containing two hundred and sixteen acres three rods and twenty seven perches of land, being the same land described in a Deed from Lloyd Tilghman, Executor, James E. Bailey and Eleanora Bailey to John S. Price, dated the 8<sup>th</sup> day of June 1863, and recorded in Liber S. E. D. No.3, folio 547, & c., a Land Record as aforesaid, Excepting excepting therefrom twelve acres which was given and devised to Robert W. Price, by the last will and testament of his father the said John S. Price, and also all that tract of land, containing twenty nine acres, three rods and two perches of land, containing twenty nine acres, three rods and two perches of land, which was conveyed by the said Thomas E. Bryan and wife to Robert W. Price, by Deed dated the 10<sup>th</sup> day of February 1870, and recorded in Liber J. W. No.2, folio 30 & c., a Land Record Book as aforesaid.

Lot No. 4. All that tract or parcel of land called "Chester" situated in Queen Anne's County aforesaid, and contained within the following metes and bounds, courses and distances, to wit: Beginning at a Stone on the Eastern side of the road from Hibernia to the Steamboat landing on Corsica Creek, and running with the road North forty seven degrees thirty minutes west one hundred and fifteen perches, thence North fifty three degrees west thirty eight perches and three tenths of a perch, thence South thirty three degrees thirty minutes west two hundred and twenty seven perches to the road from Queenstown to Centreville, thence with said road the following courses North seventy five degrees East twenty one perches, thence South eighty four degrees East thirty five perches thence North eighty two degrees East thirty four perches, thence South seventy five degrees East twenty four perches, thence North eighty four degrees East twenty perches, thence North fifty five degrees East sixteen perches, thence North forty one degrees East twenty four perches, thence North fifty eight degrees East forty four perches, thence North twenty one degrees East four perches, and thence North forty seven degrees East forty four perches and a half perch to the beginning, containing one hundred and forty three acres, three rods and thirty perches of land, more or less, being part of several tracts called or known by "Jamaicas Addition", "Smithfield", "Adventure", "Lexon", being the same land conveyed to John S. Price by Charles E. Skinner, and wife, by Deed dated the 1<sup>st</sup> day of May 1862, and recorded in Liber M.B. No.2,-91 a Land Record Book as aforesaid, and also the same land devised to Mary Emma Price by her father.

As Witness his hand and seal.

Test: R. HOPPER SMITH

THOMAS EDWARD BRYAN (SEAL)

State of Maryland, Queen Anne's County, to wit:

I hereby certify, that on this Fourth day of January, in the year Eighteen hundred and ninety five before me, the subscriber, a Justice of the Peace of the State of Maryland, in and for Queen Anne's County aforesaid, personally appeared Thomas E. Bryan, and acknowledged the foregoing Deed to be his act,

R. Hopper Smith J.P.

STATE of Maryland,

Queen Anne's County, to wit:

I hereby certify that the foregoing is truly taken and copied from Liber W. H. C. No.2, folios 283, etc., a Land Record Book for Queen Anne's County.

SEals Place.

In Testimony Whereof I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County this 21st day of June, in the year nineteen hundred and forty one.

A. Sydney Gadd Jr. Clerk

.....  
AUTHORITY OF GERMAINE BRYAN,  
NEXT FRIEND OF ALBERT W. & MARC M.  
BRYAN, INFANTS, TO RICHARD T, EARLE  
TO INSTITUTE SUIT.  
Filed Jan 28, 1942.

To Richard T. Earle,  
Centreville, Md.

Dear Sir:

I hereby constitute you my attorney and in my name as next of friend for Albert William Bryan and Marc Marion Bryan, infants, sons of William Albert Bryan and myself, grandsons of Annie E. and Thomas E. Bryan, to institute or join with others in institution a suit in the Circuit Court for Queen Anne's County in Equity for the purpose of selling about 25 acres of woodland located near Centreville, deeded by Thomas E. Bryan to Annie E. Bryan for her life and at her death to his heirs begotten upon the body of Annie E. Bryan, the sale being for the interest and advantage of said infants.

Germaine Bryan  
Next friend of Albert William and  
Marc Marion Bryan.

Filed Jan 28, 1942.

.....  
AFFIDAVIT AS TO MILITARY SERVICE  
Filed March 4th, 1942

Nina Bryan Wuster and E. Albert Wuster,  
her husband, et al.,  
Plaintiffs,

vs

Albert W. Bryan, Infant, et al.,  
Defendants.

: IN THE CIRCUIT COURT FOR  
:  
: QUEEN ANNE'S COUNTY IN EQUITY.  
:  
: CAUSE No. 3284.  
:  
:  
:

AFFIDAVIT AS REGARDS TO MILITARY SERVICE.

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I hereby certify that on this Fourth day of March, 1942, personally appeared before me, the subscriber, The Clerk of the Circuit Court for Queen Anne's County, Richard T. Earle, Attorney for the Plaintiffs, and made oath in due form of law that Thomas E. Bryan, Raymond C. Bryan, Alice T. Bryan, his wife, John Palmer Smith, Cora T. Jump, Margaret M. Seward, Charles M. Jump, and Thomas J. Keating, Jr., surviving trustee for Forman and Mason, Bankrupts, against whom a decree pro confession has been obtained in this cause, that of his own knowledge none of the said defendant are engaged in the Military Services of The United States at this time nor have any of them been so engaged within three months prior to filing of this Bill of Complaint.

A. Sydney Gadd Jr.  
Clerk of The Circuit Court for Queen Anne's  
County.

Filed March 4th, 1942.

.....  
DEPOSITIONS  
ADDITIONAL TESTIMONY  
Filed March 9th, 1942.

Nina Bryan Wuster and E. Albert Wuster,  
her husband, et al.,  
Plaintiffs,

vs

Albert W. Bryan, Infant, et al.,  
Defendants.

: In the Circuit Court for  
:  
: Queen Anne's County,  
:  
: in Equity.  
:  
: Cause No. 3284.  
:

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Having been requested by Richard T. Earle, attorney for the Plaintiffs, to set a time for the taking of further testimony that he desired to introduce in this case, I set March the 9th, 1942, at 10'Clock A.M. at the office of Richard T. Earle, in Centreville, Maryland, at which time there was present the said Richard T. Earle and David D. Taylor, a witness produced on the part of the plaintiff.

Mr. Taylor having been first by me, gave the following deposition, the questions being asked by Richard T. Earle,

Quest. 1. Mr. Taylor state your name, age, residence and occupation?

Ans. My name is David D. Taylor, I am 75 years of age, I reside on a farm just on the outskirts of Centreville, Maryland, and am a farmer.

Quest. 2 Mr. Taylor did you know the late Annie E. Bryan and Thomas E. Bryan, her husband, if so, did you know the children born to them, if they are living or dead?

Ans. Yes, I knew both Thomas E. Bryan and Annie E. Bryan, his wife, the said Thomas E. Bryan died many years ago, the said Annie E. Bryan, died in the year 1940; I knew their children, Thomas E. Bryan, Raymond C. Bryan, Nina Bryan whom I am advised is now Nina Bryan Wuster, Albert E. Bryan who died a few years ago in France, H. Price Bryan who also died before Albert or his mother and who at the time of his death was in the Army, Helen Bryan who died many years ago in Baltimore City after her marriage to R. Glenn King, I knew all of these children because they resided on a farm only a short distance from my home.

Quest. 3 Mr. Taylor this is a suit for the sale of 25 acres, more or less, of woodland, situate on or near, the road back of Marion Mullikin's adjoining the woodland now owned by Murphy and Hayes, which was formerly owned by Mary J. Tilghman, the woodland, now cut off, formerly owned by Thomas R. L. Price and the lands of others and is more particularly described in a deed, which I now hand you from Thomas Edward Bryan to Annie E. Bryan and marked Plaintiffs Exhibit No. 1, are you familiar with this tract of land or not?

Ans. Yes I am familiar with this land, it contains some of the best timber in that neighborhood scattered throughout its area.

Quest. 4. Mr. Taylor can this woodland in your opinion be divided among the children of Annie E. and Thomas E. Bryan, and the heirs of any deceased child, without loss or injury and would you consider a sale of sale and the dividion of the procedds derived from sale distributed to said heirs to be to the interest and advantage of the owners or not? Answer fully please.

Ans. It would be extremely difficult to divide this woodland among the children of Annie E. Bryan and Thomas E. Bryan and among the heirs of any deceased child or children, if not impossible, for the following reasons, to wit: not only would the land have to be surveyed and laid down into many parts, but since this land has very little value except for the woodleaf on it, and said woodleaf varying greatly in value on different parts of the said land, it would appear to being nearly physically impossible to divide the same without some of the heirs suffering a loss; then again there is no dwelling house on same and there has not been for many years anyone close by to look out for same, this land is surrounded by other woodland or cut over woodland and it nearly invariable happens that there is some of your wood being cut; and in this case there are now none of the heirs even in the County to look out for same, and in my opinion you would in the course of time loose considrrable timber; then again timber is high now and you should secure a fair price for same; I would consider that it would be to the intefest and advantage of all parties to have this woodland sold now and to divide the proceeds among those entitled in fact if can not see how otherwise it can be divided.

Question. Mr. Taylor, in your opinion, what is a fari value for this land?

Answer. I would consider that this land should bring between \$20.00 and \$25.00 per acre.

Examiner's Special I believe if this timber land is now soon sold that other people will soon cut the lumber off.

David D. Taylor

There being no other witnesses present to be examined and Counsel not desiring further time for the prodcution of evidence, your examiner herewith respectfully makes his return together with the copy of the deed heretofore filrd as an exhibit in this cause, marked " Plaintiffs Exhibit #1" and used with this witness as a part of his evidence, and certify that I was engaged as such examiner one day and examin@ ed one witness, making costs chargeable to Plaintiffs as follows, to wit:

Charles E. Tucker, Examiner, \$4.00  
David D. Taylor, Witness, \$.75  
\$4.75

Respectfully submitted,

Charles E. Tucker  
Examiner.

Filed Mar 9th, 1942.

.....  
PETITION FOR NOTICE TO CREDITORS HELEN  
BRYAN KING AND WILLIAM ALBERT BRYAN  
Filed March 25th, 1942.

Nina Bryan Wuster, et al : In the Circuit Court for Queen  
Plaintiffs, :  
 : Anne's County  
vs :  
 : In Equity.  
Albert W. Bryah, Infant, et al. : Cause No. 3284  
Defendants. :

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of Nina Bryan Wuster et al, plaintiffs to your Honors, respectfully shows:

That since it does not appear that notice to creditors have been given in the estate of Helen Bryan King, deceased and William Albert Bryan, deceased, your petitioners respectfully prays that an Notice to creditors be given so that any one holding claims against either of said estate may file their claims properly authenticated in this cause.

Respectfully submitted,

Richard T. Earle  
Atty, for Plaintiffs.

Filed March 23rd, 1942.

Notice to Creditors.

ORDERED this 24th day of March, 1942 by the Circuit Court for Queen Anne's County in Equity, and by the authority of said Court, that the creditors of Helen Bryan King and Albert W. Bryan, both deceased, file their claims properly authenticated, with the Clerk of said Court on or before the 26th day of May, 1942, or be excluded from participation in the distribution of the proceeds of the sale of the real estate mentioned in these proceedings; provided a copy of this order be inserted in a newspaper printed and published in Queen Anne's County, Maryland, once a week for four successive weeks before the 20th day of April, 1942.

Stephen R. Collins

Filed March 25th, 1942.

.....  
FINAL DECREE OF SALE  
Filed March 25th, 1942.

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY IN EQUITY.

Nina Bryan Wuster and E. Albert Wuster,  
her husband  
Nina Bryan Wuster, Administratrix d.b.n.  
of H. Price Bryan,  
Albert W. Bryan, and Marc M. Bryan, Infants,  
by their mother and next friend, Germaine Bryan,  
Germaine Bryan, R. Glenn King, and Richard T.  
Earle.

Plaintiffs,

Cause No. 3284

vs

Albert W. Bryan, Infant, and Marc M. Bryan,  
Infant, Thomas E. Bryan,  
Raymond C. Bryan and Alice T. Bryan, his wife,  
John Palmer Smith, Cora T. Jump,  
Margaret M. Seward, Charles M. Jump,  
Frank Jump. Thomas J. Keating, Jr., Surviving  
Trustee for Forman and Mason, Bankrupts,  
Defendants.

FINAL DECREE

This cause standing ready for hearing and being submitted without argument all the proceedings were read and considered.

It is thereupon this 24th day of March in the year nineteen hundred and forty two by The Circuit Court for Queen Anne's County in Equity and by the authority of said Court, adjudged, ordered and decreed that the real estate mentioned in these proceedings be sold; that Richard T. Earle of Queen Anne's County, Maryland, be and he is hereby appointed Trustee to make said sale, and that the course and manner of his proceedings shall be as follows; he shall first file with the Clerk of this Court a bond to the State of Maryland, executed by himself and a surety or sureties, to be approved by this Court or the Clerk thereof, in the penalty of Seven Hundred Dollars, if corporate be given or in double said amount if personal surety be given conditioned for the faithful performance of the trust reposed in him by this decree or to be reposed in him by any future decree or order in the premises the shall then proceed to make sale, having given at least three weeks previous notice by advertisement, inserted in a newspaper or newspapers published in Queen Anne's County, Maryland, and such other notice as he shall think proper, of the time, place and terms of sale, which terms shall be one third of the purchase money in cash on day of sale balance upon ratification of sale or all cash at the option of the purchaser, the credit payment if any to bear interest from the day of sale and to be secured to the satisfaction of the trustee. The said Trustee shall return to this Court a full and particular account of his proceedings relative to said sale, with an annexed affidavit of the truth thereof and of the fairness of said sale; and on obtaining the Court's ratification of the sale and the payment of the whole purchase money ( and not before) the said trustee shall by a good and sufficient deed to be executed, acknowledged and recorded according to law, convey to the purchaser or purchasers, his, her or their heirs, the property and estate to him, her or them sold, free, clear and discharged from all claims by the parties hereto, plaintiffs and defendants, and those claiming by, from or under them or any of them; and the said trustee shall bring into this Court the money arising from said sale, and after deducting the costs of this suit and such commissions to the said trustee as this Court shall think proper to allow in consideration of the skill, attention and fidelity wherewith he shall appear to have discharged his trust, distribute the balance thereof under any further order of this Court,

Stephen R. Collins

Filed March 25th, 1942.

.....  
CERTIFIED COPY OF TRUSTEE'S BOND  
Filed March 25th, 1942

KNOW ALL MEN BY THESE PRESENTS, That we, Richard T. Earle of Queen Anne's County, State of Maryland, as principal, and Yhe Glens Falls Indemnity Company of New York, a body corporate, authorized by its charter to become sole surety on bonds, as surety, are held and firmly bound unto The State of Maryland in the full and just sum of Seven Hundred Dollars (\$700.00) current money to be paid to the said State of Maryland or its certain attorney, to which payment well and truly to be made and gone, we bind ourselves, our and each of our heirs, personal representatives, successors and assigns, jointly and severally by these presents, sealed with our seals and dated this 25th day of March, in the year nineteen hundred and forty two.

WHEREAS, the above bounden Richard T. Earle by virtue of a decree of the Circuit Court for Queen Anne's County in Equity has been appointed trustee to sell the real estate mentioned in the proceedings wherein Nina Bryan Wuster et al., are plaintiffs, and Albert W. Bryan, Infant, et al., are defendants, being cause No. 3284 in said Court now pending.

Now the condition of the above obligation is such that if the above bounden Richard T. Earle does and shall well and faithfully perform the trust reposed in him him by said decree or that may be reposed in him by any future decree or order in the premises, then the above obligation shall be void, otherwise to be and remain in full force and virtue in law.

Signed, sealed and delivered  
in presence of

Richard T. Earle (SEAL)  
RICHARD T. EARLE

Miss Marilee Holden

Corp.  
Seal.

The Glens Falls Indemnity Company  
of New York

By L. Herman Meredith  
L. Herman Meredith Attorney

And on the back of the foregoing Bond was thus endorsed to wit:  
Filed March 25th., 1942 and security approved.

A. Sydney Gadd Jr. Clerk

STATE OF MARYLAND  
QUEEN ANNES COUNTY TO WIT:

I hereby Certify that the foregoing is truly taken and copied from  
W. H. C. Nol, folio 202 A Bond Record Book for Queen Anne's County.

Seals Place.

In Testimony Whereof I have hereunto subscribed  
my name and affixed the Seal of the Circuit Court  
for Queen Anne's County on this 25th day of March  
in the year nineteen hundred and forty two.

A. Sydney Gadd Jr. Clerk

.....  
REPORT OF SALE  
Filed April 22, 1942

Nina Bryan Wuster et al.,  
Plaintiffs,

vs

Albert W. Bryan, Infant, et al.,  
Defendants.

: In the Circuit Court for Queen  
:  
: Anne's County, in Equity  
:  
: Cause No. 3284  
:  
:

REPORT OF SALE

To the Honorable, the judges of said Court:

That the undersigned trustees after complying with a decree of this Court as regards to the bond to be filed herein and having given more than three weeks previous notice of the time and terms of sale, did on Tuesday, April 21st., 1942, between the hours of 1 and 2 o'clock, P.M., in front of the Court House, in Centreville, Queen Anne's County, Maryland, offer the land in these proceedings for sale to the highest bidder, and sold the same to Oliver C. Jones and Susie H. Jones, his wife, as tenants by the entirities, they being then and there the highest bidder, at and for the sum of FIVE HUNDRED DOLLARS (\$500.00) and that the purchasers have made full settlement for same. You trustee attached thereto a certificate showing the advertisement of said real estate in Queen Anne's Record Observer for four successive weeks before the day of sale.

Respectfully submitted,

Richard T. Earle  
Trustee.

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit;

I hereby certify that on this 22nd day of April, in the year nineteen

hundred and forty two personally appeared before me, the subscriber, The Clerk of the Circuit Court for Queen Anne's County, Richard T. Earle, Trustee in the above entitled cause, and made oath in due form of law that the matters and facts setforth in the within and aforegoing report of sale are true as therein stated and that said sale was fairly made.

A. Sydney Gadd Jr. Clerk

Filed April 22, 1942.

.....  
CERTIFICATE OF PUBLIC SALE  
Filed April 22, 1942.

Legal Notices  
PUBLIC SALE OF VALUABLE REAL ESTATE

The undersigned Trustee through, under and by virtue of a decree of the Circuit Court for Queen Anne's County in Equity, passed on March 24th, 1942, in a cause in said Court wherein Nina Bryan Wuster, et al. were plaintiffs and Albert W. Bryan et al. were defendants, the same being No. 3284 in said Court, will offer at public sale in front of the Court House in Centreville, Queen Anne's County, Maryland, on TUESDAY, APRIL 21, 1942 between the hours of 1 and 2 o'clock P.M.

All that lot or tract of land of woodland, containing 25 acres of land, more or less, situate, lying and being in the Third Elceton District of Queen Anne's County, Maryland, on the public road leading from Centreville to Bloomingdale Farm, Queenstown road via Wye Mills, adjoining the Woodland of Murphy and Hayes, the lands formerly owned by Thomas R. L. Price and the lands of others known as " The James T. Earle Woolot".

Terms of sale: One third of the purchase money in cash upon the day of sale, the balance upon the ratification of sale, the credit payment to bear interest from the day of sale and to be secured to the satisfaction of the trustee, or all cash at the option of the purchaser. Title papers and Stamps to be at the expense of the purchaser, taxes for the year 1941 to be paid by trustee.

RICHARD T. EARLE  
Trustee.

J. Elmer Anthony, Auctioneer.

QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. April 22, 1942.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO. hereby certifies that the Public Sale of valuable Real Estate in the case of Nina Bryan Wuster versus Albert Bryan a true copy of which is hereto annexed, was inserted in the QUEEN ANNE'S RECORD - OBSERVER, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week for four (4) consecutive weeks the first publication thereof having been made in said newspaper on the 26th day of March 1942, being more than three weeks before the 21st day of April 1942.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO.

By Myrtle M. Lewis

Filed April 22, 1942.

.....  
N I S I  
Filed April 22, 1942.

N I S I

Nine Bryan Wuster et al.,  
Plaintiffs,

vs

Albert W. Bryan, Infant, et al  
Defendants.

: In the Circuit Court for Queen  
:  
: Anne's County, In Equity.  
:  
:  
: Chancery No. 3284.  
:

ORDERED, This 22nd day of April A. D., 1942, that the sale of real estate made and reported in this cause by Richard T. Earle, Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 23rd day of June next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 23rd day of May next.

The Report states the amount of sales to be \$500.00

A. Sydney Gadd Jr. Clerk

Filed April 22, 1942.

.....  
CERTIFICATE OF NOTICE TO CREDITORS  
Filed June 24, 1942.

NOTICE TO CREDITORS



Nina Bryan Wuster et al  
 Plaintiffs,  
 vs  
 Albert W. Bryan, Infant, et al.,  
 Defendants.

: In the Circuit Court for Queen  
 :  
 : Anne's County,  
 :  
 : In Equity.  
 : Cause No. 3284

ORDERED, This 24th day of March, 1942, by the Circuit Court for Queen Anne's County in Equity, and by the authority of said Court, that the Creditors of Helen Bryan King and Albert W. Bryan, both deceased, file their claims, properly authenticated, with the Clerk of said Court on or before the 26th day of May, 1942, or be excluded from participation in the distribution of the proceeds of the sale of the real estate mentioned in these proceedings; provided a copy of this order be inserted in a newspaper printed and published in Queen Anne's County, Maryland, once a week for four successive weeks before the 20th day of April, 1942.

True Copy  
 Test: Stephen R. Collins  
 A. Sidney Gadd Jr. Clerk  
 Filed March 25th, 1942.

QUEEN ANNE'S RECORD - OBSERVER  
 Centreville, Md. June 18, 1942.  
 THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO. hereby certifies that the Notice to Creditors in the case of Nina Bryan Wuster et al vs Albert Bryan et al Chan. 3284 a true copy of which is hereto annexed, was inserted in the QUEEN ANNE'S RECORD - OBSERVER, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week for four (4) successive weeks the first publication thereof having been made in said newspaper on the 26th day of March, 1942, being more than four weeks before the 20th day of April 1942.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO.  
 By Myrtle M. Lewis  
 Filed Jun@ 24, 1942.

.....  
 CERTIFICATE OF NISI  
 Filed June 24, 1942.

N I S I  
 Nine Bryan Wuster, et al.,  
 Plaintiffs,  
 vs  
 Albert W. Bryan, Infant et al.,  
 Defendants.

: In the Circuit Court for  
 :  
 : Queen Anne's County,  
 :  
 : in Equity,  
 :  
 : Chancery No. 3284.

ORDERED, This 22nd day of April A. D., 1942, that the sale of real estate made and reported in this cause by Richard T. Earle, Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 23rd day of June next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 23rd day of May next.

The Report states the amount of sales to be \$500.00.  
 A. SYDNEY GADD JR.  
 Clerk  
 True Copy  
 Test: A. SYDNEY GADD JR.  
 Clerk  
 Filed April 22, 1942.

QUEEN ANNE'S RECORD - OBSERVER  
 Centreville, Md. June 18, 1942.  
 THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO. hereby certifies that the annexed Nisi to report of Sale in the case of Nina Bryan et al vs Albert Bryan infant et al Chan 3284 a true copy of which is hereto annexed was inserted in the Queen Anne's Record Observer, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week for four (4) successive weeks the first publication thereof having been made in said newspaper on the 23rd day of April 1942 being more than four weeks before the 23rd day of May 1942.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO.  
 By Myrtle M. Lewis  
 Filed June 24th, 1942.

.....  
 ORDER OF COURT  
 Filed June 26th, 1942.

Nina Bryan Wuster et al  
 vs  
 Albert W. Bryan, Infant et al

: In the Circuit Court for  
 :  
 : Queen Anne's County in Equity  
 :  
 : Cause No. 3284.

ORDERED, this 25th day of June in the year nineteen hundred and forty two, by the Circuit Court for Queen Anne's County in Equity, that the sale of the real estate made and report by Richard T. Earle, Trustee in the above entitled cause be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, although due notices appears to have been given as required by the preceding order nisi. The Trustee is allowed the usual commissions and all expenses not personal, upon producing proper vouchers therefore before the auditor.

Stephen R. Collins  
Judge

Filed June 26th, 1942

REPORT AND ACCOUNT OF THE AUDITOR  
Filed July 15, 1942.

In the Circuit Court for Queen Anne's County, in Equity.

Nina Bryan Wuster, et al	:	
	:	CHANCERY DOCKET
versus	:	
	:	CAUSE NO. 3284.
Albert W. Bryan, Infant, et al.	:	

To the Honorable, the Judges of said Court:-

The Report of Madison Brown, your auditor, unto your Honors respectfully sets forth:-

1. That prior to the statement of the within account he examined the Bill of Complaint, the Exhibits thereof, the Testimony filed in this Cause and the other proceedings thereof; that the testimony is meager and this Report is based on the allegations of the Bill of Complaint where the testimony is insufficient.

2. That according to Paragraph 1 of the Bill of Complaint Thomas E. Bryan by the deed described in said paragraph conveyed certain land which is the same land afterwards sold in these proceedings to his wife, Annie E. Bryan for her life with remainder to the heirs of his body begotten of his wife, Annie E. Bryan.

3. That the said Thomas E. Bryan died in or about the year 1900 (see paragraph 2 of the Bill) and his wife died in May, 1940 (see paragraph 3 of the Bill).

4. That according to paragraph 2 of the bill and the testimony the said Thomas E. Bryan had the following heirs of his body begotten of his said wife.

1. Thomas E. Bryan, a son and a party to this suit;
2. Nina Bryan, a daughter who became by marriage, Nina Bryan Wuster and who is now a party to this suit (see paragraph 6 of the bill);
3. Raymond C. Bryan, a son and a party to this suit;
4. Helen Bryan, a daughter who died in 1920, having married one R. Glenn King, she left a last will and testament by which she left all her property, real and personal to her husband, R. Glenn King who is party to this suit (see paragraph 7 of the bill);
5. Albert William Bryan, a son who died between 1936 and 1940 and Who left as his only heirs at law a widow named Germaine Bryan and two sons, Albert W. Bryan and Marc Bryan or Marc M. Bryan, (see paragraph 5 of this bill).  
This widow and these two sons are parties to this suit.
6. H. Price Bryan who died intestate in 1936 (see paragraph 9 of the bill) He never married (see testimony of Mrs. Juliet Price) his mother Annie E. Bryan survived him. (See bill and testimony).

5. That the bill of Complaint of this cause was filed herein July 26th, 1941 and the same states that on that date the following named persons were seized and possessed of the real estate described in the bill and sold in the proceedings of this cause, to wit:

1. Thomas E. Bryan the son named above who according to the Bill is entitled to one sixth interest in said land subject to a judgment in favor of Richard T. Earle (see paragraph 4 of the bill).  
This judgment has been filed in this cause as a claim against the interest in the sales of said Thomas E. Bryan.
2. Germaine Bryan, Albert W. Bryan, Marc M. Bryan, parties named above and the bill states that each is entitled to one eighteenth interest in the land. (See paragraph 5 of the Bill)
3. Nina Bryan Wuster above mentioned and the Bill states that she is entitled to one sixth interest in the land, (See paragraph of the bill).
4. R. Glenn King, said devisee of Helen Bryan King and the Bill states that he is entitled to one sixth interest in the land.
5. Raymond C. Bryan, the son above named and the Bill states that he is entitled to one sixth interest in the land subject to a judgment in favor of John Palmer Smith. (See paragraph 8 of the Bill).  
Note: This Judgment has been filed as a claim against Raymond C. Bryan and the amount due thereunder is more than sufficient to consume the interest of Raymond C. Bryan in the land.
6. H. Price Bryan, the son above named who is stated in the Bill to have one sixth interest in the land.  
The bill intended to state that his heirs or heir at law at the time the Bill was filed were or was entitled to said interest for he was dead when the bill was filed and his heirs or heir are or is not included in the bill.

6. That while the Bill of Complaint, paragraph 10 states it will be to the interest and advantage of all the parties interested to sell the land mentioned in the bill yet it appears that the real object of the bill according to the same (see paragraph or prayer 2 of the bill), and the testimony is to have the land sold for the purpose of partition or division of the proceeds of the sale among the parties entitled to the land.

No reason appears for any investment of the proceeds of the sale of the land as is usual to sales made for "interest and advantage" and no reason appears why the proceeds of sale should not be divided among the parties entitled thereto.

7. That in the within account the auditor has charged Richard T. Earle the trustee appointed to make sale of the land sold in this cause with the gross amount of the sale made by him and has then thereout allowed unto him his commissions for making the sale according to the rule of the court, the court costs of this cause, per bill of costs made out of the clerk of the court, the costs of advertising notices of the sale, the several orders nisi of the cause, notice to creditors, the charges of the auctioneer for selling the land, the cost of his bond and the fee of the auditor.

The amount of the gross sale remaining after said allowances thereout is the sum of #300.55 and this amount is the amount of the net sale for distribution among the co-owners of the land.

8. The net sale mentioned is distributed in the within account save and except the share therein of H? Price Bryan.

The amount each co-owner is entitled to is \$50.10 and distribution is made in the following manner.

Richard T. Earle out of the share of Thomas E. Bryan is allowed the full amount of his judgment claim against Thomas E. Bryan and the balance of his share is distributed to Thomas E. Bryan.

The share of Helen Bryan King is awarded or distributed unto R. Glenn King.

The share of Raymond C. Bryan is awarded unto John Palmer Smith in part payment of his judgment claim filed against John Palmer Smith.

The share of Albert C. Bryan is divided equally between his widow and his two sons.

As to the share of H. Price Bryan:

This is left in the hands of the trustee to remain subject to the future order of the court for as the heirs of H. Price Bryan are not named in the bill and have not been made parties to the bill and as no creditors' proceeding to secure this share has been filed it does not appear to the auditor who may be entitled to this share.

Which is respectfully submitted,

Madison Brown  
AUDITOR

JULY 14th, 1942  
Filed July 15, 1942.

CAUSE NO. 3284

The proceeds of the sale of the real estate of Nina Bryan Wuster and others in account with Richard T. Earle, the trustee appointed by the decree passed in this cause to sell said real estate.

CR.

1942 - April 21st.

By amount of the sale of said real estate made on above date by said trustee per his report of sale filed in this cause, to wit: .....\$500.00

DR.

To Richard T. Earle, trustee, for his commissions for making the sale per decree and rule of Court, the sum of .....\$35.00

To do., for the Court costs of this Cause per Bill of Costs as taxed by the Clerk of this Court, to wit: Costs of clerk, .....\$56.80  
Costs of Sheriff of Queen Anne's County, .....4.50  
Talbot County, ..... .90  
Baltimore City, ..... 2.85  
Costs of Examiners, .....12.00  
Fees of witnesses before Examiner, ..... 3.00  
Fee of guardian ad litem ..... 4.00  
Appearance of R. T. Earle, .....10.00      \$94.05

To do., for costs of advertising in Centreville Newspaper, the notices of sale, ..... 22.50  
Order nisi on sale, ..... 5.00  
notice to creditors, ..... 5.00  
order nisi on audit, ..... 3.50  
36.00

less discount allowed of .....	3.60	
so amount paid is .....	32.40	32.40
per receipted account exhibited,		
To dol, for amount paid J. E. Anthony, auctioneer for crying sale, per his receipt for same exhibited, sum of .....		10.00
To do., for the costs of his bond filed herein paid to the corporate surety on said bond, per receipted account exhibited, the sum of .....		10.00
To Madison Brown, auditor for stating this account, the sum of .....		18.00
		<u>199.45</u>
To balance net sale, distributed herein below, sum of.....		300.55
		<u>500.00</u> \$500.00

CAUSE NO. 3284

CR.

By balance or amount of the net sale brought over, to wit: ..... 300.55

DR.

Distribution among the heirs of the body of Thomas E. Bryan begotten of Annie E. Bryan, his wife, and/or their assigns:

To Nina Bryan Wuster, daughter of said Thomas E. and Annie E. Bryan is distributed 1/6 of said balance, to wit:  
the sum of .....\$50.10

The share of Thomas E. Bryan a son of said Thomas E. and Annie E. Bryan, 1/6 of said balance is distributed as follows:

To Richard T. Earle in full payment of his judgment claim filed against said son the sum of.....\$31.61

To Thomas E. Bryan, said son, in his own right is distributed the sum of ..... 18.48  
amount so distributed ..... 50.09      \$50.09

The share of Helen Bryan King, the daughter of said Thomas E. and Annie E. Bryan, is distributed as follows, to wit;

To R. Glenn King, the devisee of Helen Bryan King under her will of all her property is distributed 1/6 of said balance, to wit: ..... 50.09

The share of Raymond C. Bryan, son of said Thomas E. and Annie E. Bryan is distributed as follows, to wit: .

To John Palmer Smith, judgment creditor of Raymond C. Bryan in part of his judgment claim filed herein is distributed 1/6 of said balance, to wit;  
the sum of ..... 50.09

The share of Albert William Bryan, deceased son of said Thomas E. Bryan and Annie E. Bryan if distributed as follows, to wit:

To Germaine Bryan, his wife 1/3 of 1/6 of said balance, to wit: .....\$16.69

To Albert W. Bryan, his son, infant 1/3 of 1/6 of said balance, .....\$ 16.70

To Marc M. Bryan, his son, infant 1/3 of 1/6 of said balance, Total so distributed, ..... 16.70  
\$ 50.09      50.09

CAUSE NO. 3284

DR.

As to the share of H. Price Bryan, deceased son of said Thomas E. Bryan and Annie E. Bryan, his wife, is not distributed for reasons set forth in the Report of the Auditor attached to this Account.

To the share of H. Price Bryan, 1/6 of said balance, to wit:  
the sum of ..... 50.09  
is not distributed but is left in the hands of Richard T. Earle, the trustee of this cause, subject to the future order of this Court.

amount distributed above \$250.46  
 amount undistributed above 50.09  
 Total above .....\$ 300.55 \$300.55  
 Amount of the net sale for distribution brought forward . \$300.55

July 14, 1942.

Filed July 15th, 1942.

Madison Brown  
 AUDITOR

.....EE.....  
 NISI RATIFICATION OF AUDIT  
 Filed July 15th, 1942.

NISI RATIFICATION OF AUDIT

Nina Bryan Wuster, et al. : In the Circuit Court for Queen  
 vs : Anne's County in Equity  
 Albert W. Bryan, infant, et al. : Cause No. 3284

ORDERED, This 15th day of July in the year nineteen hundred and forty two that the Report and Account filed in these proceedings by Madison Brown, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 8th day of August, 1942, provided a copy of this order be published once a week in each of two successive weeks before the 1st day of August, 1942, in some newspaper printed and published in Queen Anne's County.

A. Sydney Gadd Jr. Clerk

Filed July 15, 1942.

.....  
 NISI RATIFICATION OF AUDIT WITH  
 CERTIFICATE.  
 Filed August 10th, 1942.

NISI RATIFICATION OF AUDIT

Nina Bryan, Wuster, et al. : In the Circuit Court for  
 vs : Queen Anne's County, in Equity  
 Albert W. Bryan, infant, et al. : Cause No. 3284.

ORDERED, This 15th day of July in the year nineteen hundred and forty two, that the Report and Account filed in these proceedings by Madison Brown, auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 8th day of August, 1942; provided a copy of this order be published once a week in each of two successive weeks before the 1st day of August, 1942, in some newspaper printed and published in Queen Anne's County.

A. SIDNEY GADD JR.  
 Clerk

True Copy  
 Test: A. SIDNEY GADD JR.  
 Clerk

Filed July 15, 1942.

QUEEN ANNE'S RECORD - OBSERVER  
 Centreville, Md. Aug. 10, 1942.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO. hereby certifies that the Nisi Ratification of Audit in the case of Nina Bryan Wuster, et al vs, Albert W. Bryan, infant, et al a true copy of which is hereto annexed, was inserted in the QUEEN ANNE'S RECORD -OBSERVER, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week for two (2) successive weeks the first publication thereof having been made in said newspaper on the 16th day of July 1942, being more than two (2) weeks before the 1st day of August 1942.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO.  
 By Myrtle M. Lewis

Filed August 10th, 1942.

.....  
 CLERK'S CERTIFICATE  
 Filed Aug. 10, 1942.

CLERK'S CERTIFICATE

Nina Bryan Wuster, et al : In the Circuit Court for Queen Anne's County,  
 vs : In Equity  
 Albert W. Bryan, et al. : Chancery No. 3284.

I hereby certify that no objections to the ratification of the audit have been filed in the above entitled proceedings, and that all taxed costs as stated in the Auditor's Account filed in this cause on the 15th day of July 1942, have been paid in accordance with the requirements of Section 26 of Articles 17 of the Code of Public General Laws.

Seals Place.

In testimony whereof, I have hereunto set my hand and theseal of the Circuit Court for Queen Anne's County affixed this 10th day of August, 1942.

A. Sydney Gadd Jr. Clerk

.....  
 A U D I T N O 2  
 Filed Oct 7, 1942.

In the Circuit Court for Queen Anne's County, in Equity.

Nina Bryan Wuster, et al. :  
 : Chancery Docket  
 versus :  
 : Cause No. 3284.  
 Albert W. Bryan, et al. :

To the Honorable, the Judges of said Court:

The Report of Madison Brown, your auditor, unto Your Honors respectfully setforth:-

1. That by Audit No.1 filed in this Cause on July 15, 1942 the entire proceeds of the sale described in this Cause were distributed except that share thereof which by that audit was ascertained to be the share of Howard Price Bryan (mentioned in these proceedings) or of his heir at law. While this share was by said audit ascertained to be in amount, the sum of \$50.09, the same was not distributed nor allotted to anyone for the testimony which had then been taken did not show to whom this share should be distributed as the person entitled thereto at the time of the audit as the heir at law of Howard Price Bryan and accordingly this share of sum of money of \$40.09 was left in the hands of the trustee to wait further action in this Cause.
2. One Nina Bryan Wuster has filed with the auditor her claim to this sum of money or share of the sale above mentioned, as filed with the auditor in support thereof a certified copy of the last Will & Testament of one Annie E. Bryan and as the basis of this claim and requested the auditor to take additional testimony to support her claim mentioned. The auditor has taken the testimony at her request for that purpose, has returned it to the Court in this Cause including as part thereof, the certified copy of the last Will & Testament mentioned above.
3. It appears from this additional testimony attached herewith as follows: to wit:
  - a. That Howard Price Bryan was the son of that Thomas E. Bryan who made the deed mentioned and described in the proceedings of this cause and of Annie E. Bryan, his wife.
  - b. That said Howard Price Bryan died in the lifetime of his mother.
  - c. That when said Howard Price Bryan died he was entitled to a share of the land later sold in the proceedings of this cause.
  - d. That he never married and that he left no descendants to survive him as his heir at law.
  - e. That his mother, Annie E. Bryan, survived him as his only heir at law.
  - f. That the said Annie E. Bryan died in May, 1940, leaving a last Will & Testament duly executed to pass real estate which shortly after her death was duly admitted to probate before the Orphans' Court of this County. (This is the last will and testament mentioned above).
  - g. That it appears from said will that the said Annie E. Bryan left all her estate and property, real and personal, unto her daughter Nina Bryan White.
  - h. That said Nina Bryan White, the daughter of the testator named in her will, is now through marriage Nina Bryan Wuster who has filed with the auditor her claim to the share of the sale of Howard Price, Bryan, as above setforth.
4. That the auditor has stated the annexed audit or account by first charging Richard T. Earle, the trustee of the Cause, with the sum of \$50.09 mentioned above and now in his hands undistributed and then has thereout by the audit allowed unto him, the cost of advertising the order nisi to be passed as to this audit, the costs of this audit and other costs herein arising since the first audit, including the cost of the certified copy of the will mentioned above and the fee of the auditor which includes the cost of taking the testimony mentioned as returned, and these allowances to the trustee equal the amount charged to the trustee.
5. That the audit so filed now closes the charges against the trustee.

Which is respectfully submitted,

Madison Brown  
 AUDITOR

October 6, 1942.

Filed October 7, 1942.

In the Circuit Court for Queen Anne's County, in Equity.

Nina Bryan Wuster, et al., :  
 : Chancery Docket  
 versus :  
 : Cause No. 3284.  
 Albert W. Bryan, et al., :

CR.

1942  
April

21 By that part of the sale of the real estate sold in this Cause which (as will appear from Audit No.1 heretofore filed in this Cause), is the net share of Howard Price Bryan in the sale of the real estate of this Cause and by said Audit No. 1 was set apart for the use of the said Howard Price Bryan or of his heir but not therein distributed, to wit: the sum of.....\$ 50.09

1942  
April

DR.

21 To Richard T. Earle, the trustee of the cause for the costs of advertising the order nisi to be passed as to this audit, the sum of .....\$3.50

To do., for the costs due the Register of Wills for making the certified copy of the will of Annie E. Bryan, filed in this cause, sum of.....2.25

To do., for the costs due to the clerk of this Court under this new audit and the proceedings of this Cause arising after the filing of Audit No. 1, per bill of costs made by clerk, the sum of .....7.50

To Madison Brown, auditor, for stating this audit and taking and returning testimony filed, including the costs of his stenographer in taking testimony, the sum of .....6.84

To Nina Bryan Wuster, this balance, to wit: ..... 30.00

\$ 50.09      \$ 50.09

Madison Brown  
Auditor

October 6, 1942.  
Filed Oct 7, 1942.

TESTIMONY  
Filed Oct 7, 1942.

In the Circuit Court for Queen Anne's County, in Equity.

Nina Bryan Wuster, et al.,                     :  
   : Chancery Docket  
   :  
   : Cause No. 3284  
   :  
Albert W. Bryan, et al.                         :

To the Honorable, the Judges of said Court:-

The following is the testimony which the auditor has taken at the request of Nina Bryan Wuster and for the purpose of ascertaining the manner of distributing the sum of \$50.09 mentioned in Audit No. 1, as the share of Howard Price Bryan. Richard T. Earle was the witness produced on behalf of Nina Bryan Wuster and was first duly sworn by the auditor and he then did depose and say in answer to the questions by the auditor:

Question No. 1:

Mr. Earle, please state your name, your place of residence and your occupation.

Answer by Mr. Earle: My name is Richard T. Earle. I reside in Centreville, Maryland and I am by profession a lawyer.

Question No. 2:

One Howard Price Bryan has been mentioned in these proceedings as the deceased son of Thomas E. Bryan who made the Deed of Trust rather Deed of Land mentioned in this cause and of Annie E. Bryan, his wife, State if you knew him, for how long and when he died:

Answer: I knew him many years ago and when we were boys, He died in the year 1936. I knew the members of his family as well as him and did business for them from time to time,

Question No. 3:

Can you state whether he died testate or intestate and state if you knew whom he left behind him as his heirs at law.

Answer: From my business connections with his family I can state that I know he died without leaving a last will and testament, I know that he never married and that he left no descendants to survive him as heirs at law. His mother, Annie E. Bryan survived him as his only heir at law and his father pre-deceased him.

Question No. 4:

State if you know when his mother died: His mother died in May 1940.

Question No. 5:

State if you know whether his mother died testate or intestate: From my business connection with him mother and with her family I can state that to my knowledge his mother died leaving a last will and testament and that the same shortly after her death was admitted to probate before the Orphans' Court of Queen Anne's County.

Question No. 6:

I will now hand you for your examination a paper writing purporting to be the last will and testament of Annie E. Bryan, Examine it and state what/is. It has already been filed with the auditor.

Answer: I know to my knowledge that this paper you have just handed to me is a certified copy of the last will and testament left by Annie E. Bryan and this Annie E. Bryan is the same Annie E. Bryan who was the mother of Howard Price Bryan.

Question No. 7:

State if you know who is the person called Nina Bryan White in the last will and testament of Annie E. Bryan:

Answer : I know of my own knowledge that Nina Bryan White named in the will of her mother, Annie E. Bryan, is the same person who is named and called Nina Bryan Wuster, in the proceedings of this cause and that she is the same person who filed with the auditor in this cause a claim to the share of Howard Price Bryan mentioned and described in the first audit filed in this cause.

Nina Bryan Wuster is the person who is now entitled under the will of her mother, Annie E. Bryan, to the estate and property left by Annie E. Bryan, her mother. The share of the land described in this Cause which passed from Howard Price Bryan to his mother as his heir is the same share which passed from Annie E. Bryan to her daughter Nina Bryan White, now called Nina Bryan Wuster under the will of the mother.

The auditor at this point asks Mr. Earle this Question:

Do you know or can you state any other matter or thing which may be of benefit or advantage to the parties to this Cause or either of them or that may be material to the subject of this, your examination or the matters in question between the parties?

If Ye, state the same, fully and at large in your answer.

To this question Mr. Earle answered as follows, to wit:

I do not.

Richard T. Earle

Madison Brown  
Auditor

Filed Oct 7, 1942.

.....  
CLAIM OF NINA BRYAN WUSTER TO  
DISTRIBUTORS SHARE OF H. PRICE  
BRYAN.

Filed Oct 7, 1942.

Nina Bryan Wuster et al.,	:	In the Circuit Court for
vs	:	Queen Anne's County, in Equity
Albert W. Bryan, Infant, et al.	:	Cause No. 3284.

To Madison Brown, Auditor of said Court:

The Claimant, Nina Bryan Wuster, by her attorney, Richard T. Earle, to your auditor respectfully shows:

1. That by an audit heretofore filed in this cause, the sum of FIFTY DOLLARS AND NINE CENTS (\$50.09) the net distributive share derived from the sale of real estate sold in this cause to which H. Price Bryan would have been entitled, was by said auditor set aside to be distributed under a future order of this Court, and that said Court, without ratifying said audit, directed the auditor to take all necessary steps to determine and distribute said sum to those entitled.
2. Your petitioner states that the said H. Price Bryan, died intestate, without ever having married and leaving no lawful issue of his body, and that his mother, Annie E. Bryan, was his only heir at law and entitled to whatever estate the said H. Price Bryan died seized and possessed.
3. That Annie E. Bryan, the only heir at law of H. Price Bryan, died in May, 1940, leaving a last will and testament, a certified copy of which is filed herewith as a part hereof, in which she bequeathed and devised here entire estate to your petitioner, designated in said will as Nina Bryan White.
4. Your petitioner claims that she, as the sole legatee and devisee of Annie E. Bryan the only heir at law of H. Price Bryan is entitled to the aforesaid sum, less inheritance tax due by the said Annie E. Bryan and the inheritance tax due by her as devisee of Annie E. Bryan, their being no judgment liens against the said H. Price Bryan unsatisfied or any claim filed in this cause against him., wherefore your petitioner claims the same less the above inheritance tax and any proper costs in the distribution thereof.

Respectfully submitted.

Richard T. Earle  
Atty, for Nina Bryan Wuster

Filed Oct 7th, 1942.



.....  
CERTIFIED COPY OF WILL OF  
ANNIE E. BRYAN.  
Filed October 7, 1942.

I, Annie E. Bryan, of Queen Anne's County, in the State of Maryland, being of sound and disposing mind, memory and understanding, do make, publish and declare this to be my last will and testament, in manner following, that is to say:

After the payment of all my just debts and funeral expenses, I give, devise and bequeath my estate and property as follows:

ITEM ONE. All my estate and property of every kind and description, real, personal and mixed, whenever acquired and wheresoever located, of which I die seized and possessed or in any way entitled to, I do hereby give, devise and bequeath to my daughter, Nina Bryan White, absolutely and in fee simple.

ITEM TWO. I do hereby constitute and appoint my said daughter, Nina Bryan White, to be the Executrix of this my last will and testament, hereby revoking all other wills and testaments heretofore made by me, and it is my desire and I hereby direct that the said Nina Bryan White shall be excused from the necessity of giving bond for the faithful performance of her duties as such Executrix.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and set my seal this 20th day of September, in the year nineteen hundred and thirty five.

Annie E. Bryan (SEAL)

SIGNED, sealed, published and declared by the above named testatrix, Annie E. Bryan, as and for her last will and testament, in the presence of us, who, at her request, in her presence and in the presence of each other, have hereunto subscribed our names as witnesses hereto:

J. Frank Harper

Wm. R. Horney

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

On the 8th day of May, A. D. 1940, came William R. Horney, Custodian of the within and foregoing instrument of writing, purporting to be the last will and testament of Annie E. Bryan late of Queen Anne's County, deceased, and made oath in due form of law, that the foregoing is the true and whole Will of said deceased, that has come to his hand and possession, and that he does not know nor has he heard of any other and that he received the same from the hand of the testatrix on or about 20th day of September A. D. 1935.

Sworn before Norman S. Dudley  
Register of Wills of Queen Anne's County, Md.

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

On the 28th day of May, 1940, came William R. Horney, one of the subscribing witnesses to the foregoing Last Will and Testament of Annie E. Bryan, late of Queen Anne's County, deceased, and made oath in due form of law, that he did see the Testatrix sign and seal said Will, that he heard her publish and declare the same to be her last Will and Testament, and at the time of her so doing, she was to the best of his apprehension, of sound and disposing mind, memory and understanding and that he, together with J. Frank Harper, now deceased, subscribed their names as witnesses to said Will at her request in her presence and in the presence of each other.

Sworn in open Court  
Test: Norman S. Dudley  
Register of Wills for Queen Anne's County, Maryland.

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

On the 28th day of May, 1940, came B. Hackett Turner, Deputy Clerk of the Circuit Court for Queen Anne's County, a credible witness of lawful age, and made oath in due form of law, that he was well acquainted with J. Frank Harper, his handwriting and his signature; and that the said J. Frank Harper is now deceased, and that the name of J. Frank Harper appearing as a subscribing witness on the Last Will and Testament of Annie E. Bryan is in the handwriting of the said J. Frank Harper and it is the true and genuine signature of the said J. Frank Harper.

Sworn in open Court  
Test: Norman S. Dudley  
Register of Wills for Queen Anne's County, Maryland

STATE OF MARYLAND,  
IN THE ORPHANS COURT  
FOR QUEEN ANNE'S COUNTY:

The foregoing Instrument of Writing, purporting to be the last Will and Testament of Annie E. Bryan late of Queen Anne's County, deceased, having been exhibited for probate, and no objection thereto having been made, although notice according to law, appears to have been given to the next relations of said deceased, the Court, after having examined the said Instrument of Writing and also the evidence adduced as to its validity, ORDERS and DECREES, this 28th day of May, A. S., 1942.,

that the same be admitted in this Court as the true and genuine last Will and Testament of the said Annie E. Bryan, deceased,

Henry C. Bowen

C. Tilghman Bishop

Harry B. Moore  
Judges of the Orphans' Court for  
Queen Anne's County.

Filed Oct 7th, 1942.

In the Orphans Court for Queen Anne's County, Maryland, S ct:

The Register of Wills for Queen Anne's County, Maryland, does hereby certify that the within and foregoing is a true copy of the last will and testament of Annie E. Bryan, deceased, as filed and passed in this office on May 28th, 1940 and recorded in Liber N,S.D. No.1, folio 173 Will Record Book in the Orphans' Court for Queen Anne's County, Maryland.

Seals Place.

In testimony Whereof I hereunto subscribe my name and affix the seal of my office this 29th day of September 1942.

Norman S. Dudley  
Register of Wills for Queen Anne's County,  
Maryland

Filed Oct 7, 1942.

.....  
NISI RATIFICATION OF AUDIT  
Filed October 7, 1942.

NISI RATIFICATION OF AUDIT

Nina Bryan Wuster, et al. : In the Circuit Court for  
: Queen Anne's County, in Equity  
vs :  
: Cause No. 3284  
Albert W. Bryan, et al. :  
: Audit No. 2

ORDERED, This 7th day of October in the year nineteen hundred and forty two that the Report and Account filed in these proceedings by Madison Brown, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 31st day of October, 1942; provided a copy of this order be published once a week in each of two successive weeks before the 24th day of October, 1942, in some newspaper printed and published in Queen Anne's County.

A. Sydney Gadd Jr. Clerk

Filed October 7, 1942.

.....  
CERTIFICATE PUBLICATION AUDIT NISI  
Filed Oct 31st. 1942.

NISI RATIFICATION OF AUDIT

Nina Bryan,Wuster, et al., : In the Circuit Court for  
: Queen Anne's County, in Equity  
vs :  
: Cause No. 3284. Audit No. 2.  
Albert W. Bryan, et al. :

ORDERED, This 7th day of October in the year nineteen hundred and forty two that the Report and Account filed in these proceedings by Madison Brown, Auditor, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 31st day of October, 1942, provided a copy of this order be published once a week in each of two successive weeks before the 24th day of October, 1942, in some newspaper printed and published in Queen Anne's County.

A. SYDNEY GADD JR. Clerk

True Copy  
test:/

A. SYDNEY GADD JR. Clerk

Filed October 7, 1942.

QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. Oct 30, 1942.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO. hereby certifies that the Nisi Ratification of Audit in the case of Nina Bryan Wuster, et al vs Albert W. Bryan, et al. a true copy of which is hereto annexed, was inserted in the QUEEN ANNE'S RECORD OBSERVER, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week for two successive weeks the first publication thereof having been made in said newspaper on the 8th day of October, 1942, being more than two weeks before the 24th day of October 1942.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO.

By Myrtle M. Lewis

Filed Oct 31st. 1942.

.....  
ORDER OF COURT  
Filed Nov. 2, 1942

ORDER OF COURT

It is on this 2nd day of November, nineteen hundred and forty two by the Circuit Court for Queen Anne's County in Equity and by the authority of said Court, Ordered, that the aforesaid report and account of Madison Brown, Auditor, be and the same is hereby finally ratified and confirmed, no cause to the contrary thereof having been shown although it, appears Notice has been given in accordance with the Order Nisi heretofore passed in this cause in relation to said report and account; and Richard T. Earle, Trustee in this cause is directed to apply the proceeds of sale accordingly. This audit is ratified in connection with Audit No. 2 in this Cause.

Stephen R. Collins

Filed Nov. 2, 1942.

.....  
ORDER OF COURT  
Filed Nov. 2, 1942.

ORDER OF COURT

Ordered this 2nd day of November, nineteen hundred and forty two, by the Circuit Court for Queen Anne's County, in Equity, that the within and foregoing Audit, stated by Madison Brown, Auditor, in Chancery Cause No. 3284, be and the same, is hereby finally ratified and confirmed, although notice appears to have been given in accordance with the previous order nisi, as shown by certificate of publication thereof, and the Trustee is directed to make disbursements in accordance therewith. This Audit is ratified in connection with Audit No. 1 in this Cause.

Stephen R. Collins

Filed Nov. 2nd, 1942.

## C A U S E N O. 3230--

QUEEN ANNE'S COUNTY, T O W I T: B e it remembered that on this ninth day of December in the year nineteen hundred and thirty nine the following Bill of Complaint was brought to be recorded, to wit:

PLAINTIFF EXHIBIT NO. 1.

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY IN EQUITY

William Chase, William J. Jeffers,  
Albert Jeffers and Ella Green,  
Plaintiffs,

vs

Jennie Cain, Nola Frazier, Charles Jeffers,  
Josephine Hall, Wilson Brown, Asbury Cannidy,  
Charles Jacobs, Thomas Starkey, Elmore Corsey,  
McKinley Corsey, Alberta Poolman, Annie  
Harkness, and Mamie Stewart,  
Defendants.

Cause No. \_\_\_\_\_

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Ourtors complaining says:

1. That Richard Chase, late of Queen Anne's County, Maryland, deceased, was at the time of his death in the year nineteen hundred and four and many years prior, thereto, in possession under a claim of ownership of the following two tracts or parcels of land, conducted as one farm, situate in the First Election District of Queen Anne's County, Maryland, on the public road from Illington to Steven's Corner, one of said tracts consisting of fifty acres of land, more or less, being on the south side of said public road and joins the properties of Mrs. William Ehillips, Mrs. Annie Pennington and the property formerly owned by Willard Biggs and the property of others; the other of said tract consisting of Twelve acres of woodland, more or less; is situate about one half mile from said first tract and joins the Holden's Church Property.
2. The said Richard Chase being in possession under his claim of ownership died leaving a last will and testament, probated on June 27th 1904, before The Orphans Court for Queen Anne's County and duly recorded in Liber R.W. T. No.1, folios 16 &etc., a Will Record Book for Queen Anne' County, a certified copy of which is filed herequith marked Plaintiffs Exhibit No. 1 and prayed to be taken as a part hereof.
3. That by said Will the said Richard Chase devised the above real estate to his wife, Louisa Chase, for her life, and after her death to Mary J. Jeffers, William Chase, Elwood Brown and Annie M. Boo\_\_\_ that Louisa Chase died in the year 1931.
4. That the aforesaid real estate , since the death of the said Richard Chase, has been in the possession of his devisees under a claim of ownership, which has never been questioned.
5. That the said William Chase, one of the plaintiffs in this cause, is seized and possessed of an undivided one quarter interest in the said two tracts of land; under the will of the said Richard Chase.
6. That the said Mary J. Jeffers, mentioned in said will, died intestate, leaving as her only heirs at law, the following children, to wit: William and Albert, plaintiffs, and Jennie Cain, Nola Frazier and Charles Jeffers, defendants in this cause, and that each of said children are seized and possessed of an undivided one twentieth interest in the aforesaid tracts of land.
7. That Elwood Brown, died unmarried and inestate, leaving as his only heirs at law the following, to wit:
  - a. Josephine Hall, sister, who is seized and possessed of an undivided one twelfth interest in said tracts of land.
  - b. The heirs of John Brown, a deceased, brother of Elwood Brown:
    1. Wilson Brown, a son, one of two children of John Brown deceased who is seized and possessed of an undivided one twenty fourth interest in the said tracts of land.
    2. That Asbury Cannidy, one of two children and heirs at law of Gertrude Cannidy nee Brown, deceased, a daughter of John Brown, is seized and possessed of an undivided one forty eighth interest in these tracts
    3. That Charles Jacobs and Thomas Starkey, only heir at law of Grace Cannidy, deceased, daughter of Gertrude Cannidy nee Brown, a deceased daughter of John Brown, are each seized and possessed of an undivided one ninety sixth interest in these tracts of land.
  - c. That Elmore Corsey and McKinley Corsey, the only heirs at law of Catherine Brown, a deceased sister of Elwood Brown, are each seized and possessed of an undivided one forty eighth interest in the said two tracts of land.
8. That Annie M. Boone, devisee under said will, died intestate in the year nineteen hundred and twenty one, leaving as her only heirs, the children of a deceased daughter, Laura Boone, to wit: Alberta Poolman, Annie Harkless, Ella Green and Manie Stewart, who are each seized and possessed of an undivided one sixteenth interest in the aforesaid two tracts of land.
9. That the defendants, Jennie Cain, Josephine Hall, Charles Jacobs and Thomas Starkey all reside near Barclay this County, the defendant, Nola Frazier resides

near Sudlersville, this County, and the defendant Charles Jeffers resides at No. 451 Orchard Street, Baltimore, Maryland.

10. That the defendants, Alberta Poolman resides at No. 819 Poplar St., Philadelphia, Pennsylvania; Annie Harkless resides at No. 1404 M. St., Philadelphia, Pennsylvania; Mamie Stewart resides at Wildwood, New Jersey, Elmore Corsey resides in New York City, New York; McKinley Corsey resides in Philadelphia, Pennsylvania; Wilson Brown and Asbury Cannidy, both reside in Wilmington, Delaware; of the said defendants mentioned in this paragraph are non residents of the State of Maryland.

11. That all of the parties to this cause are adults.

12. That the two tracts of real estate mentioned and described herein are not susceptible of division in kind among the parties in interest in accordance with their respective interest therein.

To the end, therefore:

1. That this Honorable Court may pass a decree in this Cause directing a sale be made of the real estate described herein.

2. That your orators may have such other and further relief as their cause may require.

May it please your Honors to grant unto your orators the writ of subpoena directed to the said Josephing Hall, Jennie Cain, Charles Jacobs, Thomas Starkey and Nola Brazier, all residents of Queen Anne's County Maryland, and Charles Jeffers of 451 Orchard Street, Baltimore, Maryland; directing them and each of them, to be and appear, either in person or by solicitor, in this Court on or before a day of certain to be named therein, to show cause, if any they have, why a decree ought not to be passed as prayed; and to grant unto your orators the Order of Publication giving notice to the said Alberta Poolman, Annie Harkless, and McKinley Corsey, all of the State of Pennsylvania, Mamie Stewart of the State of New Jersey, Elmore Corsey of the State of New York, Wilson Brown and Asbury Cannidy of the State of Delaware; all non-residents of the State of Maryland, of the object and substance of this bill, and warning them to appear in this Court, in person or by solicitor, on or before a certain day, to be named therein, to show cause, if any they have, why a decree ought not to pass as prayed.

And as in duty bound & etc.

Filed Nov 9th, 1939

Richard T. Earle  
Atty for Plaintiffs.

.....  
CERTIFIED COPY OF WILL OF  
RICHARD CHASE  
Filed Dec. 9th, 1939

I, Richard Chase, of Queen Anne's County, State of Maryland, being of sound and disposing mind and knowing the uncertainty of life and wishing to make disposition of my worldly good, do hereby make and publish this my last will and testament, in manner and form as follows:

To Edna Cain \$10.00 in cash, and all the balance of my property including Real Estate personal property of every description and whatever cash may be left to my wife Louisa Chase during her life time; At her death the property so willed to be divided between the following persons to share and share alike Mary J. Jeffers William Chase and Elwood Brown and Annie M. Boon.

I also make William O. Thomas of Sudlersville, County and State aforesaid my Executor and should be living at the time of the death of my wife, Louisa Chase, I desire that he be her Executor.

Witness my hand and seal this Twenty fifth day of October nineteen hundred and two.

Test: Wm. Anderson  
Spencer Walls  
Richard X Chase  
his mark

Signed sealed and delivered in the presence of each and both.

Wm. Anderson  
Spencer Walls

State of Maryland, Queen Anne's County, Sct;  
17th day of June, A. D. 1904.

Then came Wm. O. Thomas custodian and in the presence of Almighty God he did solemnly promise or declare, with uplifted hand in due form of law that he does not know of any will or codicil to a will of Richard Chase late of said County, deceased, other than the foregoing Instrument of writing, and that he received the same from said deceased, on or about the 25th day of October, 1902.

Test Robert W. Thomas  
Register of Wills for Queen Anne's County, Md.

STATE OF MARYLAND  
QUEEN ANNE'S COUNTY, SCT:  
17th day of June, A.D. 1904

Then came Wm. Anderson and Spencer Walls subscribing witnesses to the foregoing last will and testament of Richard Chase late of the County aforesaid deceased and in the presence of Almighty God they did solemnly promise and declare with uplifted hand in due form of law that they did see the testator therein named sign and seal the said will that they heard him publish pronounce and declare the same to be his last will and testament and that at the time of his so doing he was to the best of their apprehension of sound and disposing mind memory and understanding and that they together respectively subscribed their names as witnesses to said will in the presence and at the request of said testator and in the presence of each other.

Robert W. Thomas  
Register of Wills for Q. A. Co. Md.

In the Orphans' Court for Queen Anne's County Maryland

The Court after carefully examining the above last Will and Testament of Richard Chase late of said County & State deceased, and also the evidence adduced as to its validity Orders and Decrees this 21st day of June 1904 that the same be admitted in this Court as the true and genuine last Will & Testament of the said Richard Chase deceased, and further ordered that the same be received filed and recorded.

Robert W. Thomas  
Register of Wills

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

I, Norman S. Dudley, Register of Wills for Queen Anne's County, State of Maryland, do hereby certify that the foregoing is a true and whole copy of the last will and testament of RICHARD CHASE, deceased, which was probated in this Court on the 21st day of June, 1904 and recorded in Liber R. W. T. No.1, folio 16, a Will Record Book in the Orphans' Court of Queen Anne's County.

Seals Place. In Testimony Whereof I hereunto set my hand and affix the seal of my office this 8th day of December, 1939.

Norman S. Dudley  
Register of Wills

ORDER OF PUBLICATION  
Filed December 9th, 1939

ORDER OF PUBLICATION  
IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY IN EQUITY.

William Chase, William J. Jeffers, :  
Albert Jeffers and Ella Green, :  
Plaintiffs, :  
vs :  
Jennie Cain, Nola Frazier, : NO. \_\_\_\_\_  
Charles Jeffers, Josephine Hall, :  
Wilson Brown, Asbury Cannidy, :  
Charles Jacobs, Thomas Starkey, :  
Elmore Corsey, McKinley Corsey, :  
Alberta Poolman, Annie Harkless :  
and Mamie Stewart, :  
Defendants. :

The Object of this suit is to procure a decree for the sale of two tracts of land, farmed as one farm, situate in the First Election District of Queen Anne's County, Maryland, on the public road from Millington to Steven's Corner, containing sixty two acres of land, more or less, of which Richard Chase had possession for many years before his death in 1903, under a claim of ownership and which has been in the possession of his devisees since his death under a claim of ownership.

The Bill states that Richard Chase being in possession of said land and claiming the same as his, devised the same by his will, probated in the Orphans Court for Queen Anne's County in 1904 to Mary J. Jeffers, William Chase, Elwood Brown and Annie M. Boone, subject to the life estate of his wife, Louisa Chase. The bill set forth that Louisa Chase is dead; That William Chase is seized and possessed of an undivided one quarter interest in said lands; that Elwood Brown, died intestate, unmarried, that his heirs at law are as follows, together with their respective interest, to wit: Josephine Hall, seized of a one twelfth undivided interest, Wilson Brown who is seized of an undivided one twenty fourth interest, Asbury Cannidy who is seized of an undivided one forty eighth interest, Charles Jacobs and Thomas Starkey who are each seized of an undivided one ninety sixth interest, Elmore Corsey and McKinley Corsey each of whom is seized of an undivided one forty eighth interest; that Annie M. Boone died intestate and that her heirs at law are as follows, to wit: Alberta Poolman, Annie Harkless, Ella Green and Mamie Stewart that each are seized of an undivided one sixteenth interest in said real estate.

That all the parties to this cause are adults.  
That the said tracts of land are not susceptible of division in kind among the parties in interest in accordance with their respective interest.  
That Josephine Hall, Jennie Cain, Charles Jacobs, Thomas Starkey, Nola Frazier and Charles Jeffers are residents of the State of Maryland; that the said Alberta Poolman, Annie Harkless and McKinley Corsey are residents of the State of Pennsylvania, Mamie Stewart is a resident of the State of New Jersey, Elmore Corsey is a resident of the State of New York, Wilson Brown and Asbury Cannidy are residents of the State

of Delaware, and therefore non- residents of the State of Maryland. It is thereupon this 9th day of December, 1939, Ordered by the Circuit Court for Queen Anne's County in Equity, that the plaintiffs, by causing a copy of this order to be inserted in some newspaper, published in Queen Anne's County, once in each of four successive weeks before the 16th day of January, 1940, give notice to the said Alberta Poolman, Annie Harkless, McKinley Gorsey, Mamie Stewart, Elmore Corsey, Wilson Brown and Asbury Cannidy, non- residents of the State of Maryland, of the object and substance of this Bill, warning them to appear in this Court, in person or by solicitor, on or before the 2nd day of February, next, to show cause, if any they may have, why a decree ought not to be passed as prayed.

Filed December 9th, 1939.

A. Sydney Gadd Jr. Clerk

True Copy

Test: A. Sydney Gadd Jr. Clerk

.....  
SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
Filed Dec. 13, 1939.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Charles Jeffers, 451 Orchard Street  
Seals Place.

OF BALTIMORE CITY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the first Monday of January next, to answer the complaint of William Chase et al. against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable William Mason Shehan Chief Judge of our said Court, the 1st Monday of Nov. 1939.  
Issued the 1st day of Nov. 1939.

\_\_\_\_\_ Clerk

Richard T. Earle  
Solicitor for Complainants.

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of January next, being the Return Day.

A. Sydney Gadd Jr. Clerk

And on the back of the foregoing is thus endorsed to wit:  
Summoned and a copy of the Process left with the Defendant.

Joseph Deegan Sheriff

Bichy: 12-12-39.

.....  
SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
Filed Dec. 29th, 1939.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Josephine Hall, Jennie Cain, Charles Jacobs Thomas Starkey and Nola  
Frazier.  
Seals Place.

OF QUEEN ANNE'S COUNTY, GREETING

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court, for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the first Monday of January next, to answer the complaint of William Chase, et al. against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable William Mason Shehan Chief Judge of our said Court, the first Monday of December 1939.  
Issued the Ninth day of December 1939.

7 A. Sydney Gadd Jr. Clerk

Richard T. Earle  
Solicitor for Complainant.

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of January next, being the Return Day.

A. Sydney Gadd Jr. Clerk

And on the back of the foregoing is thus endorsed to wit:  
Served by reading and leaving copy with Josephine  
Hall , and Jennie Cain December 23, 1939.

Edward E. Coursey Sheriff  
Q.A.Co.

Filed Dec. 29th, 1939.

.....  
COPY OF SUBPOENA TO BE LEFT  
WITH DEFENDANT  
Filed Dec. 29th, 1939.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Nola Frazier  
Seals Place.

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANED, That all excuses set aside, you be and app-  
ear before the Circuit Court for Queen Anne's County, as a Court of Equity, at  
Centreville, in said county, on the first Monday of January next, to answer the  
complaint of William Chase et al. against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable William Mason Shehan Chief Judge of our said  
Court, the first Monday of December 1939.  
Issued the Ninth day of December 1939.

A. Sydney Gadd Jr. Clerk

Richard T. Earle  
Solicitor for Complainant.

TO THE DEFENDANT: You are required to file your answer or other def-  
ense in the office of the Clerk of this Court within fifteen days of the first Mon-  
day of January next, being the Return Day.

A. Sydney Gadd Jr. Clerk

True Copy  
Test:

A. Sydney Gadd Jr. Clerk

Filed Dec. 29th, 1939.

And on the back of the foregoing is thus endorsed to wit: Non Est:  
Edward E. Coursey Sheriff

.....P.....  
COPY OF SUBPOENA TO BE LEFT  
with Repondent  
Filed Dec. 29th , 1939.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Thomas Starkey  
Seals Place.

OF QUEEN ANNE'S COUNTY GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and  
appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at  
Centreville, in said county, on the first Monday of January next, to answer the com-  
plaint of William Chase, et al. against you in said court exhibited.

Herefail not, as you will answer the contrary at your peril.

WITNESS , The Honorable William Mason Shehan Chief Judge of our said  
Court, the first Monday of December 1939.  
Issued the Ninth day of December 1939.

A. Sydney Gadd Jr. Clerk

Richard T. Earle  
Solicitor for Complainant.

TO THE DEFENDANT: you are required to file your answer or other defense  
on the office of the Clerk of this Court within fifteen days of the first Monday of  
January next, being the Return Day.

A. Sydney Gadd Jr. Clerk

True Copy  
Test:

A. Sydney Gadd Jr. Clerk

Filed Dec. 29th 1939.

And on theback of the foregoing is thus endorsed to wit:  
Non as

Edward E. Coursey Sheriff



.....  
COPY OF SUBPOENA TO BE LEFT  
WITH RESPONDENT  
Filed Dec. 29th , 1939.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Charles Jacobs  
Seals Place.

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the first Monday of January next, to answer the complaint of William Chase et al. against you in said court exhibited.

Herefail not, as you will answer the contrary at your peril.

WITNESS, The Honorable William Mason Shehan Chief Judge of our said Court, the first Monday of December 1939  
Issued the Ninth day of December 1939

A. Sydney Gadd Jr. Clerk

Richard T. Earle

Solicitor for Complainant

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of January next, being the Return Day.

A. Sydney Gadd Jr. Clerk

True Copy

Test: A. Sydney Gadd Jr. Clerk

Filed Dec. 29th, 1939.

.....  
PETITION TO FILE AND AMENDED  
BILL OF COMPLAINT  
Filed Jan 6th, 1940.

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY IN EQUITY.

William Chase et al.,  
Plaintiffs,  
vs  
Jennie Cain et al.,  
Defendants.  
Cause No. 3230

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of William Chase, William J. Jeffers, Albert Jeffers and Ella Green Plaintiffs in this cause by Richard T. Earle their attorney, to your Honora, respectfully shows:

1. That on December the ninth, 1939, your petitioners filed a bill of Complaint in this cause, that among other allegations in said Bill of Complaint it was alleged in paragraph 11 of said Bill that all plaintiffs and defendants in this cause are adults, which was to the best of the knowledge and belief of the plaintiffs at the time of the filing of said bill of complaint and that Charles Jacobs and Thomas Starkey resided near Barclay in Queen Anne's County, Maryland, and process was prayed against them as of that address.

2. That since the filing of said Bill of Complaint, your petitioners have been advised that the defendants, Charles Jacobs and Thomas Strakey, are both infants and that instead of residing near Barclay in Queen Anne's County, that they reside near Marydel, Caroline County, Maryland.

3. That your petitions crave leave to file in this cause and amended Bill of complaint, changing said bill of complaint so as to read that that the said Charles Jacobs and Thomas Starkey are infants and that they reside near Marydel, Caroline County, Maryland, and that process for them be issued to the Sheriff of Caroline County, Maryland.

To the end , therefore,

1. That the Court pass an order in this cause granting unto your petitioners a right to file an amended Bill of Complaint in this cause, changing the original bill so as to read that the Defendants Charles Jacobs and Thomas Starkey are infants and resides near Marydel, Caroline County, Maryland, and that process for them to be issued to the Sheriff of Caroline County, Maryland, and that upon the return of same properly served a Guardian ad Litem be appointed for said infants/

Respectfully submitted,

Richard T. Earle  
Atty, for Plaintiffs.

Filed Jan 6, 1940.

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY IN EQUITY

William Chase et al. :
vs : Cause No. 3230
Jennie Cain et al. :

ORDER OF COURT.

The foregoing petition having been read and considered, it is Ordered this 6th day of January, 1940, that leave be and it is hereby granted to the plaintiffs to file an Amended Bill of Complaint in this cause in accordance with the petition filed herein: provided said said Amended Bill of Complaint be filed on or before the 15th day of January, 1940; and that upon the filing of the amended bill that process shall issue thereon as prayed and that, a copy of the amended bill be also received upon infant.

Thos. J. Keating

Filed January 6th 1940.

AMENDED BILLOF COMPLAINT.
Filed Jan 6th 1940

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY IN EQUITY

William Chase, William J. Jeffers,
Albert Jeffers, and Ella Breen,
Plaintiffs
vs
Cause No. 3230.
Jennie Cain, Nola Frazier,
Charles Jeffers, Josephine Hall,
Wilson Brown, Asbury Cannidy,
Charles Jacobs, Thomas Starkey,
Elmore Corsey, McKinley Corsey,
Alberta Poolman, Annie Harkless,
and Mamie Stewart,
Defendants.

AMENDED BILL OF COMPLAINT

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Orators complaining, say;

- 1. That Rihhard Chase, late of Queen Anne's County, Maryland, deceased, was at the time of his death in the year nineteen hundred and four and many years prior thereto, inpossession under a claim of ownership of the following two tradts of parcels of land, conducted as ome farm, situate in the First Election District of Queen Anne's County, Maryland, on the public road from Millington to Steven's Corner, one of said tracts consisting of fifty acres of land, more or less, being on the south side of said public road joins the properties of Mrs. Annie Pennington and the property formerly owned by Williard Biggs, and the property of others; and other of said tract consisting of twelve acres of woodland, more or less, is situate about one half mile from said first tract and joins the Holden's Church Property.
2. The said Richard Chase being in possession under his claim of ownership died leaving a last willand testament, probated on June 27th., 1904, before The Orphans Court for Queen Anne's County and duly recorded in Liber R. W.T. No.1, folios 15 & etc., a Will Record Book for Queen Anne's County, a certified copy of which is filed herewith marked Plaintiffs Exhibit No. 1, and prayed to be taken as a part hereof.
3. That by said Will the said Richard Chase devised the above real estate to his wife, Louisa Chase, for her life, and after her death to Mary J. Jeffers, William Chase, Elwood Brown and Annie M. Boone; that Louisa Chase died in theyear 1931.
4. That the aforesaid real estate, since the death of the said Richard Chase has been in the possession of his devisees under a claim of ownership, which has never been questioned.
5. That the said William Chase, one of the plaintiffs in this cause, is seized and possessed of an undivided one quarter interest in the said two tracts of land, under the Will of the said Richard Chase,
6. That the said Mary J. Jeffers, mentioned in said Will, died intestate, leaving as her only heirs at law, the following children, to wit: William and Albert, plaintiffs, and Jennie Cain, Nola Frazier and Charles Jeffers, defendants in this cause, and that each of said children are seized and possessead of an undivided one twentieth interest in the aforesaid tracts of land.
7. That Elwood Brown died unmarried and intestate, leaving as his only heirs at law the following, to wit:
a. Josephine Hall, a sister, who is seized and possessed of an undivided one twelfth interest in said tracts of land.
b. The heirs of John Brown, a deceased brother of Elwood Brown,
1. Wilson Brown, a son, one of the two children of John Brown, deceased, who is seized and possessed of an undivided one twenty fourth interest in said tracts of land.
2. That Asbury Cannidy, one of two children and heirs at law of Gertrude

Cannidy, nee Brown, deceased, a daughter of John Brown, is seized and possessed of an undivided one forty eighth interest in these tracts.

3. That Charles Jacobs and Thomas Starkey, only heirs at law of Grace Cannidy, deceased, a daughter of Gertrude Cannidy nee Brown, a deceased daughter of John Brown, are each seized and possessed of an undivided one ninety sixth interest in these tracts of land.

c. That Elmore Corsey and McKinley Corsey, the only heirs at law of Catherine Brown, a deceased sister of Elwood Brown, are each seized and possessed of an undivided one forty eighth interest in the said two tracts of land.

8/ That Annie M. Boone, devisee under said Will, died intestate, in the year nineteen hundred and twenty one, leaving as her only heirs, the children of a deceased daughter, Laura Boond, to wit: Alberta Poolman, Annie Harkless, Ella Green and Mamie Stewart, who are each seized and possessed of an undivided one sixteenth interest in the aforesaid two tracts of land.

9/ That the defendants, Jennie Cain, Josephine Hall, reside near Barclay in this County, That Charles Jacobs and Thomas Starkey reside near "arydel, Caroline County, Maryland, that Nola Frazier resides in Sudlersville in this County, that the defendant Charles Jeffers resides at No. 451 Orchard Street, Baltimore, Maryland.

10. That the defendants, Alberta Poolman resides at 819 Poplar St., Philadelphia Pennsylvania Annie Harkless resides at No. 1404 M. St., Philadelphia, Pennsylvania; Mamie Stewart resides at Wildwood New Jersey, Elmore Corsey resides in New York; McKinley Corsey resides in Philadelphia; Pennsylvania; Wilson Brown and Asbury Cannidy, both reside in Wilmington, Delaware, that all of said defendants mentioned in this paragraph are none residents of the State of Maryland.

11. That all of the parties to this cause, except Charles Jacobs and Thomas Starkey, are adults, they being infants.

12. That the two tracts of real estate mentioned and described herein are not susceptible of division among the parties in interest in accordance with their respective interest therein.

To the end, therefore;

1. That this Honorable Court may pass a decree in this Cause directing a sale be made of the real estate described herein.

2. That your orators may have such other and further relief as their cause may require.

May it please your Honors to grant unto your orators the writ of subpoena directed to the said Josephine Hall, Jennie Cain and Nola Frazier, residents of Queen Anne's County, Maryland, Charles Jacobs and Thomas Starkey, infants of Caroline County, Maryland, and Charles Jeffers of #451 Orchard Street, Baltimore, Maryland, directing them and each of them to be and appear, either in person or by solicitor, in this Court on or before a day certain to be named wherein, to show cause, if any they have, why a decree ought not to be passed as prayed; and to grant unto your orators the Order of Publication giving notice to the said Alberta Poolman, Annie Harkless, and McKinley Corsey, all of the State of Pennsylvania, Mamie Stewart of the State of New Jersey, Elmore Corsey of the State of New York, Wilson Brown and Asbury Cannidy of the State of Delaware; all non-residents of the State of Maryland, of the object and substance of this bill, and warning them to appear in this Court, in person or by solicitor, on or before a certain day, to be named therein, to show cause, if any they have, why a decree ought not to pass as prayed.

And as induty bound, & etc.

Richard T. Earle  
Atty, for Plaintiffs.

Filed Jan 6th, 1940/

ORDER OF PUBLICATION ON AMMENDED  
BILL OF COMPLAINT  
Filed Jan 9th 1940

ORDER OF PUBLICATION.  
IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY IN EQUITY

William Chase, William J. Jeffers,	:	
Albert Jeffers and Ella Green,	:	
Plaintiffs,	:	
	:	
vs	:	No. 3230
	:	
Jennie Cain, Nola Frazier,	:	
Charles Jeffers, Josephine Hall,	:	
Wilson Brown, Asbury Cannidy,	:	
Charles Jacobs, Thomas Starkey,	:	
Elmore Poolman, Annie Harkless	:	
and Mamie Stewart,	:	
Defendants.	:	

The Object of this suit is to procure a decree for the sale of two tracts of land, farmed as one farm, situate in the First Election District of Queen

Anne's County, Maryland, on the public road from Millington to Stevens' Corner, containing sixty two acres of land, more or less, of which Richard Chase had possession for many years before his death, in 1904, under a claim of ownership and which has been in the possession of his devisees since his death under a claim of ownership.

The Amended Bill of Complaint states Richard Chase being in possession of said land and claiming the same as his, devised the same by his will, probated in The Orphans Court for Queen Anne's County in 1904 to Mary J. Jeffers, William Chase, Elwood Brown and Annie M. Boone, subject to the life estate of Louisa Chase, his wife.

The Amended Bill sets forth that Louisa Chase is dead; that William Chase is seized and possessed of a undivided one quarter interest in said lands; that Elwood Brown, died unmarried, intestate, that his heirs at law together with the respective interest each is seized are as follows, to wit: Josephine Hall, a sister, and undivided one twelfth interest, the following heirs of John Brown, a deceased brother of Elwood Brown, together with the interest each is seized, as follows, to wit: Wilson Brown of an undivided one twenty fourth interest, Asbury Cannidy an undivided one forty eighth interest, Charles Jacobs and Thomas Starkey, infants, each an undivided one ninety sixth interest, that Elmore Corsey and Mc Kinley Corsey the only heirs at law of Catherine Brown, a deceased sister of Elwood Brown are each seized and possessed of an undivided one forty eighty interest in the said two tracts of land; that Alberta Poolman, Annie Harkless, Ella Breen and Mamie Stewart, only heirs at law of Laura Boone, a daughter of Annie M. Boone, are the only heirs at law of Annie M. Boone, and are each seized and possessed of an undivided one sixteenth interest in the aforesaid two tracts of land.

That the said two tracts of land are not susceptible of division among the parties, who are seized and possessed thereof, in accordance to their respective interests therein without loss or injury.

That the defendants, Jennie Cain, Josephine Hall, reside near Barclay, Queen Anne's County, that Nola Frazier resides at Sudlersville, Queen Anne's County, that the defendants, Charles Jacobs and Thomas Starkey, infants, reside near Marydel, Caroline County, Maryland, that Charles Jeffers resides at #451, Orchard St., Baltó, Md.,

That the defendants, Alberta Poolman resides at 819 Poplar St., Phila., Pa., Annie Harkless resides at \$1404 M. St., Phila, Penna., Mamie Stewart resides at Wildwood, New Jersey, Elmore Corsey, resides in New York City, N.Y., McKinley Corsey resides in Phila., Penna., Wilson Brown and Asbury Cannidy both resides in Wilmington, Delaware, that all the defendant in this paragraph non-residents of the State of Maryland.

May it please your Honoss to grant unto your orators the writ of subpoena directed to the said Josephine Hall, Jennie Cain and Nola Frazier, residents of Queen Anne's County, Maryland, Charles Jacobs and Thomas Starkey, infants, residents of Caroline County, Maryland, Charles Jeffers of Baltimore City, Maryland, directing them and each of them to be an appear either in person or by solicitor, in this Court on or before a day certain to be named therein, to show cause, if any they have, why a decree ought not to pass as prayed, and to grant unto your orators the Order of Publication giving notice to the said Alberta Poolman, Annie Harkless, and McKinely Corsey, all of the State of Pennsylvania, Mamie Stewart of the State of New Jersey, Elmore Corsey of the State of New York, Wilson Brown and Asbury Cannidy of the State of Delaware; all non-residents of the state of Maryland, of the object and substance of this amended bill, and warning them to appear in this Court in person or by solicitor, on or before a certain day, to be named therein, to whow cause, if any they have, why a decree ought not to pass as prayed.

And as in duty bound & etc.,

Richard T. Earle  
Atty for Plaintiffs,

Filed January 9th, 1940.

.....  
SUBPOENA FOR RESPONDENT TO  
BE SERVED ON THE RESPONDENT  
Filed Jan 11, 1940

QUEEN ANNES COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Charles Jeffers

S<sub>e</sub>als Place.

OF BALTIMORE CITY, GREETING:

You ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the first Monday of February next, to answer the complaint of William Chase et al. against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable William Mason Shehan Chief Judge of our said Court, the 1st Monday of January 1940  
Issued the 6th day of January 1940

Richard T. Earle

Solicitor for Complainants

A. Sydney Gadd Jr. Clerk

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of February next, being the Return Day.

A. Sydney Gadd Jr. Clerk

And on the back of the foregoing is thus endorsed to wit:

Summoned and a copy of the Process left with the Defendant.  
Joseph C. Deegan Sheriff

1-10-40

Filed Jan 11, 1940.

.....  
SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
Filed Jan 12, 1940

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Jennie Cain  
Seals Place

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the first Monday of February next, to answer the complaint of William Chase et al against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable William Mason Shehan Chief Judge of our said Court, the first Monday of January 1940.  
Issued the 6th day of January 1940

A. Sydney Gadd Jr. Clerk

Richard T. Earle

Solicitor for Complainant

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of February next, being the Return Day.

A. Sydney Gadd Jr. Clerk

And on the back of the foregoing is thus endorsed to wit:  
Served by reading and leaving a copy Jennie Cain January 8, 1940.

Edward E. Coursey Sheriff

Filed Jan 12, 1940

.....  
SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
Filed Jan 12, 1940

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Josephine Hall  
Seals Place

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court, for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the first Monday of February next, to answer the complaint of William Chase, et al against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable William Mason Shehan Chief Judge of our said Court, the first Monday of January 1940  
Issued the 6th day of January 1940

A. Sydney Gadd Jr. Clerk

Richard T. Earle  
Solicitor for Complainants

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of February next, being the Return Day.

A. Sydney Gadd Jr. Clerk

And on the back of the foregoing is thus endorsed to wit:

Served by reading and leaving copy of same with Josephine Hall  
January 8, 1940

Edward E. Coursey Sheriff

Filed Jan 12, 1940

.....  
SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER  
Filed Jan 12, 1940

QUEEN ANNE'S COUNTY TO WIT:

THE STATE OF MARYLAND

TO Nola Frazier

Seals Place

OF QUEEN ANNE'S COUNTY, GREETING

YOU ARE HEREBY COMMANED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the first Monday of February next, to answer the complaint of William Chase, et al against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your perill.

WITNESS, The Honorable William Mason Shehan Chief Judge of our said Court, the first Monday of January 1940  
Issued the 6th day of January 1940

A. Sydney Gadd Jr. Clerk

Richard T. Earle  
Solicitor for Complainant

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of February next, being the Return Day.

And on the back of the foregoing is thus endorsed to wit:  
Non Est

A. Sydney Gadd Jr. Clerk

Edward E. Coursey  
Sheriff

Filed Jan 12, 1940

.....  
SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
Filed Jan 23, 1940

QUEEN ANNE'S EOUNTY, TO WIT:

THE STATE OF MARYLAND

TO Thomas Starkey, Infant

Seals Place

OF CAROLINE COUNTY, GREETING

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the first Monday of February next, to answer the complaint of William Chase, et al against you in said court exhibited,

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable William Mason Shehan Chief Judge of our said Court, the first Monday of January 1940  
Issued the 6th day of January 1940

A. Sydney Gadd Jr. Clerk

Richard T. Earle  
Solicitor for Complainant

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of February next, being the Return Day.

And on the back of the foregoing is thus endorsed to wit:  
I hereby certify that on the 20th day of January, 1940,

A. Sydney Gadd Jr. Clerk

I served the within writ upon the Infant Defendant therein named, copy thereof left with him and copy thereof left with him and copy of amended Bill left with Steve Fountain with whom said infant resides and in whose custody he now is.

William E. Andrew  
Cheriff of Caroline County

Fee \$1.50  
Filed Jan 23, 1940

.....  
SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER  
Filed Jan 23, 1940

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Charles Jacobs, Infant

Seals Place

OF CAROLINE COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you beand appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the first Monday of February next, to answer the complaint of William Chase et al against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril

WITNESS, The Honorable, William Mason Shehan Chief Judge of our said Court, the first Monday of January 1940  
Issued the 6th day of January 1940

Richard T. Earle  
Solicitor for Complainants

A. Sydney Gadd Jr. Clerk

TO THE DEFENDANT; You are required to file your answer or other defense in the office of the Ckerk of this Court within fifteen days of the first Monday of February next, being the Return Day.

A. Sydney Gadd Jr. Clerk

And on the back of the foregoing is thus endorsed to wit:

I hereby certify that on the 20th day of January, 1940, I served the within writ upon the Infant Defendant therein named, copy thereof left with him and copy of amended Bill left with Steve Fountain with whom said infant resides and in whos custody he now is.

William E. Andrew  
Sheriff of Caroline County

Fee \$1.50  
Filed Jan 23, 1940

.....  
ANSWER OF NOLAR FRAZIER  
Filed March 1, 1940

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY IN EQUITY.

William Chase wt al., :  
vs : Cause No. 3230  
Jennie Cain et al. :

ANSWER OF NOLA FRAZIER

TO THE HONORABLE , THE JUDGES OF SAID COURT:

The Answer of Nola Frazier to the bill of complaint filed against her and others in this cause, respectfully says:

That she admits the matters and facts setforth in the within Bill of Complaint and consents that the Court may pass a ddecree as may be right and proper.

Nilar Frazier

Test: Asbury Kennedy  
Filed March 1st 1940

.....  
PETITION FOR APPOINTMENT OF GUARDIAN  
AS LITEM  
Filed March 1st, 1940

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY IN EQUITY

William Chase et al., :  
vs : No. 3230  
Jennie Cain et al. :

To the Honorable, the Judges of said Court:

The petition of William Chase et al., plaintiffs in this cause, by Richard T. Earle, their attorney, to your Honors respectfully show:

That Charles Jacobs and Thomas Starkey, two of the defendants in this cause, were erroneously described in the Bill of Complaint, filed herein, as adults and residents of Queen Anne's County; that an order of Court on a petition filed in this cause, granted your petitioners a right to file and amended Bill of Complaint in this cause, in which amended bill of complaint the said Charles Jacobs and Thomas Starkey, were correctly designated minors under the age of twenty one years and their residents as Caroline County, Maryland.

That subpoenas for the said Charles Jacobs and Thomas Starkey, infants, has issued in this cause and have been returned endorsed "served and copy left and copy of amended bill of complaint left with Steve Fountain with whom said infants reside and whose custody they are now.

That neither of said infants has a legal guardian or committee within the jurisdiction of this Court.

That your petitioners are advised that it is necessary therefor that a guardian ad litem be appointed for said infants by this Honorable Court to answer and defend this suit for such infants.

Your petitioners therefore pray this Honorable Court to pass an order appointing some person residing in the jurisdiction of this Court as guardian ad litem for said infant defendants and to answer defend this suit for such infants.

Respectfully submitted.

Richard T. Earle  
Attorney for Petitioners

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

I hereby certify that on this 1st day of March in the year nineteen hundred and forty, before me, the subscriber, a Notary Public of the State of Maryland in and for Queen Anne's County, personally appeared Richard T. Earle, attorney for William Chase et al, the above named petitioners, and made oath in due form of law that the matters and things set forth in the foregoing petition are true and bona fide and therein set forth to the best of his knowledge and belief, In witness where if I have hereunto subscribed my name and affixed my seal notarial.

J. Carl Starkey  
Notary Public

Notary Public Seal  
Filed March 1st 1940.

.....  
PETITION FOR DECREE PRO-CON-  
FESSO AND  
Filed March 1st 1940

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY, IN EQUITY

William Chase et al., :  
vs : Cause No. 3230  
Jennie Cain et al. :

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of William Chase et al., by Richard T. Earle, their attorney, to your Honors, respectfully shows:

1. That an amended Bill of Complaint was filed in this cause on January 6th, 1940 amending under an order of Court the original Bill of Complaint heretofore filed in this cause on December 9th., 1939, amending said bill of complaint only in correcting the errors in said original bill by stating that the defendants, Charles Jacobs and Thomas Starkey are infants and not adults as set forth in said original bill and that they reside in Caroline County and not in Queen Anne's County.

2. That an Order of Publication was prayed in the original Bill of Complaint giving notice to the defendants, Alberta Poolman, Annie Harkless, McKinley Corsey Mamie Stewart, Elmore Corsey, Wilson Brown and Asbury Cannidy, all non-residents of the State of Maryland, giving them and each of them notice of the object and substance of the said Bill and warning them to appear in this court either in person or by solicitor on or before the 2nd, day of February, 1940, to show cause, if any them have, why a decree should not be passed as prayed.

3. That said Order of Publication was printed in The \_\_\_\_\_ a newspaper printed and published in Queen Anne's County, once a week in each of four successive weeks before the 16th day of January 1940, as provided in said order, a certificate of publication of said Order of Publication being attached hereto and made a part hereof.

4. That although said Order of Publication has been published as provided, the said Alberta Poolman, Annie Harkless, MCKinley Corsey, Mamie Stewart, Elmore Corsey, Wilson Brown, and Asbury Cannidy, the defendants, all non-residents of the state of Maryland against whom said order of publication was secured, all and every one have failed to either appear in person or by solicitor in this Court as provided by said Order of Publication.

5. That the defendants, Jennie Cain, Charles Jeffers and Josephine Hall, all adults and residents of the State of Maryland, have been duly summoned to appear in this cause, as shown by the sheriff's returns herein, but have failed



to either appear in person or by solicitor as required by said subpoenas.

6. Your petitioners are advised that on account of the failure of the said defendants to appear either in response to said Notice as given by the Order of Publication, as required to appear in accordance with subpoenas duly served, that your petitioners are entitled to a decree pro confesso against the said defendants for and on account of their failure to appear either in person or by solicitor in accordance with either the said Order of Publication or the said subpoenas.

May it please your Honors to grant unto your petitioners a Decree Pro Confessio against the said Jennie Cain, Charles Jeffers, Josephine Hall, all adults, residents of the State of Maryland, and against the said Alberta Poolman, Annie Harkless, McKinley Corsey, Mamie Stewart, Elmore Corsey, Wilson Brown and Asbury Cannidy, all adults defendants, non-residents of the State of Maryland, on account of their failure to appear either in person or by solicitor as prayed in the process against them.

Respectfully submitted,

Richard T. Earle  
Atty, for Petitioners

Filed March 1st. 1940.

ORDER OF PUBLICATION  
Filed Dec. 9th, 1939.

ORDER OF PUBLICATION

In the Circuit Court for Queen Anne's County In Equity.

William Chase, William J. Jeffers,  
Albert Jeffers and Ella Green,  
Plaintiffs.

vs

No, 3230

Jennie Cain, Nola Frazier, Charles  
Jeffers, Josephine Hall, Wilson Brown,  
Asbury Cannidy, Charles Jacobs, Thomas  
Starkey, Elmore Corsey, McKinley Corsey,  
Alberts Poolman, Annie Harkless, and  
Mamie Stewart,  
Defendants.

The object of this suit is to procure a decree for the sale of two tracts of land, farmed as one farm, situate in the First Election District of Queen Anne's County, Maryland, on the public road from Millington to Steven's Corner, containing sixty two acre of land, more or less, of which Richard Chase had possession for many years before his death in 1904, under a claim of ownership and which has been in the possession of his devisees since his death under a claim of ownership.

The Bill states that Richard Chase being in possession of said land and claiming the same as his, devised the same by his will, probated in The Orphans' Court for QUEEN Anne's County in 1904 to Mary J. Jeffers, William Chase, Elwood Brown and Annie M. Boone, subject to the life estate of his wife, Louisa Chase.

The Bill sets forth that Louisa Chase is dead, That William Chase is seized and possessed of an undivided one quarter interest in said lands, That Elwood Brown, died intestate, unmarried, that his heirs at law are as follows, together with their respective interest, to wit: Josephine Hall, seized of a one twelfth undivided interest, Wilson Brown who is seized of an undivided one-twenty fourth interest, Asbury Cannidy who is seized of an undivided one-forty eighth interest, Charles Jacobs and Thomas Starkey who are each seized of an undivided one ninety sixth interest, Elmore Corsey and McKinley Corsey, each of whom is seized of an undivided one forty eighth interest that Annie M. Boone died intestate and that her heirs-at-law are as follows, to wit: Alberta Poolman, Annie Harkless, Ella Green and Mamie Stewart that each are seized of an undivided one-sixteenth interest in said real estate.

That all the parties to this cause are adults.

That the said tracts of land are not susceptible of division in kind among the parties in interest in accordance with their respective interest. That Josephine Hall, Jennie Cain, Charles Jacobs, Thomas Starkey, Nola Frazier and Charles Jeffers are residents of the State of Maryland; that the said Albert Poolman, Annie Harkless and McKinley Corsey are residents of the State of Pennsylvania; Mamie Stewart is a resident of the State of New Jersey; Elmore Corsey is a resident of the State of New York; Wilson Brown and Asbury Cannidy are residents of the State of Delaware, and therefore non-residents of the State of Maryland.

It is thereupon this 9th day of December, 1939, ordered by the Circuit Court for Queen Anne's County, in Equity, that the plaintiffs, by causing in Equity, that the plaintiffs, by causing a copy of this order to be inserted in some newspaper, published in Queen Anne's County, once in each of four successive weeks before the 16 day of January, 1940, giving notice to the said Alberta Poolman, Mamie Stewart, Elmore Corsey, Wilson Brown and Asbury Cannidy, non-residents of the State of Maryland, of the object and substance of this Bill warning them to appear in this Court in person or by solicitor, on or before the 2nd day of February, next, to show cause, if any they may have, why a decree ought not to be passed as prayed.

A. SYDNEY GADD JR. Clerk

True Copy  
Test:

A. Sydney Gadd Jr. Clerk

Filed December 9, 1939

QUEENSTOWN NEWS AND QUEEN ANNE'S NEWS  
February 29, 1940

The undersigned, publishers of Queenstown News and Queen Anne's News, a paper published weekly in Queen Anne's County, Maryland, does hereby certify that the ORDER OF PUBLICATION

IN THE CASE OF William Chase, and others, Plaintiffs, VERSUS Jennie Cain, and others, Defendants, In the Circuit Court for Queen Anne's County, in Equity, Cause No. 3230, a copy of which is hereunto annexed, was inserted as an advertisement in said newspaper once a week for four successive weeks before the 16th day of January, 1940, the dates of publication of said newspaper containing said advertisement being December 16, 24, and 30, 1939 and January 6, 1940;

Queenstown News and Queen Anne's News  
T. E. Shea  
By T. E. Shea Editor and Treasurer.

Filed March 1st. 1940

ORDER OF COURT  
Filed March 4, 1940

ORDER OF COURT

It is on this 2nd day of March, 1940, upon the foregoing petition, by the Circuit Court for Queen Anne's County, in Equity, ORDERED, that John Palmer Smith be and he is hereby appointed guardian ad litem of and for Charles Jacobs and Thomas Starkey, infant defendants of the above cause, with power and directions to answer and defend this above entitled cause for and on behalf of said infant defendants.

Thomas J. Keating

Filed March 4th, 1940.

ORDER OF COURT  
Filed March 4th, 1940.

ORDER OF COURT

The defendants, Jennie Cain, Charles Jeffers and Josephine Hall, all adults defendants, residents of the State of Maryland, having been duly summoned and having failed to appear thereto according to the exigency of the writ; and the defendants Albert Poolman, Annie Harkless, McKinley Corsey, Mamie Stewart, Elmore Corsey, Wilson Brown and Asbury Cannidy, all adults non-residents of the State of Maryland having been given notice in accordance with the certificate of publication of the Order of Publication, of the object and substance of the Bill of Complaint filed herein, and having failed to appear thereto, according to the requirements of the said Order of Publication.

IT IS THEREUPON, this second day of March, 1940, by the Circuit Court for Queen Anne's County in Equity and by the authority thereof, ADJUDGED, ORDERED AND DECREED that the Plaintiffs are entitled to relief in the premises, and that the Bill of Complaint and Amended Bill of Complaint be and they are hereby taken Pro Confesso against the said Jennie Cain, Charles Jeffers, Josephine Hall, Albert Poolman, Annie Harkless, McKinley Corsey, Mamie Stewart, Elmore Corsey, Wilson Brown and Asbury Cannidy; but because it does not certainly appear to what relief the Plaintiffs are entitled, it is further adjudged and ordered that leave be and the same is hereby granted the Plaintiffs, to take testimony before any one of the Standing Examiners of take testimony before any one of the Standing Examiners of this Court to support the allegations of the Bill and Amended Bill of Complaint; Upon giving the usual notice and after answer filed by the infant defendant Chas. Jacobs and Thos. Starkey infants by their guardian ad Litem.

Thos. J. Keating

Filed March 4th, 1940.

POWER OF ATTORNEY TO  
RICHARD T. EARLE, To institute  
proceedings.  
Filed March 4th, 1940.

To Richard T. Earle:

I hereby constitute you my attorney in fact, to institute suit in the Circuit Court for Queen Anne's County in Equity, for the purpose of producing a sale of certain real estate of which Richard Chase devised by his will, one quarter of which was devised to my grand-mother Annie M. Boone, who is now dead and my mother, Laura Boone, daughter of Annie M. Boone, is dead, leaving me and my sisters as the only heirs at law of Annie M. Boone,.

Ella Green

Filed March 4, 1940.

To Richard T. Earle, Esq.,  
Centreville, Md.

I do hereby constitute you my true and lawful attorney to file a Bill in the Circuit Court for Queen Anne's County, in order to secure a decree for the sale of a certain tract of land near Highman's Mill in Queen Anne's County, which I together with the heirs of Mary J. Jeffers, and Annie Boone are seized and possessed under the Will of Richard Chase, and to in my name take all necessary legal steps to produce said sale.

W. A. Chase.

Filed March 4, 1940.

To Richard T. Earle:

We hereby constitute you are attorney to file suit in the Circuit Court for Queen Anne's County in Equity and take whatever steps you may deem legally necessary to produce as sale and distribution of the proceeds of a piece of land located near Highmn's Mills in Queen Anne,s County which was devised under the will of Richard Chase and which we are interested therein.

William J. Jeffers  
Albert Jeffers

Filed March 4, 1940.

ANSWER OF JOHN PALMER SMITH  
GUARDIAN AD LITME FOR CHARLES  
JACOBS AND THOMAS STARKEY  
Filed March 5th, 1940

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY IN EQUITY

William Chase et a., :  
vs : #3230  
Jennie Cain et al., :

The Answer of Charles Jacobs and Thomas Starkey by John Palmer Smith, their Guardian Ad Litem, to the Bill of Complaint and Amended Bill of Complaint of William Chas e et al., exhibited against them in this cause, says:

That these defendants cannot admit the matters and things alleged in the said Bill and Amended Bill of Complaint of William Chase et al., and being infants of tender years, submit their rights to the protection of this Honorable Court.

John Palmer Smith  
Guardian Ad Litem.

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I hereby certify that on this 5th day of March, 1940, personally appeared before me, the subscriber, a Notary Public of the State of Maryland in and for Queen Anne's County, John Palmer Smith, Guardian Ad Litem for Charles Jacobs and Thomas Starkey, and made oath in due form of law that the matters and things set forth in the within and foregoing answer are true as therein stated, In witness whereof I have hereunto subscribed my name and affixed my seal notiarial.

Notary Public  
Seal.

Ida M. Walker  
Notary Public

Filed March 5th, 1940.

CERTIFIED COPY OF WILL  
PLAINTIFF EXHIBIT No. 1  
Filed Dec 9th, 1939.

I, Richard Chase, of Queen Anne's County, State of Maryland, being of sound and disposing mind and knowing the uncertainty of life and wishing to make disposition of my worldly goods, do hereby make and publish this my last will and testament, in manner and form as follows:

To Edna Cain \$10.00 in cash, and all the balance of my property including Real Estate personal property of every description and whatever cash may be left to my wife Louisa Chase during her life time; at Her death the property so willed to be divided between the following persons to share and share alike Mary J. Jeffers William Chase and Elwood Brown and Annie M. Boon\_.  
I also make William O. Thomas of Sudlersville, County and State aforesaid my Executor and should he be living at the time of the death of my wife, Louisa Chase, I desire that he be her Executor.

Witness my hand and seal this Twenty fifth day of Ocotber nineteen hundred and two.

Test: Wm. Anderson  
Spencer Walls  
Richard XChase  
mark

Signed sealed and delivered in the presence of each and both.

Wm. Anderson  
Spencer Walls

STATE OF Maryland, Queen Anne's County, Sct:  
17th day of June A. D. 1904

Then came Wm. O. Thomas custodian and in the presence of Almighty God he did solemnly promise or declare, with uplifted hand in due form of law that he does not know of any will or codicil to a will of Richard Chase late of said County, deceased, other than the foregoing Instrument of writing, and that he received the same from said deceased, on or about the 25th day of October, 1902.

Test: Robert W. Thomas  
Register of Wills for Queen Anne's  
County, Md.

STATE OF MARYLAND

QUEEN ANNE'S COUNTY, SCT:  
17th day of June, A. D. 1904.

Then came Wm. Anderson and Spencer Walls subscribing witnesses to the foregoing last will and testament of Richard Chase late of the County aforesaid deceased and in the presence of Almighty God they did solemnly promise and declare with uplifted hand in due form of law that they did see the testator therein named sign and seal the said will that they heard him publish pronounce and declare the same to be his last will and testament and that at the time of his so doing he was to the best of their apprehension of sound and disposing mind memory and understanding and that they together respectively subscribed their names as witnesses to said will in the presence and at the request of said testator and in the presence of each other.

Robert W. Thomas  
Register of Wills for Q. A. Co. Md.,

In the Orphans' Court for Queen Anne's County Maryland

The Court after carefully examining the above last Will and Testament of Richard Chase late of said County & State deceased, and also the evidence adduced as to its validity Orders and Decrees this 21st day of June 1904 and that the same be admitted in this Court as the true and genuine last Will & Testament of the said Richard Chase deceased, and further ordered that the same be received filed and recorded.

Robert W. Thomas  
Register of Wills.

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

I, Norman S. Dudley, Register of Wills for Queen Anne's County, State of Maryland, do hereby certify that the foregoing is a true and whole copy of the last will and testament of RICHARD CHASE, deceased, which was probated in this Court on the 21st day of June 1904, and recorded in Liber R. W. T. No.1 folio 16, a Will Record Book in the Orphans' Court of Queen Anne's County.

Seals Place. In Testimony Whereof I hereunto set my hand and affix the seal of my office this 8th day of December, 1939.

Norman S. Dudley  
Register of Wills

DEPOSITIONS  
Filed March 28th, 1940.

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY IN EQUITY.

William Chase et al.,  
Plaintiffs,  
vs  
Jennie Cain et al.,  
Defendants.  
Chancery No. 3230.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of H. B. W. Mitchell, one of the standing examiners of this Court, to your Honors respectfully shows:

That your examiner having been notified by Richard T. Earle, attorney for the Plaintiffs, that he desired to take testimony to support the allegations of the Bill of Complaint, a decree pro-confession having been secured against the non residents and against all of the defendants with the exception of Nila Frazier, who has filed answer admitting the matters and facts set forth and consenting to the passage of said decree prayed, and answer being filed by John Palmer Smith, Guardian Ad Litem for Infant Defendants, submitted their rights to this Court; the said Richard T. Earle, Attorney for the Plaintiffs, and John Palmer Smith, Guardian Ad Litem met in my office on Monday morning the eighteenth day of March about 11 o'clock A. M. and took the testimony of the said Ella Green, the first witness on the part of the plaintiffs, not having any further witnesses at that time, the meeting adjourned, the said Richard T. Earle, and John Palmer

Smith, Guardian as aforesaid, then met in my office in the town of Centreville, on Saturday morning, March the 23rd., 1940, and took the testimony of Mamie Stewart and William J. Jeffers, two witnesses of lawful age, called by the plaintiffs, and during the taking of the said William J. Jeffers, Testimony the attorney for the plaintiffs, introduced in testimony and filed before me a certified copy of the last will and Testament of Richard Chase deceased and the same is marked "Examiner's Exhibit No .1," testimony of witnesses attached hereto is as follows, to wit:

Ella Green the first witness called by the Plaintiff, being duly sworn, says:

Q. Name, age, residence?

A. My name is Ella Green, I am one of the Plaintiffs in this case, I am 59 years of age and reside at Millington, Kent County, Maryland.

Q. Do you know the parties to this cause or any of them?

A. I know William Chase, who lives in Phila., William J. Jeffers, Albert Jeffers, Jennie Cain, Nila Frazier, and Charles Jeffers, who are the only children of Mary J. Jeffers, who died in Queen Anne's County, in 1938, the husband of the said Mary J. Jeffers died several years before the said Mary J. Jeffers; I know also Alberta Poolman, Annie Harkless and Mamie Stewart, all three of these are my only sisters and together with myself are the only children of Laura Boone.

Q. Did you know Annie M. Boone: if so, is she living or dead?

A. Yes I knew Annie M. Boone, she was my grandmother, she died, without leaving a will in Millington, Maryland, in 1907.

Q. Do you know who are the heirs of Annie M. Boone?

A. Yes, Annie M. Boone, has a son and daughter, the son William Boone married and he and his wife both are dead and did not leave any children, the daughter Laura, is my mother and the mother of Alberta Poolman, Annie Harkless and Mamie Stewart, we four are the only heirs at law of Laura Boone, who was the daughter of Annie M. Boone, and the said Laura Boone died without leaving a will on July 1st., 1923, in Philadelphia.

Q. Kindly give the addresses of the parties you know to this suit and state whether they are infants or adults?

A. William Chase resides in Philadelphia and is a man of considerable age now: William J. Jeffers resides near Marydel and is grown: Albert Jeffers resides in Queen Anne's County and is grown: Jennie Cain lives near Barclay, Queen Anne's County, Nila Frazier resides in Philadelphia, both her and Jennie Cain are grown; Charles Jeffers is grown and resides in Baltimore City; Alberta Poolman, my sister, and Annie Harkless, both my sisters, are grown and reside in Philadelphia, my other sister, Mamie Stewart, is grown and resides in Wildwood, New Jersey.

Q. Did you know Richard Chase?

Yes I knew Richard Chase, many years before his death, in 1904, he resided on a farm that he called his, near Millington, Maryland.

Q. Did you know Louisa Chase?

Yes, I knew Louisa Chase very well, she was the wife of Richard Chase and died about five years ago, I nursed her in her last illness, she died without leaving a will.

Q. Do you know if your uncle, William Boone, died without leaving a will or not?

A. Yes, I know that he left no will.

Q. Did you know your grandfather, the husband of Annie M. Boone, is he living or dead, did he die before Annie M. Boone or not?

A. Yes I knew my grandfather, James Boone, he died before my grandmother, Annie M. Boone and without leaving a will.

Q. Did you know your father, is he living or dead, if dead did he die before or after Laura Thomas did he leave a will or not?

A. My mother Laura Boone married Richard Thomas, who died before my mother and did not leave a will

Do you know, or can you state, any other matter of thing which may be of benefit or advantage to the parties to this cause, or either of them, or that may be material to the subject of this your examination, or the matters in question between the parties? If yea, state the same fully and at large in your answer.

Answer : No.

Ella Greene

The next witness called upon the part of the Plaintiff is Mamie Stewart.

Q. Name, age and residence?

A. My name is Mamie Stewart, I live near Barclay, this County and I am 42 years of age.

Q. Are you the Mamie Stewart named in these proceedings?

A. No, I am the daughter of Josephine Hall, formerly Josephine Brown, a sister of Ellwood Brown.

Q. Do you know the parties to this suit, or any of them?

A. I know the following parties to this suit, that is: William J. Jeffers, Albert Jeffers, Jennie Cain, Nila Frazier and Charles Jeffers, they are the only children of Mary J. Jeffers, deceased, Josephine Hall, my mother, who is considerably over 80 years of age, lives near Barclay, Wilson Brown, a cousin of mine, who is a man of considerable age, more than 21 years of age, lives at Wilmington, Del., a son of John Brown, a brother of my mother and the said Ellwood Brown; Asbury Cannidy who is the son of Gertrude Cannidy, who is dead, who was a daughter of John Brown, the said Asbury Cannidy is grown and lives at Wilmington, Delaware; Charles Jacobs and Thomas Starkey, both under 21 years of age, they are the children of Grace Cannidy, a sister of Asbury Cannidy, the said Asbury Cannidy and Grace Cannidy, where the only children of Gertrude Cannidy, who is dead and was a daughter of John Brown and Sister of Wilson Brown, the said Charles Jacobs and Thomas Starkey being only children of Grace Cannidy, and they reside at or near Marydel, Maryland, with Steve Fountain; I know Elmore Corsey and McKinley Corsey, they are the only children and heirs at law of Catherine Brown, a sister of Ellwood Brown, the said Catherine Brown died many years ago near Barclay, her husband is dead, Elmore Corsey is grown, lives in New York and is about 40 years of age, and McKinley Corsey is older than Elmore Corsey, lives in Philadelphia, they are the only children of Catherine Brown.

Q. What relation are you to Ellwood Brown, deceased, is he dead, when did he die and where?

A. Ellwood Brown, was raised by Richard Chase, who died in 1904, the said Ellwood

Brown, died in Virginia, many years ago, did not leave a will, he was a brother of of my mother, who is Josephine Hall, formerly Josephine Brown, who is over 80 years of age, and lives near Barclay, this county, the said Ellworth Brown, did not marry.

Q. Who were the brother and sisters of Ellwod Brown, are they living or dead, and if dead, who are their heirs at law?

A. Josephine Brown was a sister, she married a man by the name of John Corsey, both she and her husband are dead, she did not leave a will, her only heirs at law are Elmore Corsey, who is grown and lives in New York, N. Y.; and McKinley Corsey who is over 40 years of age and lives in Philadelphia, Penn. John Brown a brother, who died before Ellworth Brown, and died in Queen Anne's County, without a will, leaving as his only heirs at law, Wilson Brown a son, who is grown and lives in Wilmington, State of Delaware; and Asbury Cannidy a grandson of John Brown, a son of Gertrude Cannidy, formerly Gertrude Brown, who is grown and lives in Wilmington, Delaware, the said Gertrude Brown, died many years ago, without a will, in Queen Anne's County, leaving as her only heirs at law the said Asbury Cannidy and a daughter, Grace Cannidy, the said Grace Cannidy, died several years ago in this county leaving two infant children, Charles Jacobs and Thomas Starkey, who reside near Marydel, with Steve Fountain these are the only heirs at law of the said Grace Cannidy a grand-daughter of John Brown.

Do you know, or can you state, any other matter or thing which may be of benefit or advantage to the parties to this cause or either of them, or that may be material to the subject of this your examination, or the matters in question between the parties? If yea, state the same fully and at large in your answer.

Answer: No.

Mamie E. Steward.

The next witness called on the part of the plaintiff is William J. Jeffers, one of the plaintiffs, who being sworn, deposes and says:

Q. Name, age and residence?

A. My name is William J. Jeffers, I am nearly 60 years of age and reside now near Marydel, Maryland.

Q. Do you know the parties to this suit or any of them?

A. I know William Chase, he is about fifty years of age and resides in Philadelphia, he is the party named in the Will of Richard Chase: I am William J. Jeffers, named as one of the plaintiffs, and with Albert Jeffers, Jennie Cain, Nila Frazier, and Charles Jeffers are the only heirs at law of Mary J. Jeffers, who died about two year ago, without leaving a will, and my father died before my mother, all of us children are grown, and the parties named in this bill are the only heirs at law of Mary J. Jeffers, my mother, deceased.

Q. Did you know Richard Chase?

Yes, I knew Richard Chase for many years before his death, he lived on the land described in these proceedings and claimed the same as his, and willed the same, I knew his wife, Louisa Chase, who is now dead, his wife.

Q. Do you know the real estate described in this cause?

A. Yes I know the farm in question, it has no buildings on same, as they burnt down while Louisa Chase lived, the land is fair, but with not building on the same I should think that a \$1,000.00, would be a good value for same.

Q. In your opinion is the farm in question susceptible of Division among the parties in interest in accordance with their respective interest therein?

A. I have read this Bill of Complain, and see from that how said farm would have to be divided and state that it can not be divided as therein setforth without loss or injury, the only way of doing it would be to sell the land and divide the money.

Q. I now hand you a paper writing purporting to be the will of Richard Chase, are you familiar with said will, if so how?

A. Yes, I am familiar with the will of Richard Chase, because I knew that Louisa Chase lived on said property under the will of Richard Chase, I also knew that since Annie M. Boone and Ellwood Brown were bothe dead that my mother and William Chase rented said farm for several years, before the death of my mother.

Do you know, or an you state, any other matter or thing which may be of benefit or advantage to the parties to this cause, or either of them, or that may be material to the subject of this your examination, or the matters in question between the parties? If yea, state the same fully and at large in your answer.

Answer: No.

William J. Jeffers

There being no other witnesses to be examined or further testimony to be taken, and neither side desiring further time for the production of evidence, your Examiner makes his return and certified that he was engaged as such Examiner in taking this testimony two days and examined three witnesses, making the costs chargeable in said cause:

H. B. W. Mitchell, Examiner, .....	\$8.00
Ella Green, Witness .....	.75
William J. Jeffers, Witness, .....	.75
Mamie Stewart, Witness, .....	.75
	<u>10.25</u>

H. B. W. Mitchell  
EXAMINER.

Filed March 28th, 1940.

.....

DEPOSITIONS  
Filed April 11th, 1940.

William Chase et al. : In the Circuit Court for Queen Anne's  
vs : County, in Equity .  
Jennie Cain et al. : No. 3230.

To the Honorable the Judges of said Court:

Testimony was taken in the above entitled cause by your Examiner in his office, in Centreville, Maryland, on the 18th day of March, 1940, and the 23rd day of March, 1940, after decree pro confesso had been passed in said cause and the proceedings of said cause had been referred to anyone of the Standing Examiners of this Court to take testimony to support the allegations of the bill and amended bill of complaint, upon giving the usual notice and after answer filed by the infant defendants, Charles Jacobs and Thos. Starkey, infants, by their guardian ad litem. Answer was filed by the guardian ad litem but notice had not been given as provided in decree pro confesso, and Mr. Earle, Solicitor for the Plaintiffs, notified your Examiner on the 3rd day of April, 1940, that the plaintiffs desired to take testimony in said cause at your Examiner's Office in Centreville, Maryland, at 10:00 o'clock a.m., Wednesday, April 10th., 1940. Your Examiner gave the usual notice to the resident defendants, and did attend at his office in Centreville, Maryland, on Wednesday, April 10th., 1940, at 10.00 o'clock a.m., there being present Richard T. Earle, Esq., Solicitor for the plaintiffs, William J. Jeffers, one of the plaintiffs, and John Palmer Smith, guardian ad litem for Charles Jacobs and Thomas Starkey, infants, and proceeded to take the following testimony, to wit: Mamie E. Stewart, the first witness, of lawful age, after having been duly sworn, deposes and says:

- 1. Q. Give your name, age and place of residence?  
A. Mamie E. Stewart, I live near Barclay, in this county, and I am 42 years of age.
- 2. Q. This is cause No. 3230 in the Circuit Court for Queen Anne's County, in Equity, wherein William Chase and others are plaintiffs and Jennie Cain and others are defendants, Have you testified in this case before, and if so, when and where?  
A. Yes, I have, on the 23rd day of March, 1940, in the office of H. B. W. Mitchell, the Examiner, in Centreville, Maryland.
- 3. Q. Has the testimony given by you on that occasion been re-read to you?  
A. Yes, it has.
- 4. Q. What have you to say now in reference to that testimony?  
A. I adopt that testimony as being my testimony and re-affirm it in its entirety and without modification as being the testimony given by me at this time.

Do you know, or can you state, any other matter or thing which may be of benefit or advantage to the parties to this cause, or either of them, or that may be material to the subject of this your examination, or the matters in question between the parties? If yea, state the same fully and at large in your answer.

Answer : No. Mamie E. Steward.

Ella Greene, the second witness, of lawful age, after having been duly sworn, deposes and says.

- 1. Q. Give your name, age and place of residence?  
A. Ella Greene, 59 years of age, and I reside at Millington, Kent County, Maryland.
- 2. Q. This is cause No. 3230 in the Circuit Court for Queen Anne's County, in Equity, wherein William Chase and others are plaintiffs and Jennie Cain and others are defendants, have you testified in this case before? and, if so, where and when?  
A. Yes, I have, on the 18th day of March, 1940, in the office of H. B. W. Mitchell the Examiner, in Centreville, Maryland .
- 3. Q. Has the testimony given by you on that occasion been re-read to you?  
A. Yes, it has.
- 4. Q. What have you to say now in reference to that testimony?  
A. I adopt that testimony as being my testimony and re-affirm it in its entirety and without modification as being the testimony given by me at this time.

Do you know, or can you state, any other matter or thing which may be of benefit or advantage to the parties to this cause, or either of them, or that may be material to the subject of this your examination, or the matters in question between the parties? If yea, state the same fully and at large in your answer.

Answer: No. Ella Greene

William J. Jeffers, the third witness, of lawful age, after having been duly sworn, deposes and says.

1. Q. Give your name, age and place of residence?

A. William J. Jeffers, I am nearly 60 years of age. I reside now near Marydel, Maryland.

2. Q. This is cause No. 3230 in the Circuit Court for Queen Anne's County, in Equity, wherein William Chase and others are plaintiffs, you being one of the plaintiffs, and Jennie Cain and others are the defendants, have you testified in this case before? And if so, where and when?

A. Yes, I have, in the office of H. B. W. Mitchell, the Examiner, in Centreville, Maryland, on the 23rd day of March, 1940.

3. Q. Has the testimony given by you on that occasion been re-read to you?

A. Yes, it has.

4. Q. What have you to say now in reference to that testimony?

A. I adopt that testimony as being my testimony and re-affirm it in its entirety and without modification as being the testimony given by me at this time,

Do you know, or can you state, any other matter or thing which may be of benefit or advantage to the parties to this cause, or either of them, or that may be material to the subject of this your examination, or the matter in question between the parties? If yea, state the same fully and at large in your answer.  
Answer : No.

Wm. J. Jeffers.

Mr. Earle hands to your Examiner paper writing purporting to be certified copy of last will and testament of Richard Chase, deceased, and requests that it be re-filed and same is re-filed and marked Examiner's Exhibit No. 1".

There being no other witnesses to be examined or further testimony to be taken, and neither side desiring further time for the production of evidence, your Examiner makes his return and certifies that he was engaged as such Examiner in taking this testimony two days and examined three witnesses, making the costs chargeable in said cause:

H. B. W. Mitchell, Examiner,	\$8.00
Mamie E. Stewart, witness,	.75
Ella Greene, witness,	.75
William J. Jeffers, witness,	.75
	<u>\$10.25</u>
Costs of depositions first taken	<u>\$10.25</u>
	\$ 20.50

H. B. W. Mitchell  
EXAMINER.

Filed April 11th, 1940.

FINAL DECREE for sale of Real Estate  
Filed April 27th 1940.

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY IN EQUITY.

William Chase, William J. Jeffers,  
Albert Jeffers and Ella Green,  
Plaintiffs.

vs

Cause No. 3230 .

Jennie Cain, Nola Frazier,  
Charles Jeffers, Josephine Hall,  
Wilson Brown, Asbury Cannidy,  
Elmore Corsey, McKinley Corsey,  
Charles Jacobs, Thomas Starkey,  
Albert Poolman, Annie Harkless  
and Mamie Stewart,  
Defendants.

FINAL DECREE

This cause standing ready for hearing and being submitted without argument, all the proceedings were read and considered.

It is thereupon this 27th day of April, in the year nineteen hundred and forty, by The Circuit Court for Queen Anne's County in Equity and by the authority of said Court, adjudged, ordered and decreed that the property mentioned in these proceedings be sold; that Richard T. Earle of Queen Anne's County, Maryland, be and he is hereby appointed Trustee to make said sale, and that the course and manner of his proceedings shall be as follows: He shall first file with the Clerk of this Court a bond to the State of Maryland, executed by himself and a surety or sureties, to be approved by this court or the Clerk thereof, in the penalty of One Thousand (\$1000.00) Dollars, if corporate surety be given, otherwise in double said amount, conditioned for the faithful performance of the trust reposed in him by this decree, or to be reposed in him by any future decree or order in the premises, he shall then proceed to make sale, having given at least three



weeks previous notice by advertisement, inserted in a newspaper or newspapers published in Queen Anne's County, Maryland, and such other notice as he shall think proper, of the time, place, manner and terms of sale, which terms shall be one third of the purchase money in cash on day of sale, balance upon ratification of sale or all cash at the option of the purchaser, the credit payments to bear interest from the day of sale and to be secured to the satisfaction of the trustee. The said trustee shall return to this Court a full and particular account of his proceedings relative to said sale, with an annexed affidavit of the truth thereof and of the fairness of said sale, and upon obtaining the Court's ratification of the sale and the payment of the whole purchase money( and not before), the said trustee shall by a good and sufficient deed to be executed, acknowledged and recorded according to law, convey to the purchaser or purchasers, his, her or their heirs, the property and estate to him, her or them sold, free, clear and discharged from all claims of the parties hereto, plaintiffs and defendants, and those claiming, by from or under them or any of them; and the said trustee shall bring into this Court the money arising from said sale and after deducting the costs of this suit and such commissions to the said trustee as this Court shall think proper to allow in consideration of the skill, attention and fidelity wherewith he shall appear to have discharged his trust, distribute the balance thereof under any future order or this Court.

Thos. J. Keating

Filed April 27th 1940.

.....  
CERTIFIED COPY OF BOND  
Filed May 1st 1940.

Queen Anne's County, to wit: Be it remembered that on the first day of May in the year nineteen Hundred and forty the following Bond was filed for record, to wit;

Know All Men by these Presents that we, Richard T. Earle as Principal and Glens Falls Indemnity Company of Glens Falls Falls, New York, a Corporation, duly authorized to become sole surety on Bonds, as Surety, are held and firmly bound unto the State of Maryland, in the full and just sum of One Thousand Dollars (\$1000.00) to be paid to the State of Maryland or its certain Attorney, to which payment well and truly to be made and done, we bind ourselves, and each of us and each of our heirs, personal representatives, successors and assigns, jointly and severally, firmly by these presents, sealed with our seals and dated this first day of May 1940.

Whereas, by a decree of the Circuit Court for Queen Anne's County in Equity, dated April 27th 1940, in a Cause in said Court wherein William Chase, et al, were Plaintiffs, and Jennie Cain et al. were Defendants, being Cause No. 3230, in said Court, the above bounden Richard T Earle was appointed trustee to make sale of the real estate therein mentioned and described, Now the Condition of the above obligation is such that if the above bounden Richard T. Earle do and shall abide by and fulfill any order or decree which shall be made by any Circuit Court of Equity in relation to the sale of real estate mentioned and described in the premises or the proceeds thereof, then the above obligation to be void, otherwise to be and remain in full force and virtue in law.

Signed, sealed and delivered  
in the presence of  
John Palmer Smith

Richard T. Earle (SEAL)  
Richard T. Earle

Corporate  
Seals Place.

The Glens Falls Indemnity Company  
of New York  
By L. Herman Meredith  
Attorney  
L. Herman Meredith

At the foot of the foregoing Bond was thus endorsed, to wit;  
Security approved and Bond filed May 1st 1940.

A. Sydney Gadd Jr. Clerk

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I hereby certify, that the foregoing is truly taken and copied from Liber W. H. C. No.1, folio 155, a Bond Record Book for Queen Anne's County.

Seals Place.

In Testimony Whereof, I hereunto subscribe my name and  
and affix the seal of the Circuit Court for Queen Anne's  
County this first day of May 1940.

A. Sydney Gadd Jr. Clerk

.....  
REPORT OF SALE  
Filed May 28, 1940

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY IN EQUITY.

William Chase et a.,

vs

Jennie Cain et al.

:  
:  
:  
:  
:

Cause No. 3230.

TRUSTEE'S REPORT OF SALE.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of sale of Richard T. Earle, Trustee in the above entitled cause to your Honors, respectfully shows:

That your trustee first complied with the decree in this cause by filing a corporate bond in the sum of One Thousand Dollars for the faithful performance of the trust reposed in him by said decree he then advertised the real estate described in these proceedings for more than three three weeks previous to the day of sale, a certificate of publication with copy of advertisement hereto attached, showing said advertisement to have run in the Queen Anne's Record-Observer, a newspaper printed and published in Queen Anne's County.

Your trustee did on May 28th., 1940, between land 20'clock P.M. in front of the Court House in Centreville, Maryland, after having read said advertisement and making the further statement that immediate possession would be given for the purpose of planting any crop, subject nevertheless to the ratification of sale, through J. Elmer Anthony, Auctioneer, offer for said real estate for sale in the following manner, to wit: Your trustee offered for sale first Tract No.1, but received no bid for same; your trustee then offered tract No. 2 for sale, but received no bids for same; your trustee then offer tracts No.1 and No.2 as a whole and then and there sold the same to William Chase, he being then and there the highest bidder for same at and for the sum of Four Hundred Dollars.

The said William Chase agrees to settle in full upon ratification of sale he being entitled to a one quarter net interest in the proceeds of sale, your trustee has accepted him as a bidder and agreed to the aforesaid terms.  
Amount of Sale \$400.00

Respectfully submitted.

Richard T. Earle  
Trustee.

TATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit :

I hereby certify that on this 28th day of May, 1940, personally appeared before me, the subscriber, The Clerk of the Circuit Court for Queen Anne's County, Maryland, Richard T. Earle, Trustee in the above entitled cause, and made oath in due form of law that the matters and facts set forth in the within and a foregoing report of sale are true as therein stated and that the sale so made and reported was fairly made.

A. Sydney Gadd Jr.  
Clerk of The Circuit Court for  
Queen Anne's County, Maryland.

Filed May 28th, 1940.

#### TRUSTEES SALE OF VALUABLE FARM

The undersigned trustee, through, under and by virtue of a decree of the Circuit Court for Queen Anne's County in Equity, dated April 27th, 1940, passed in a Cause in said Court wherein William Chase et al., are plaintiffs and Jennie Cain et al., are defendants, being Cause No. 3230 in said Court: the said Trustee will offer for sale to the highest bidder in front of the Court House in Centreville, Queen Anne's County, Maryland, on TUESDAY, May 28th 1940, between the hours of 1 and 2 o'clock, P.M.

The following two tracts of land, which have been conducted as one farm in the First Election District of Queen Anne's County, Maryland, to wit:

TRACTS NO.1 Situate on the South side of the public road from Millington to Steven's Corner, joining the properties of Mrs. William Phillips, Mrs. Annie Pennington, property formerly owned by William Biggs and the properties of others and consisting of Fifty Acres of land, more or less:

TRACT NO.2. Consisting of Twelve acres of woodland, more or less, situate about one half mile from the first tract and joins Holden's Church Property.

The tracts will be first offered separately and then as a whole and will be sold which ever way they produce the most money.

The above tracts being the same property of which one Richard Chase died possessed and by him devised by his Will, duly probated and recorded in Liber R. W. T. No.1, folio 16, a Will Record Book for Queen Anne's County.

TERMS OF SALE: One third cash upon day of sale, the balance to be secured by note bearing interest from day of sale, satisfactory to trustee, and payable upon ratification of sale, or all cash on day of sale at the option of purchaser; possession be given upon ratification of sale; purchaser to assume taxes for the year 1940; Title paper and revenue stamps at expense of purchaser.

Richard T. Earle  
Trustee.

J. Elmer Anthony, Auctioneer.

QUEEN ANNE'S RECORD\*- OBSERVER  
Centreville, Md. May 28, 1940.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO. hereby certifies that the Trustee's Sale as per copy attached in the case of William Chase et al be Jennie Cain et al in Chancery Cause # 3230 a true copy of which is hereto annexed, was inserted in the QUEEN ANNE'S RECORD, -OBSERVER, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week

for four successive weeks the first publication thereof having been made in said newspaper on the 2nd day of May 1940, being more than three weeks before the 28th day of May 1940.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO.  
By Cleo C. Green

Filed May 28, 1940.

.....  
N I S I  
Filed June 14th, 1940.

N I S I

William Chase et al. : In the Circuit Court for Queen Anne's County.  
vs : in Equity .  
Jennie Cain, et al. : Chancery No. 3230

ORDERED, This 14th day of June A. D. , 1940, that the sale of the real estate made and reported in this cause by Richard T. Earle, Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 22nd day of August next, provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 22nd day of July next.

The Report states the amount of sale to be \$400.00.

A. Sydney Gadd Jr. Clerk

Filed June 14th 1940.

.....  
PETITION TO SUBSTITUTE PURCHASER  
Filed April 5th 1941.

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY IN EQUITY

William Chase et al. :  
vs : Chan No. 3230.  
Jennie Cain et al. :

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of William Chase to your Honors, respectfully shows:

1. That on May 28th., 1940, your petitioner became the purchaser for all that farm described in these proceedings containing about 62 acres, of land, more or less, located in the First Election District of Queen Anne's County, Maryland, at public sale at and for the sum of \$400.00 which sale has been reported by Richard T. Earle, Trustee in this case .
2. That your petitioner desires that the report of sale in this cause be so changed that the name of the purchaser shall be to William Chase and Edith E. Chase, his wife instead of in the name of your petitioner alone.

Respectfully submitted.

William A. Chase

I, Edith E. Chase, wife of William Chase do hereby request that said substitution be made.

Edythe E. Chase.

The Trustee in this cause does hereby consent to said substitute the name of purchaser to read to William Chase and Edith E. Chase, his wife, instead of to William Chase as reported in the report of sale filed in this cause.

Richard T. Earle

Filed Apr. 5th 1941

.....  
CERTIFICATE OF NISI  
Filed June 14th 1940.

N I S I

WILLIAM CHASE ET AL. : In the Circuit Court for Queen  
VS : Anne's County, in Equity  
JENNIE CAIN et al. : Chancery No. 3230

ORDERED, This 14th day of June A. D. 1940, that the sale of the real estate made and reported in this cause by Richard T. Earle, Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 22nd day of August next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 22nd day of July next,

The Report states the amount of sales to be \$400.00

A. Sydney Gadd Jr. Clerk

True Copy  
Test:

A. Sydney Gaddjr.

Filed Jun 14th 1940.

QUEEN ANNE'S RECORD \* OBSERVER

CENTREVILLE, Md. April 4 1941

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO. hereby certifies that the Order Nisi in the case of William Chase et al. vs Jennie Cain, et al a true copy of which is hereto annexed, was inserted in the QUEEN ANNE'S RECORD -OBSERVER, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week for four successive weeks the first publication thereof having been made in said newspaper on the 4th day of July 1940, being more than four weeks before the 22nd day of July 1940.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO.  
By Evelyn S. Butler.

ORDER OF COURT  
Filed April 26, 1941

ORDERED, This 26th day of April in the year nineteen hundred and forty one, by The Circuit Court for Queen Anne's County, in Equity, that the sale of the real estate made and reported in the aforesaid cause of William Chase et al vs. Jennie Cain et al., being No. 230 in this Court, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, although due notice appears to have been given as required by the preciding order nisi. The Trustee is allowed the usual commissions and all expenses not personal, upon producing proper vouchers therefore before the auditor.

Thos. J. Keating

Filed April 26, 1941.

ORDER OF COURT  
Filed April 26th 1941.

ORDER OF COURT

The foregoing petition, request of the joint, substituting and consent of trustee, having been read and considered it is thereupon this 26th day of April, 1941, ORDERED by The Circuit Court for Queen Anne's County in Equity and by the authority of said Court, that William Chase and Edith E. Chase, his wife, be and they hereby are substituted as purchasers of the real estate sold in these proceedings in the place andstead of William Chase the original purchaser as report by the Report of Sale filed in this cause.

Thos. J. Keating

Filed Apr. 26th 1941.

PETITION TO SHOW CAUSE WHY PURCHASERS SHOULD NOT COMPLY WITH DECREE AND UPON THIS FIALURE TO STRIKE OUT RATIFICATION OF SALE AND SEALL AS PURCHASERS  
Filed June 3rd 1942.

WILLIAM CHASE ET AL., : IN THE CIRCUIT COURT FOR QUEEN  
VS : ANNE'S COUNTY, IN EQUITY  
JENNIE CAIN ET AL. : Cause No. 3230

TO THE HONORABLE THE JUDGES OF SAID COUT\_:

The petition of Richard T. Earle, Trustee in this cause, to your Honors respectfully shows:

1. That your petitioner in pursuance of a decree of sale passed in this cause on April 27th., 1940, offered for sale and sold on May 28th., 1940, the real estate mentioned and described in these proceedings as containing sixty two acres of land, more or less, to William Chase for the sum of \$400.00, upon the terms set forth in said decree.
2. That the sale so made was duly reported to this Court and by its Order dated April 26th., 1941, finally ratified and confirmed, and that in accordance with the terms of said decree passed herein all monies due and owing for said purchase price, with any interest due on same, became due and pay and payable.
3. That prior to the ratification of said sale the said William Chase, purchaser, filed his petition in this cause asking that himself and his wife, Edith E. Chase, be substituted as purchasers of the property sold herein in the place and stead of himself the original purchaser, that the said Edith E. Chase consented in writing in said petition and that your petitioner likewise consented thereto and that on said petition this Court passed an order allowing said substitution.
4. That the said William Chase and Edith E. Chase, his wife, purchasers, are non-residents of the State of Maryland residing at 1611 North 26th Street, Philadelphia,

State of Pennsylvania, and that although your petitioner has repeatedly requested of them to comply with the terms of sale of making full payment of the purchase price with interest thereon, but they have failed to do so and continue to refuse to do so, and that there is now due and owing on the purchase price and interest on same the sum of THREE HUNDRED AND TWENTY FOUR DOLLARS AND NINETEE CENTS (\$324.19) with interest on same from April 15th, 19 42, the date of their last payment.

5. Your petitioner desires that this Honorable Court pass an order cause directing the said William Chase and Edith E. Chase, his wife, to whow cause, if any they may have, why they should not pay into this Court the aforesaid balance of the purchaser price and notifying them if they fail to do so that the Ordef of April 26th., 1941, ratifying and confirming the sale made to them will be stricken out and that the trustee in this cause will be directed, authorized and empowered to make a re-sale of this property, in accordance with the terms of the original decree and at their risk.

Your petitioner therefore prays this Honorable Court to pass an Oder direct the said William Chase and Edith E. Chase, adults, non-residents of the State of Maryland, residing at 1611 North 26th., Street, Philadelphia, State of Pennsylvania, and to show cause, if any they have, why the sum of \$324.19 with interest thereon from April 15th., 1942, the balance of the purchase money, should not be paid into Court, and upon their failure so to do why the Order of this Court ratifying and confirming the sale heretofore made should not be stricken out and why by its order it should not direct, authorize and empower the Trustee in this Cause to re-sell the real estate herein mentioned and described on the same terms as provided by the original decree passed herein and at the risk of the said William Chase and Edith E. Chase, purchasers hereof.

Respectfully submitted,

Richard T. Earle  
Trustee.

Subscribed and Sworn to beforeme this 3rd day of June 1942  
A. Sydney Gadd Jr. Clerk

Filed June 3rd, 1942.

.....  
ORDER OF COURT  
Filed June 4th, 1942.

O R D E R O F C O U R T

Upon the foregoing petition and affidavit, It Is Ordered, this 4th day of June, 1942, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that William Chase and Edith E. Chase, his wife, the substituted purchasers of thereal estate described in said petition, be and they are hereby required to show cause, on or before the 21st day of July, 1942, why the balance of the purchase money due and owing for said real estate should not be paid; and failing so to do, to further show cause why the order of this Court finally ratifying and confirming the sale reported in this Cause should not be stricken out; and further, why Richard T. Earle, the trustee in this cause, should not be directed to resell said real estate at the risk of the substituted purchasers, provided a copy of said afore-going petition and of this order be served on said substituted purchasers on or before the 20th day of June, 1942.

Wm. R. Horney  
Judge.

Filed June 4th, 1942.

.....  
COPY OF PROCESS TO BE  
SERVED AND RETURNED  
Filed June 22nd 1942.

WILLIAM CHACE ET AL., : IN THE CIRCUIT COURT FOR QUEEN  
VS : ANNE'S COUNTY IN EQUITY  
JENNIE CAIN ET AL. : CAUSE No. 3230

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of Richard T. Earle, Trustee in this cause, to your Honors respectfully shows:

1. That your petitioner in pursuance of a decree of sale passed in this cause On April 27th, 1940, offered for sale and sold on May 28th., 1940, the real estate mentioned and described in these proceedings as containing sixty two acres of land, more or less, to William Chase for the sum of \$400.00, upon the terms set forth in said decree.

2. That the sale so made was duly reported to this Court and by its Order dated April 26th., 1941, finally ratified and confirmed; and that in accordance with ther terms of said decree passed herein all monies due and owing for said purchase price, with any interest due on same, became due and payable.

3. That prior to the ratification of saie sale the said William Chase, purchaser, filed his petition in this cause asking that himself and his wife, Edith E. Chase, be substituted as purchasers of the property sold herein in the

place and stead of himself the original purchaser, that the said Edith E. Chase consented in writing in said petition and that your petitioner likewise consented thereto and that on said petition this Court passed an order allowing said substitution.

4. That the said William Chase and Edith E. Chase, his wife, purchasers, are non-residents of the State of Maryland residing at 1611 North 26th Street, Philadelphia, State of Pennsylvania, and that although your petitioner has repeatedly requested of them to comply with the terms of sale by making full payment of the purchase price with interest thereon, but they have failed to do so and continue to refuse to do so, and that there is now due and owing on the purchase price and interest on same the sum of THREE HUNDRED AND TWENTY FOUR DOLLARS AND NINETEEN CENTS (\$324.19) with interest on same from April 15th, 1942, the date of their last payment.

5. Your petitioner desires that this Honorable Court pass an order in this cause directing the said William Chase and Edith E. Chase, his wife, to show cause, if any they may have, why they should not pay into this court the aforesaid balance of the purchase price and notifying them if they fail to do so that the Order of April 26th., 1941, ratifying and confirming the sale made to them will be stricken out and that the trustee in this cause will be directed, authorized and empowered to make a re-sale of this property, in accordance with the terms of the original decree and at their risk.

Your petitioner therefore prays this Honorable Court to pass an Order directing the said William Chase and Edith E. Chase, adults, non-residents of the State of Maryland, residing at 1611 North 26th, Street, Philadelphia, State of Pennsylvania, to show cause, if any they have, why the sum of \$324.19 with interest thereon from April 15th., 1942, the balance of the purchase money, should not be paid into Court, and upon their failure so to do why the Order of this Court ratifying and confirming the sale heretofore made should not be stricken out and why by its order it should not direct, authorize and empower the Trustee in this cause to re-sell the real estate herein mentioned and described on the same terms as provided by the original decree passed herein and at the risk of the said William Chase and Edith E. Chase, purchasers hereof.

Respectfully submitted,

RICHARD T. EARLE

Trustee

Subscribed and Sworn to before me this 3rd day of June, 1942.

A. Sydney Gadd Jr. Clerk

Filed June 3rd 1942.

#### ORDER OF COURT

Upon the foregoing petition and affidavit, It Is Ordered, this 4th day of June, 1942, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that William Chase and Edith E. Chase, his wife, the substituted purchasers of the real estate described in said petition, be and they are hereby required to show cause, on or before the 21st day of July, 1942, why the balance of the purchase money due and owing for said real estate should not be paid; and failing so to do, to further show cause why the order of this Court finally ratifying and confirming the sale reported in this Cause should not be stricken out; and further, why Richard T. Earle, the trustee in this cause, should not be directed to resell said real estate at the risk of the substituted purchasers, provided a copy of said foregoing petition and of this order be served on said substituted purchasers on or before the 20th day of June, 1942.

Wm. R. Horney

Judge.

Filed June 4, 1942.

Seals Place.

True Copy :

TEST:

A. Sydney Gadd Jr. Clerk

I hereby certify that I served a copy of the within and foregoing petition and order upon William Chase and Edith E. Chase, his wife, by reading the same to them, and by leaving a copy with them at Philadelphia County, State of Pennsylvania, this 10th day of June, 1942.

William J. Kilpatrick

Deputy Sheriff of Philadelphia County,  
State of Pennsylvania.

Sworn to and subscribed before me this 10th day of June 1942.

Frances Conner McGrath  
Notary Public

My Commission Expires May 13, 1944.

In THE COURTS OF COMMON PLEAS OF PHILADELPHIA COUNTY.

I, JOHN M. SCOTT, Prothonotary of the Courts of Common Pleas of said County, which are Courts of Record having a common seal, being the officer authorized by the laws of the State of Pennsylvania to make the following Certificate, acting by my Principal Deputy, Meredith Hanna, or my Second Deputy, John H. Hoerr do Certify, That Frances McGrath Esquire, before whom the annexed affidavit was made, was at the time of so doing a NOTARY PUBLIC for the Commonwealth of Pennsylvania, residing in the County of Philadelphia, duly commissioned and qualified to administer oath and affirmation and to take acknowledgements and proofs of Deeds or Conveyances for land, tenements and hereditaments to be recorded in said

State of Pennsylvania, and to all whose acts, as such, full faith and credit are and ought to be given, as well in Courts of Judicature as elsewhere; and that I am well acquainted with the handwriting of the said Notary Public and verily believe the signature thereto is genuine, and that said oath or affirmation purports to be taken in all respects as required by the laws of the State of Pennsylvania.

The impression of the seal of the Notary Public is not required by law to be filed in this office.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court, this 20th day of June in the year of our Lord one thousand nine hundred and forty two. (1942)

(Seals Place) By Meredith Hanna Deputy Prothonotary. JOHN M. SCOTT, Prothonotary  
Durante Absentia, Secundum Legem.

Filed June 22nd, 1942.

.....  
PETITION TO HAVE SALES OF REAL  
ESTATE BE RE-RATIFIED AND CONFIRMED  
Filed Feb. 9, 1943.

William Chase et al., : In the Circuit Court for Queen Anne's  
vs : County, in Equity.  
Jennie Cain et al., : Cause No. 3230/

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Richard T. Earle, Trustee in this cause, to your Honors, respectfully shows:

1. That your petition on June 3rd, 1942, filed a petition in this cause asking that the purchasers of the real estate sold herein, William Chase and Edith E. Chase, his wife, be commanded to show cause, why they should and commanded to show cause, why they should not comply with the terms of said sale or that the ratification of said sale be stricken out and the trustee be directed to make a re-sale of the said real estate at the risk of the said purchasers, that said petition was granted by this Court and Order passed on said petition as requested.

2. That the purchasers of said real estate, William Chase and Edith E. Chase, his wife, did then make payment of a major portion of the purchase money and agreed to pay the same in a manner satisfactory to your petitioner, and that now the said purchasers have paid the full purchase price of the said real estate together with interest on the unpaid portion thereof and have complied fully with the terms of said sale and are entitled to a deed of conveyance of same.

To the end:

That this Court may pass an Order in this cause re-ratifying and confirming the sale heretofore made to the said William Chase and Edith E. Chase, his wife, to the same purpose and extent as if they had originally complied with the terms of the sale of the real estate made herein.

Richard T. Earle, Trustee.

Filed Feb. 9, 1943.

.....  
ORDER OF COURT  
Filed Feb. 10, 1943.

ORDER OF COURT

The foregoing petition having been read and considered, IT IS THEREUPON Ordered, this 10th day of February, 1943, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that the order of this Court passed on the 4th day of June, 1942, to show cause why the balance of the purchase money due and owing for said real estate by the substituted purchasers should not be paid; and failing so to do to further show cause why the order of this Court finally ratifying and confirming the sale reported in this cause should not be stricken out, and the trustee directed to resell said real estate at the risk of said substituted purchasers, be and the same is hereby rescinded it appearing that said substituted purchasers have now fully complied with the terms of the original sale, which has heretofore been finally ratified by this Court, and which said original sale is hereby confirmed.

Wm. R. Horney  
Judge.

Filed Feb. 10, 1943.





CAUSE NO. 3230

The proceeds of the sale of the real estate of William Chase and other co-owners in the account with Richard T. Earle, the trustee appointed by the decree passed in this cause to sell said real estate.

1940 CR  
 May 28 By amount of the gross sale of said real estate per the report of said trustee filed in this cause, to wit: .....\$400.00

DR.  
 1940  
 May 28 To Richard T. Earle, trustee for his commissions for making the sale, per rule of court, the sum of .....\$28.00  
 To the same trustee for the costs of his bond filed in this cause for 3 years paid the corporate surety on said bond per receipted accounts for same exhibited to the auditor, the sum of .....\$30.00  
 To said trustee for the amount paid J. E. Anthony the auctioneer at the sale for his services per receipted for same exhibited to the auditor, the sum of .....\$10.00  
 To the said trustee for the amount of state and county taxes for year 1939 on the real estate sold paid by the trustee to tax collector, per receipted tax statement exhibited to the auditor, the sum of .....\$17.95  
 To the said trustee for the cost of advertising notices of the sale and the order nisi passed on the sale, (\$5.00) in Centreville newspaper, per receipt of Queen Anne's Record and Observer, publishing company exhibited to the auditor, the sum of ..... \$36.90  
 To the same trustee for the cost of advertising the order of publication passed in this cause in the Queenstown News, per receipted account for same exhibited to the auditor, the sum of ..... \$32.50  
 To the same trustee for the costs of advertising the order nisi to be passed as to this audit, the sum of ..... \$ 3.50  
 To Madison Brown, auditor, for stating this account the sum of ..... \$ 9.45  
 Amounts carried forward .....\$168.30 400.00

CAUSE NO. 3230 DR. CR.  
 Amounts brought forward from preceding page, 168.30 400.00

To the same trustee for the court costs of these proceedings per bill of costs made out by the clerk of the court and exhibited to the auditor, as follows:  
 Costs of A. D. Gadd, clerk.....\$54.55  
 Appearance fee of R. T. Earle, ..... 10.00  
 Fee of J. P. Smith, guardina, a.l. .... 4.00  
 Fee of E. E. Coursey, sheriff, ..... 2.25  
 Fees of W. E. Andrews, sheriff, ..... 3.00  
 Cost of Register of Wills; ..... 1.50  
 Fees of sheriff of Baltimore City, .... 1.90  
 Fees of H. B. W. Mitchell, examiner, .. 16.00  
 Fees of witnesses before the examiner, ..... 4.50  
 Total amount of these costs ..... 97.70 \$97.70  
 To Total of above allowances, .....\$266.00  
 balance, same constituting the net proceeds of the sale and carried forward for distribution among co-owners, .....134.00  
 \$400.00 \$400.00

CAUSE NO. 3230

Distribution among Co-owners of the net amount of the sale.

DR.  
 To William Chase, original devisee, is distributed 1/4 th of said net sale, to wit; the sum of .....\$ 33.50 (5 Heirs of May Jeffers, original devisee (receive her one fourth). (these Heirs at law are her children).  
 To William J. Jeffers is distributed 1/20 th of said net sale, to wit: the sum of .....\$ 6.70  
 To Albert Jeffers is distributed 1/20 th of said net sale, to wit: the sum of ..... \$ 6.70  
 To Jennie Cain is distributed 1/20 th of said net sale, to wit: the sum of ..... \$ 6.70  
 To Nola Frazier , is distributed 1/20 th of said net sale, to wit: the sum of ..... \$ 6.70  
 To Charles Jeffers is distributed 1/20 th of said net sale, to wit: the sum of ..... \$ 6.70

(4 heirs of Annie M. Boon, original devisee  
 (receive her one fourth).  
 (these Heirs at law are her grandchildren.)

To Alberta Poolman is distributed 1/16 of said net sale, to wit:  
 the sum of .....\$8.375

To Annie Harkless, is distributed 1/16th of said net sale, to wit:  
 the sum of .....\$8.375

To Ella Green is distributed 1/16th of said net sale,  
 to wit: the sum of .....\$8.375

To Mamie Stewart is distributed 1/16 th of said  
 net sale, to wit: the sum of .....\$8.375

CAUSE NO. 3230

Distribution among Co-owners of net sale continued:

DR.

(Leland Brown, original devisee of 1/4th of  
 (the land has 4 sets of Heirs to represent him.)

To Josephine Hall, sister of Leland Brown is distributed 1/12 of said  
 net sale, to wit: the sum of ..... \$11.166

To Wilson Brown, nephew of Leland Brown is distributed  
 1/24 of said net sale, to wit: the sum of ..... \$ 5.583

To Asbury Cannidy, grand-nephew of Leland Brown is distributed  
 1/48th of said net sale, to wit: the sum of ..... \$ 2.792

To Charles Jacobs, great grand-nephew of Leland Brown is allowed  
 1/96th of said net sale, to wit: the sum of ..... \$ 1.396

To Thomas Starkey, great grand-nephew of Leland Brown is allowed  
 1/96 of said net sale, to wit: the sum of ..... \$ 1.396

(Descendants of Catherine Brown, sister of  
 (Leland Brown.)  
 (These descendants are her two sons).

To Elmore Corsey, nephew of Leland Brown is distributed 1/24  
 th of said net sale, to wit: the sum of ..... \$ 5.584

To McKinley Corsey, nephew of Leland Brown is distributed 1/24  
 th of said new sale, to wit: the sum of ..... \$ 5.583

The total amount distributed to the parties named above  
 is the sum of ..... \$ 134.00

CR.  
 By amount of the net sale for distribution shown above Page 2. \$ 134.00

February 16th, Nineteen hundred and forty three.

Madison Brown  
 AUDITOR

Filed Feb. 17, 1943.

.....  
 NISI RATIFICATION OF  
 AUDIT  
 Filed Feb. 17, 1943.

NISI RATIFICATION OF AUDIT

William Chase, et al., : In the Circuit Court for Queen  
 :  
 vs : Anne's County, In Equity.  
 :  
 Jennie Cain, et al. : Cause No. 3230/

ORDERED, this 17th day of February in the year nineteen hundred  
 and forty three that the Report and Account filed in these proceedings by Madison  
 Brown, Auditor, be ratified and confirmed, unless cause to the contrary thereof be  
 shown on or before the 12th day of March, 1943, provided a copy of this order be  
 published once a week in each of two successive weeks before the 5th day of March,  
 1943, in some newspaper printed and published in Queen Anne's County.

A. Sydney Gadd Jr. Clerk

Filed February 17, 1943.

.....  
 CERTIFICATE OF NISI RATIFICATION  
 OF AUDIT  
 Filed March 23rd, 1943.

NISI RATIFICATION OF AUDIT

William Chase, et al. : In the Circuit Court for  
 :  
 vs : Queen Anne's County in Equity.  
 :  
 Jennie Cain, et al. : Cause No. 3230 .

ORDERED, This 17th day of February in the year nineteen hundred  
 and forty-three that the Report and Account filed in these proceedings by Madison  
 Brown, Auditor, be ratified and confirmed, unless cause to the contrary be shown  
 on or before the 12th day of March 1943, provided a copy of this order be  
 published once a week for two successive weeks before the 5th day of March, 1943,  
 in some newspaper printed and published in Queen Anne's County.

A. SYDNEY GADD, JR.  
 Clerk

Filed February 17, 1943.

True Copy  
Test: A. Sydney Gadd Jr. Clerk

QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. February 26, 1943.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the attached Nisi Ratification of Audit in the case/ estate of Chase vs Cain No. 3230 Chan, a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD OBSERVED, a weekly newspaper printed and published at Centreville, in Queen Anne's County, Maryland, once a week for 2 successive weeks before 5th day of March 1943, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD - OBSERVER was on the 18th day of February 1943, and the last insertion on the 25th day of February 1943.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY  
By Glenn T. James  
Filed Mar. 23rd. 1943.

.....  
ORDER OF COURT  
Filed April 2nd 1943.

Willlam Chase, et al., : In the Circuit Court for  
vs : Queen Anne's County, in Equity  
Jennie Wain, et al. : Cause No. 3230.

ORDERED, this 24th day of March, 1943, by the Circuit Court for Queen Anne's County, in Equity and by the authority of said Court; that the within and foregoing audit be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, although notice appears to have been given in accordance with the certificate of publication of Nise ratification thereto, and Richard T. Earle, Trustee herein, is directed to make disbursement in accordance with said audit, together with a due proportion of the interest collected.

Wm. R. Horney  
Judge.

Filed April 2nd 1943.

## C A U S E N O 3342

Q U E E N A N N E ' S C O U N T Y , T O W I T : Be it remembered that on this  
 tenth day of November in the year nineteen hundred and forty two, the following  
 Order to Docket Suit was-brought to be recorded, to wit:

In the Circuit Court for Queen Anne's County in Equity

Harry C. Butler, Assignee of Mortgage	:	Suit for foreclosure of mortgage
	:	from Defendants to Lawrence A. Callahan
	:	dated April 1, 1922, held by Harry C.
vs	:	Butler by Assignment, by a sale of
	:	mortgage property under power of sale
Robert W. Eddins and Annie W. Eddins, his wife Mortgagors.	:	contained in mortgage.

TO THE CLERK OF SAID COURT:

Docket suit forthwith on the Chancery Docket of this Court in  
 accordance with the above titling and file in a paper of said suit a certified copy  
 of the mortgage of Robert W. Eddins and Annie W. Eddins, his wife to Lawrence A.  
 Callahan, dated April 1, 1922 and recorded in Liber J. F. R. 9, folio No. 436 and  
 all of the assignments thereof and all of the papers in forming part of said assign-  
 ments.

Harry C. Butler  
 Harry C. Butler Assignee  
 of Mortgage.

Filed Nov. 10, 1942

.....  
 CERTIFIED COPY OF MORTGAGE  
 Filed Nov. 10, 1942.

.....  
 #9205 Q U E E N A N N E ' S C O U N T Y , T O W I T : Be it remembered that on this first  
 day of April, in the year nineteen hundred and twenty two, the following Mortgage  
 was brought to be recorded, to wit:

THIS MORTGAGE, Made this First day of April, in the year nineteen  
 hundred and twenty-two, by Robert W. Eddins, trading as THE EDDINS FURNITURE COMPANY,  
 and Robert W. Eddins and Annie W. Eddins, his wife, of Queen Anne's County, in the  
 State of Maryland.

WHEREAS, Lawrence A. Callahan, of Talbot County, State aforesaid,  
 has loaned and advanced unto the said Robert W. Eddins, trading as THE EDDINS  
 FURNITURE COMPANY, the full sum of Six Thousand Five Hundred Dollars (\$6,500.00),  
 to be repaid, with interest semiannually, at the rate of six per cent per annum,  
 at the expiration of Five Years from the date hereof, to secure the payment of  
 which said principal sum and interest as aforesaid, these presents are executed.

NOW, THEREFORE, THIS MORTGAGE WITNESSETH THAT, in consideration  
 of the premises and of the sum of One Dollar, the said Robert W. Eddins, trading  
 as The Eddins Furniture Company, and Robert W. Eddins, his wife, do hereby grant  
 and convey unto the said Lawrence A. Callahan, his heirs and assigns, in fee simple  
 the following described real estate, to wit:-

ALL that real estate situate, lying and being in the town of  
 Centreville, Queen Anne's County, Maryland, on the east side of Commerce Street,  
 and improved by a two story block and frame store house and dwelling and outbuild-  
 ings, and having a with or frontage on said Commerce Street of about thirty-four  
 feet, seven inches, and a width on Hayden Avenue of About thirty-four feet, and  
 bounded on the one side by the property of H. Sachs & Son (formerly the Charles M,  
 West property), and the property of the heirs at law of Walton C. Orrell, deceased;  
 and being the same and all the property described in the deed to the said Robert  
 W. Eddins, trading as The Eddins Furniture Company, from Blanche Harman Eaton and  
 husband, and James T. Bright and wife, and S. Scott Beck, et al., Trustees, dated  
 April 12th, 1921, and recorded in Liber J.F.R. \$7, folio 198, etc., a Land Record  
 Book for Queen Anne's County aforesaid.

TOGETHER with all the rights, roads, ways, waters, privileges  
 and advantages thereto belonging or in any wise appertaining, and the buildings  
 and improvements thereon erected and being.

AND it is hereby agreed that, in the event of a sale of the above  
 described property under the power of sale hereinafter expressed, all annual crops,  
 pitched, planted or growing upon said property at the time of sale shall pass to  
 the purchaser of said property.

PROVIDED, that if the said Mortgagors, their heirs, executors,  
 administrators or assigns, shall well and truly pay to the said Mortgagee, his  
 executors, administrators or assigns, the aforesaid sum of Six Thousand, Five  
 Hundred Dollars (\$6,500.00) and the interest to accrue thereon, when and as the  
 same shall become due and payable, as above set forth, and shall perform all the  
 covenants, conditions and agreements therein on his, her or their part to be perfor-  
 med, then this mortgage shall be void; and until default be made in the premises  
 the said Mortgagors, their heirs and assigns, shall possess said property.

AND the said Mortgagors, for themselves and for their heirs, executors, administrators and assigns hereby covenant to pay, as they severally fall due, the debt and interest hereby intended to be secured, all taxes, assessments, public dues and charged levied or that may be levied thereon and on the property hereby conveyed, all costs and attorney's commissions and charges incurred in the collection of said debt and interest or any part of either, and to insure, and pending this mortgage to keep insured, the improvements on said premises, to the amount of at least the insurable value thereof, in some Company or Companies approved by the said Mortgagee, his executors, administrators or assigns, and to have the said policy or policies so framed or endorsed that the proceeds arising from said policy or policies, in case of loss, shall be applied to the payment of this mortgage, and to deliver, upon demand, to the mortgagee his executors, administrators or assigns, said policy or policies, and that no act or thing shall be done whereby said mortgaged premises may be depreciated or lessened in value.

BUT, in case of default in payment of said debt, or the interest to accrue thereon, or any part of either, as they severally fall due, or in any covenant, condition or agreement in this mortgage; then the whole debt intended hereby to be secured and all moneys owing hereunder or secured hereby shall be due and demandable and the said Mortgagee; his executors, administrators or assigns, or JOHN PALMER SMITH their hereby duly constituted Attorney for the purpose, are hereby authorized and empowered to sell said premises upon giving twenty days previous notice of the time, place, manner and term of sale by advertisement in a newspaper printed and published in Queen Anne's County, State of Maryland, and such other notice as the party selling may deem expedient, for cash, or for cash and credit, at the option of the person making the sale, the credit payments, if any, to bear interest from day of sale, and to be secured by the note or notes of the purchaser with security to be approved by the person making the sale, and to apply the proceeds of sale to the payment of, first, all expenses incident to such sale, including compensation to the person making sale the same as allowed to Trustees selling real estate under decree of the Circuit Court for Queen Anne's County, in Equity; second, all moneys owing hereunder or secured hereby, whether the same shall have then matured or not; and third, the balance to the Mortgagors, or whoever may be entitled to the same.

AND it is hereby agreed that when default be made in any covenant or condition contained in this mortgage and when suit has been docketed in the proper Court for the purpose of the foreclosure of this mortgage under the power of sale above granted the said Mortgagee, his executors, administrators or assigns, or JOHN PALMER SMITH their said Attorney, shall not be required to receive and accept the principal and interest of said mortgage indebtedness in satisfaction thereof, unless the tender of said mortgage indebtedness be accompanied by the payment of all expenses incurred under said foreclosure proceedings, including all costs of advertisement, Court costs and all expenses incurred to the time of said tender and a commission on the total amount of the mortgage indebtedness, principal and interest, equal to one-half the commission allowed Trustees for making sale of real estate under decree of the Circuit Court for Queen Anne's County, in Equity, and which said costs, expenses and commissions the said Mortgagors, for themselves and for their heirs executors, administrators and assigns, hereby covenants to pay.

Witness the hands and seals of the Mortgagors,

TEST: E.M. Forman

Robt. W. Eddins (SEAL)  
TRADING AS: THE EDDINS FURNITURE COMPANY.

Annie W. Eddins (SEAL)  
Robt. W. Eddins (SEAL)

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

I HEREBY CERTIFY, that on this first day of April, in the year nineteen hundred and twenty-two, before the Subscriber, a Justice of the Peace of the State of Maryland, in and for Queen Anne's County aforesaid, personally appeared Robert W. Eddins trading as THE EDDINS FURNITURE COMPANY, and Robert W. Eddins and Annie W. Eddins, his wife, and did each acknowledge the foregoing MORTGAGE to be their respective act and deed.

Ezekiel M. Forman  
JUSTICE OF THE PEACE

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

I Hereby certify, that on this first day of April, 1922, before the Subscriber, a Justice of Peace of the State of Maryland, in and for Queen Anne's County, duly commissioned and qualified, personally appeared Lawrence A. Callahan, the mortgagee above named, and made oath in due form of law that the consideration stated in the foregoing Mortgage to be true and bona fide as therein set forth.

Witness my hand and Notarial Seal.

Ezekiel M. Forman  
Justice of the Peace.

Robert W. Eddins, trading as The : Mortgage dated April 1, 1922, and  
Eddins Furniture Co., Robert W. Eddins : recorded April 1, 1922, in Liber  
and Annie W. Eddins, his wife, : J. F. R. No.8, folios 436, etc.,  
: :  
: :

To :  
: :  
Lawrence A. Callahan :

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Fifth day of November, in the year nineteen hundred and forty two, the following Assignment, certified

copy of will and certifies copies of Administration accounts were brought to be recorded, to wit:-

ASSIGNMENT OF THIS MORTGAGE

This within, foregoing and attached mortgage given by Robert W. Eddins unto Lawrence A. Callahan to secure the payment of the principal debt of Sixty Five Dollars (\$6500.00) bearing date April 1st, 1922 and recorded in Liber J. T. R. No. 8 ( at folio 436) a land record book of Queen Anne's County was the property of said Lawrence A. Callahan at the time of his death. He died leaving a last will and testament dated November 9, 1932 which was admitted to probate by the Orphans' Court of Talbot County on January 10, 1933, By this will the testator named us, the undersigned Mary Novilla Callahan and Lucinda Augusta Callahan, as executrices thereof and did bequeath all his property unto the said Mary Novilla Callahan and Lucinda Augusta Callahan as trustees of the trust estate created by his will of all his property for the benefit of his wife, S. Augusta Callahan for her life with remainder to his children, all of which will appear from a certified copy of this will attached herewith as part of this assignment.

This mortgage passed to the said executrices as personal property of said testator. Said executrices, on September 16, 1933, passed in Orphans Court of Talbot County their first and final account of administration and distribution in which they charged themselves with this said mortgage and debt of Sixty Five Hundred Dollars (\$6500.00) although uncollected in order to make distribution of said mortgage and by this account said mortgage was distributed unto the said Mary Novilla Callahan and Lucinda Augusta Callahan as trustees of said trust estate and became assigned unto them and their property as such trustees by operation of law but remained to be assigned upon the aforesaid land record book of Queen Anne's County and to complete the assignment by operation of law this assignment is now made. A certified copy of said administration account and distribution is attached to this assignment as part hereof.

NOW THEREFORE THIS ASSIGNMENT WITNESSETH:-

That the said Mary Novilla Callahan and Lucinda Augusta Callahan as executrices of the last will and testament of Lawrence A. Callahan of this estate do hereby assigne the within and foregoing mortgage unto ourselves Mary Novilla Callahan and Lucinda Augusta Callahan as trustees of the Trust Estate created by said testator by said will for the benefit of S. Augusta Callahan, wife of said testator, for her life with remainder unto his children.

Witness our hands and seals this 4th day of November, in the year nineteen hundred and forty two.

Mary Novilla Callahan (SEAL)  
Mary Novilla Callahan

LUCINDA AUGUSTA CALLAHAN (SEAL)  
Lucinda Augusta Callahan

Executrices of the Last Will and  
Testament of Lawrence A. Callahan,  
Deceased.

We, the undersigned, assignees of the within and foregoing mortgage under the assignment the above set forth, in consideration of the sum of Sixty Five Hundred Dollars (\$6500.00) paid to us, as the principal debt unto us under said mortgage, by Herbert Goldstein and Shirley Goldstein, his wife, and in further consideration of Sixty five hundred (\$6500.00) Dollars the interest due to us at this time under said mortgage, Interest to Nov., 4th, 1943 date due \$264.33 also paid to us by Herbert and Shirley Goldstein, do hereby assign and transfer the within foregoing mortgage to Herbert Goldstein and Shirley Goldstein, his wife, as tenants by the entireties.

Witness our hands and seals this 4th day of November nineteen hundred and forty two.

MARY NOVILLA CALLAHAN (SEAL)  
Mary Novilla Callahan

LUCINDA AUGUSTA CALLAHAN(SEAL)  
Lucinda Augusta Callahan

Trustees of the Trust Estate created by Lawrence A. Callahan by his last will and testament for his wife S. Augusta Callahan and his children.

ADMINISTRATION ACCOUNTS IN THE ORPHANS' COURT OF TALBOT COUNTY,  
STATE OF MARYLAND.

DR.

CR.

Mary Novilla Callahan and Lucinda Augusta Callahan, Executrices of the Personal estate of Lawrence A. Callahan, late of the County aforesaid, deceased, having charged themselves with the Inventory of decedent's personal estate as verified and corrected by the account of Sales exhibited in the Registry of said Court on the 10th day of September A. D.

1933.	\$90.00
Gain on Sales of car	10.00
Am't rec'd from sale of stove (sold prior to death of decedent).	9.43
And also with a Debts Sperate Account filed on the 10th day of January A. D.1933, amounting to	6765.00

And also with Interest Account filed on 16 th  
day of September A. D. 1933 396.00

And prays an allowance of the following  
payments and disbursements, to wit:

1	By amt pd,	Star Democrat, Notice to Creditors	4.50
2	" " "	Talbot Packing Corp, account	22.50
3.	" " "	J. Fletcher Clark, Agt; Acct filed	8.70
4	" " "	J. Fletcher Clark, Agt. " "	24.93
5	" " "	S. Augusta Callahan, Widow, Widow allowance	150.00
6	" " "	James A. Apencer, R. of W. 1% State Tax	72.70
7	" " "	James A. Spencer, R. of W. Reg'rs fees	23.50
8	" " "	Federal Tax on 8 checks	.16
			<hr/>
		7270.43	306.99
			<hr/>
		7270.43	6963.44
			<hr/>
		7270.43	7270.43

Balance for Distribution

PROBATE TO ADMINISTRATION ACCOUNT

STATE OF MARYLAND, TALBOT COUNTY, Sct.

16th day of September A. D. 1933 Then came Mary Novilla Callahan and Lucinda Augusta Callahan, Executrices of estate of Lawrence A. Callahan and made oath in the presence of Almighty God that the foregoing account of Administration is just and true as stated and that they have paid or bona fide secured to be paid the several sums for which they therein claim an allowance.

Certified per James A. Spencer  
Register of Wills for Talbot County,

ORPHANS' COURT OF TALBOT COUNTY:

19th day of September A. D. 1933 The foregoing account of Administration was duly examined and passed by the Court and is hereby ordered to be recorded.

F. T. Lowe  
T. J. Slaughter  
T. M. Jenkins

STATE OF MARYLAND TALBOT COUNTY, TO WIT:

I HEREBY CERTIFY, That the foregoing is a true copy of the first and final Account of Administration filed by Mary Novilla Callahan and Lucinda Augusta Callahan, Executrices of the estate of Lawrence A. Callahan, late of Talbot County, deceased, as approved by the Orphans' Court of Talbot County on the 19th day of September, A. D., 1933, and as recorded in Liber J. A. S. No. 20, folio 86, one of the Administration Accounts With Distribution record books of this office.

Seal of Court

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of the Orphans' Court for Talbot County, at Easton, on this 24th day of October, A. D. 1942.

J. DAWSON STAFFORD  
Clerk of the Orphans' Court for Talbot County,

DISTRIBUTION

In the Orphans' Court for Talbot County, State of Maryland.

	DR	CR.
Mary Novilla Callahan and Lucinda Augusta Callahan, Executrices of the Personal estate of Lawrence A. Callahan late of Talbot County, deceased, charge themselves, with the balance due said deceased's estate on first and final account of administration as exhibited in the Registry of said Court on the 16th day of September A. D. 1933, amounting to		6963.44
To be distributed according to Will to Mary Lovilla Callahan and Lucinda Augusta Callahan, daughter, in trust, as set forth in Item one (1) of Will the whole balance as follows:		
Mortgage of Robert W. Eddens Centreville, Md.	6500.00	
" " Walter S. Miles Wye Mills	100.00	
Note of Howard Adams, Cordova, Md.	165.00	
Cash	148.44	
1 Libert Bond	50.00	
	<hr/>	<hr/>
	6963,44	6963.44

STATE OF MARYLAND, TALBOT COUNTY, Sct.

19th day of September A. D. 1933.

The within and foregoing distribution was duly examined by the Court and is hereby ordered to be recorded. It is further ordered that the Executrices pay over and make full settlement with said distributies as therein set forth.

F.T. Lowe  
T.J. Slaughter  
T.M. Jenkins

STATE OF MARYLAND, TALBOT COUNTY, TO WIT:

I HEREBY CERTIFY, That the foregoing is a true copy of the Distribution Account, as stated by Mary Novilla Callahan and Lucinda Augusta Callahan, Executrices of the estate of Lawrence A. Callahan, late of Talbot County, deceased, as passed by the order of the Orphans' Court on the 19th day of September, A. D. 1933 and as recorded in Liber J. A. S. No. 20, folio 88, one of the Administration Accounts with Distribution record books of this office.

IN TESTIMONY WHEREOF, I hereunto subscribed my name and affix the seal of Orphans' Court for Talbot County, at Easton, on this 24th day of October, A. D. 1942.

J. DAWSON STAFFORD  
Clerk of the Orphans' Court for Talbot County.

I, LAWRENCE A. CALLAHAN, Of Talbot County, State of Maryland, being of sound and disposing mind, memory, and understanding, do make and publish this my Last Will and Testament, in manner and form following, that is to say:

After the payment of my just debt and funeral expenses my Will is:

ITEM 1; I give, devise, bequeathe and transfer all property of which I may die seized or possessed, real, personal or mixed, wheresoever the same may be situated or to which I may be entitled in any manner unto my two daughters, Mary Novilla Callahan and Lucinda Augusta Callahan, in trust and confidence, nevertheless, for the following purposes to wit: To manage all property coming into their hands as such Trustees and collect any and all income arising therefrom and to pay the same over to my wife A. Augusta Callahan for her maintenance, support and comfort for and during the term of her natural life.

ITEM: 2 From and after the death of my wife, S. Augusta Callahan, it is my Will that the Trust herein created shall cease and that all property of every kind and description, remaining in the hands of my Trustees shall then be equally divided between my children or the survivors as follows:-

One- Seventh part to my son, Lawrence Meginney Callahan:  
One- Seventh part to my daughter, Mary Novilla Callahan:  
One- Seventh part to my daughter, Lucinda Augusta Callahan:  
One- Seventh part to my son, Philip Temple Callahan:  
One- Seventh part to my daughter, Ima Gertrude Callahan:  
One- Seventh part to my son, Edward Trippt Callahan, and  
One - Seventh part to my son, Louis Ambrose Callahan, It is my desire that my surviving children shall make the division of such property as may be left upon the death of my wife among themselves, if possible, but, if they can not agree as to proper division, then and in that event it is my will that all such property shall be sold and the proceeds arising therefrom be equally divided between my children or the survivors.

ITEM 3: During my lifetime I have made certain advancements to some of my children which I desire to be deducted from their distributive shares in accordance with an account of same which I have hereunto appended to this my Last Will and Testament which will show the amount due at the time of my death.

ITEM 4: I hereby nominate, constitute and appoint my daughter, Mary Novilla Callahan and my daughter, Lucinda Augusta Callahan or the survivors to be the Executrices and Trustees of this my Last Will and Testament hereby revoking and annulling all former Wills by me heretofore made; and, it is my desire that my daughter, or the survivor, herein named, as Executrices and Trustees, be not required to give bond for the faithful performance of their trust.

IN TESTIMONY WHEREOF I hereunto subscribe my name and affix my seal this 9th day of November A. D. 1932.

Lawrence A. Callahan (SEAL)

SIGNED, SEALED, PUBLISHED and DECLARED by the above named Testator, Lawrence A. Callahan, as and for his Last Will and Testament, who, in his presence, at his request, and in the presence of each other we have hereunto subscribed our names as witnesses.

Oliver S. Mullikin  
Chas J. Butler

STATE OF MARYLAND, TALBOT COUNTY, TO WIT:

I HEREBY CERTIFY, That the foregoing is a true copy of the last Will and Testament of Lawrence A. Callahan, late of Talbot County, deceased, as admitted to probate by the Orphans' Court of Talbot County on the 10th day of January, 1933, and as recorded in Liber J. A. S., folio 142, one of the Wills record Books of my office.

IN TESTIMONY WHEREOF I hereunto subscribe my name and affix the seal of the Orphans' Court for Talbot County, at Easton, on this



24th day of October A. D. 1942.

Seal of Court

J. DAWSON STAFFORD  
Clerk of the Orphans Court for Talbot County

We, the Undersigned, Herbert Goldstein and Shirley Goldstein, his wife, assignees of the within and foregoing mortgage do hereby assign and transfer the within and foregoing unto Harry C. Butler, attorney at-law for collection by foreclosure of otherwise for the account of us, the said Herbert Goldstein and Shirely Goldstein, husband, and wife as tenants by the entireties.

Witness our hands and seals this 5th day of November in the year nineteen hundred and forty two.

TEST: MADISON BROWN

HERBERT GOLDSTEIN (SEAL)  
Herbert Goldstein

SHIRLEY GOLDSTEIN (SEAL)  
Shirley Goldstein

STATE OF MARYLAND,  
QUEEN ANNE'S COUNTY,

TO WIT:

I hereby certify that the foregoing is truly taken and copied from Liber J. F. R. No.8, folio 436 and Liber A. S. G. Jr. No. 6 folio 603 The Land Record Book for Queen Anne's County.

Seals Place.

In Testimony Whereof I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County this 10th day of November in the year nineteen hundred and forty two.

A. Sydney Gadd Jr.  
Clerk

!!!!!!!!!!!!!!!!!!!!  
CERTIFIED COPY OF BOND  
Filed

Queen Anne's County, to wit: Be it remembered that on this fourth day of January, in the year nineteen hundred and forty three, the following Bond was brought to be recorded, to wit:

KNOW ALL MEN BY THESE PRESENTS, that we, Harry C. Butler, of Queen Anne's County, State of Maryland, and the Maryland Casualty Company, a body corporate, duly authorized by its charter to become sole surety on bonds, are held and firmly bound unto the State of Maryland in the full and just sum of Eight Thousand Dollars (\$8,000.00) current money of the United States of America, to be paid to the said State of Maryland, or its certain attorney, to which payment well and truly to be made and done we bind ourselves and each of us, our and each of our heirs, executors and administrators, successors and assigns, in the whole and for the whole, jointly and severally, firmly by these presents, sealed with our seals this thirty first day of December, in the year nineteen hundred and forty two.

WHEREAS, Robert W. Eddins, trading as the Eddins Furniture Company and Robert W. Eddins and Annie W. Eddins, his wife, by mortgage bearing date of April 1st, 1922 and recorded in Liber J. F. R. No.8, folio 436 A Land Record Book for Queen Anne's County, made to secure the payment of debt therein mentioned did convey certain land therein described unto one Lawrence A. Callahan:

AND WHEREAS by mesne assignments said mortgage became duly assigned to Herbert Goldstein and Shirley Goldstein, his wife, who by assignment duly assigned on November 5th, 1942 unto Harry C. Butler for the purpose of collection by sale or otherwise;

AND WHEREAS said mortgage confers upon the said mortgagees and his assignees of said mortgage a power of sale over the land conveyed by said mortgage sale in case default should occur in the covenants of said mortgage;

AND WHEREAS default in the coventas of said mortgage has occurred by non-payment of said mortgage debt when due and by reason or non-payment of certain interest on said mortgage debt when due and said Harry C. Butler as assignee as aforesaid because of defaults is about to execute said power by making/sale of the mortgaged property;

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bounden Harry C. Butler, do and shall well and faithfully abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of the said mortgaged property or the proceeds thereof, then the above obligation to be void; otherwise to be and remain in full force and virtue in law.

Signed, sealed and delivered in the presence of

Bernice H. Freeny  
Bernice H. Freeny  
ATTEST:  
R. M. Livingston  
R. M. Livingston

HARRY C. BUTLER (SEAL)  
Harry C. Butler

MARYLAND CASUALTY COMPANY  
By: A. F. Stoebener,  
Attorney - in-fact

Corporate Seals  
Place.

And attached thereto is a certified copy of Power of Attorney and Certificate.

And on the back of the foregoing Bond was thus endorsed to wit:

Filed and Security approved this 4th day of Jan., 1943.

A. Sydney Gadd Jr. Clerk

STATE OF MARYLAND

TO WIT:

QUEEN ANNE'S COUNTY

I Hereby Certify that the foregoing is truly taken and copied from Liber W. H. C. No.1, folio 240 A Bond Record Book for Queen Anne's County.

Seals Place.

IN Testimony Whereof I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County this 4th day of January, in the year nineteen hundred and forty two.

A. Sydney Gadd Jr. Clerk

:::::::::::::::::::::  
REPORT OF SALE  
Filed Jan 13, 1943.

In the Circuit Court for Queen Anne's County, in Equity.

Harry C. Butler, Assignee	:	
	:	Chancery Cause
versus	:	
	:	No. 3342.
Robert W. Eddins and	:	
Annie W. Eddins, his wife	:	

To the Honorable, the Judges of said Court:

The report of Harry C. Butler, above named plaintiff and party making/sale hereinafter mentioned, hereinafter called and referred to as "Vendor" unto Your Honors respectfully sets forth:

1. That by a mortgage dated April 1, 1922, Robert W. Eddins and Annie W. Eddins, his wife, defendants above named conveyed unto one Lawrence A. Callahan to secure unto him the payment of the debt therein specified the land hereinafter described as sold and this mortgage through mesne assignments became assigned unto Herbert Goldstein and Shirley Goldstein, his wife, who on the 5th day of November, 1942, assigned the same unto your vendor (who is an attorney -at -law) for collection by foreclosure or otherwise) for no part of the debt secured by said mortgage has been paid and the same with certain interest was due and owing on the day of sale hereinafter mentioned.

Said mortgage was duly recorded among the land record books of said County in Liber J. F. R. No.8 at folio 436 and all assignments of said mortgage have been recorded in said Liber as part of the record of said mortgage. A certified copy of said mortgage and of the assignments thereof has been filed in the proceedings of this cause.

2. That as will appear by reference to said mortgage the same authorized and empowers any assignee of the mortgagee thereof to sell the mortgaged property in case of default of the mortgagors in the covenants thereof.

3. That before making/sale hereinafter mentioned your vendor gave more than twenty days previous notice of the time, place manner and terms of said sale by notice or advertisement of the sale in the Queen Anne's Record Observer, a newspaper published weekly at Centreville in Queen Anne's County once in each of four successive weeks before day of sale, the first advertisement of said sale appearing in the edition of said newspaper published or issued on December 10, 1942.

A certified copy of said advertisement is filed with this report as part of this report.

4. That before the day of sale hereinafter mentioned your vendor filed with the Clerk of this Court his bond to the State of Maryland in penal sum of EIGHT THOUSAND DOLLARS (\$8,000.00) with the Maryland Casualty Company as surety thereon containing that condition required by law in case of foreclosure of said mortgage under the power of sale above mentioned.

This bond was accepted and approved by the clerk of this court and filed in his office by him.

5. That your vendor, pursuant to said notice of sale did attend in front of the Court House door in town of Centreville on Tuesday, the 12th day of January, 1943, at the hour of two o'clock p.m. and did then and therefor proceed to sell the mortgaged property with J. E. Anthony acting as auctioneer and did then and there, (in execution of the power of sale contained in said mortgage and because default had occurred in the terms of said mortgage) sell the mortgaged property unto Samuel Epstein and Lizzie Epstein, his wife (as tenants by the entirety) they being then and there the highest bidders therefor, at and for the sum of ELEVEN THOUSAND FIFTY DOLLARS (\$11,050.00). Said purchasers have paid unto your vendor ONE THOUSAND DOLLARS (\$1,000.00) of the purchase money.

6. The property sold is called and known as " The Eddins Property ", and is fully described in the annexed advertisement of sale made a part of this report.

7. The terms of the sale are those set forth in the advertisement of sale with the understanding the costs of insurance of the property from day of sale should be borne by the purchaser.

Which is respectfully submitted,

HARRY C. BUTLER  
Harry C. Butler, Assignee

The report states the amount of the sale to be \$11,050.00.

State of Maryland, Queen Anne's County to wit:

I hereby certify that on this 13th day of January, before me Clerk for Queen Anne's County, personally appeared Harry C Butler, the party who filed in the above report of sale as above set forth and he did make oath in due form of law that the matters and things set forth in the Report of Sale are true and correct to the best of his knowledge and belief and that the sale mentioned was fairly made.

A. Sydney Gadd Jr.  
A. S. Gadd, Jr. Clerk of Circuit Court for Queen Anne's County.

.....  
MORTGAGE SALE OF STORE AND DWELLING AND CERTIFICATE  
Filed Jan 13, 1943.

MORTGAGE SALE OF STORE AND DWELLING PROPERTY  
IN CENTREVILLE IN QUEEN ANNE'S COUNTY, MD.

By mortgage dated April 1st, 1922, recorded among land record books of said county in Liber J. F. R. No.8, folio 436 made to secure the debt therein specified, Robert W. Eddins and Annie W. Eddins, his wife, conveyed the property described to Lawrence A. Callahan and after mesne assignments this mortgage has been assigned for collection unto Harry C. Butler, Attorney at Law, and because default has occurred in the term of said mortgage he, as assignee thereof, will sell under the power of sale contained in said mortgage at public sale to the highest bidder in front of the Court House door in the town of Centreville, Queen Anne's County, on TUESDAY, JANUARY 12, 1943. at the hour of two o'clock p.m. said mortgaged property same consisting of

All that lot of land known as " The Robert W. Eddins Store Property " and as " The Annie W. Eddins Store Property" located on the each side of Commerce Street in the town of Centreville aforesaid and extending from said street through to Hayden Street, between the property containing the building now used by American Stores Company on one side and the property containing the building now used by Fox's 5¢ to \$1.00 Store on the other side.

The mortgaged land has frontage on Commerce Street of 34 feet and 7 inches and a frontage on Hayden Street of 34 feet.

The improvements consist of two story block and frame building 30 feet wide by 75 feet deep with entrance on Commerce Street and a two story metal building in the rear of and attached to the front building.

The front building contains on first floor a large room suitable for conduct of any kind of business or profession and contains on second floor 2 household apartments. The rear building is suitable for work shop and storage. The property is one of the best business locations in Centreville and its sale offers a rare opportunity to the merchant and business man.

Terms of Sale; \$1,000 of the purchase money will be required to be paid in cash at time and place of sale and the balance thereof on ratification of sale and to be secured to satisfaction of Harry C. Butler.

All taxes and insurance will be adjusted as of January 1st, 1943

Costs of title papers and revenue stamps for same to be paid by purchaser.

Possession can be taken when terms have been complied with and if taken rental of \$25.00 a month for the property will be charged the purchaser until ratification of sale instead of charging interest on the purchase money.

HARRY C. BUTLER  
Assignee of Mortgage.

J. E. Anthony, Auctioneer 4t-12-31

QUEEN ANNE'S RECORD - OBSERVER  
Centreville, Md. 19 \_\_\_

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Mortgage Sale of Store and Dwelling in the estate of the Sale of the Real Estate described in mortgage from Robert W. Eddins, Annie W. Eddins, his wife, to Lawrence A. Callahan, Recorded in Liber J.F.R.No.8, folio 436, Advertised for Sale by Harry C. Butler assignee of the mortgage a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD -OBSERVER, a weekly newspaper printed and published in the QUEEN ANNE'S RECORD -OBSERVER, a weekly newspaper printed and published at Centreville, in Queen Anne's County, Maryland, once a week for four successive weeks before the 12th day of January, 1943, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD - OBSERVER was on the 10th day of December 1942, and the last insertion on the 31st day of December 1942.

By Myrtle Lewis

Filed Jan 13, 1943.

.....  
N I S I O F S A L E  
Filed January 13, 1943.

N I S I

Harry C. Butler, Assignee of mortgage, : In the Circuit Court for Queen  
vs : Anne's County in Equity  
Robert W. Eddins and Annie W. Eddins, : Chancery No. 3342.  
his wife, Mortgagors. :

ORDERED, This 13th day of January A. D., 1943, that the sale of real estate made and reported in this cause by Harry C. Butler, Assignee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 16th day of March next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 16th day of February next.

The Report states the amount of sales to be \$11,050.00.

A. Sydney Gadd Jr. Clerk

Filed January 13, 1943.

.....  
STATE/OF MORTGAGE DEBT  
MENT  
Filed January 13, 1943.

In the Circuit Court for Queen Anne's County in Equity

Harry C. Butler, assignee :  
: Chancery Docket  
versus :  
: Cause No. 3342.  
Robert W. Eddins and :  
Annie W. Eddins, his wife :

STATEMENT OF MORTGAGE DEBT

To the Honorable the Judges of Said Court:

Harry C. Butler, Assignee and Holder of the mortgage at the time of the sale of the mortgaged property hereinafter mentioned had on January 12th, 1943 herewith submits unto the Court a statement of the mortgage indebtedness as of the day of the sale.

The Amount of the Principal Mortgage Debt due January 12th, 1943 under the mortgage from Robert W. Eddins and Annie W. Eddins, his wife, to Lawrence A. Callahan, dated the 1st day of April 1922 and recorded among the land records of Queen Anne's County aforesaid in Liber J. F. R. No. 8, folio 445 is the full mortgage debt mentioned in and secured by the said mortgage to wit: .....\$6500.00  
Add Interest on \$6500.00 from March 1st, 1942 ( to which date interest on said mortgage indebtedness had been paid by the mortgagors) to November 4, 1942 ..... 264.33  
The Interest from March 1st to November 4, 1942 was paid by Herbert Goldstein and Shirley Goldstein, his wife, when they purchased the mortgage.  
Add interest from November 4, 1942 to January 12, 1943 the day of the sale..... 74.67  
Principal and Interest due on January 12, 1943..... 6839.00  
To this add 5 % commissions of collection due to Harry C. Butler, attorney at law, in whose hands said mortgage indebtedness was placed for collection ..... 341.95  
To this add the cost of insurance against the loss by fire procured by Herbert Goldstein and Shirley Goldstein, his wife from the time they took over the mortgage to January, 12th, secured from Herman Meredith ..... 43.00  
7223.95

The assignee, Harry C. Butler, hereby states that prior to January 12, 1943 default occurred in the mortgage by reason of non-payment of interest thereon mentioned above and by reason of other defaults in the said mortgage.

HARRY C. BUTLER  
Harry C. Butler, Assignee  
of Mortgage



.....  
N I S I  
Filed March 20, 1943

N I S I

Harry C. Butler, Assignee of Mortgage : In the Circuit Court for  
vs : Queen Anne's County in Equity  
Robert W. Eddins and Annie W. : Chancery No. 3342  
Eddins, his wife, mortgagors. :

ORDERED, This 13th day of January A. D., 1943, that the sale of real estate made and reported in this cause by Harry C. Butler, Assignee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 16th day of March next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 16th day of February next.

The Report states the amount of sales to be \$ 11,050.00.

A. SYDNEY GADD JR.  
Clerk

True Copy  
Test:

A. Sydney Gadd Jr.  
Clerk

Filed January 13, 1943.

QUEEN ANNE'S RECORD - OBSERVER  
Centreville, Md. Feb 4, 1943.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate does hereby certify that the Order Nisi in the case of Harry C. Butler, Assignee of Mortgage vs. Robert W. Eddins and Annie W. Eddins his wife, mortgagors, a true copy of which is annexed hereto, was published at Centreville, in Queen Anne's County, Maryland, once a week for four successive weeks before the 16th day of February 1943, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD - OBSERVER was on the 14th day of January 1943, and the last insertion on the 4th day of February 1943.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING CO\*  
MPANY

By Myrtle Lewis

Filed Mar 20, 1943.

.....  
CERTIFIED COPY OF MORTGAGE  
Filed

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this twenty fourth day of March in the year nineteen hundred and forty three, the following Additional Bond was brought to be recorded, to wit:

KNOW ALL MEN BY THESE PRESENTS, That we, Harry C. Butler, of Queen Anne's County, State of Maryland, and the Maryland casualty Company, a body corporate, duly authorized by its charter to become sold surety on bond, are held and firmly bound unto the State of Maryland in the full and just sum of Three Thousand Dollars (\$3,000.00) current money of the United States of America, to be paid to the said State of Maryland, or its certain attorney, to which payment well and truly to be made and done we bind ourselves and each of us, our and each of our heirs, executors and administrators, successors and assigns, in the whole and for the whole, jointly and severally, firmly by these presents, sealed with our seals and dated this twenty second day of March, in the year nineteen hundred and forty three.

WHEREAS Robert W. Eddins, trading as the Eddins Furniture Company and Robert W. Eddins and Annie W. Eddins, his wife, by mortgage bearing date of April 1st, 1922, and recorded in Liber J. F. R. No 8, folio 435 a Land Record Book for Queen Anne's County, made to secure the payment of debt therein mentioned did convey certain land therein described unto one Lawrence A. Callahan;

AND WHEREAS by mesne assignments said Mortgage became duly assigned to Herbert Goldstein and Shirley Goldstein, his wife, who by assignment duly assigned it on November 5th, 1942 unto Harry C. Butler for the purpose of collection by sale or otherwise;

AND WHEREAS Said mortgage confers upon the said mortgagee and his assignees of said mortgage a power of sale over the land conveyed by said mortgage sale in case default should occur in the covenants of said mortgage;

AND WHEREAS default had occurred in the covenants of said mortgage prior to the day of sale hereinafter mentioned by reason of the nonpayment of said mortgage debt when due and the said Harry C. Bulter as assignee as aforesaid, because of said default, did sell in execution of the power of sale so contained in said mortgage the mortgage property on the 12th day of January 1943 at and for the sum of \$11,050.00) as will appear by his report of sale filed in a cause in the Circuit Court for Queen Anne's County in Equity entitled " Harry C. Butler, assignee, bersus Robert W. Eddins et al"., and numbered 3342 Chancery.

AND WHEREAS, prior to the day of the date of said sale said Harry C. Butler, assignee as aforesaid, did file in said cause his bond to the State of Maryland in the penalty of the sum of \$8,000.00 containing that condition required by law in bonds given for foreclosure of mortgages under powers of sale contained in them.

AND WHEREAS said Court, in its order ratifying said sale passed in said cause on March 22nd, 1943, did direct the said Harry C. Butler, assignee and vendor as aforesaid, to file in said cause an additional bond in the penalty of \$3,000.00 to contain the same condition as set out in the first bond because the amount of said sale exceed the amount of the penalty contained in first bond filed as aforesaid; wherefore this bond is made and executed to be filed in said Court in said cause.

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bound- ed Harry C. Butler, do and shall and faithfully abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of the said mortgaged property or the proceeds thereof, then this, the above obliga- tion to be void; otherwise to be and remain in full force and virtue in law.

Signed, sealed and delivered in the presence of

Sara E. Conlon  
Sara E. Conlon

HARRY C. BUTLER (SEAL)  
Harry C. Butler

MARYLAND CASUALTY COMPANY

Witness as to Surety

L.M. Augustine  
L.M. Augustine

By W. Steuart Anderson  
W. Steuart Anderson,  
Attorney-in-fact.

Filed March 24, 1943.

Corporate Seals  
Place

And attached to the foregoing Bond is a Certified Copy of Power of Attorney.

And on the back of the foregoing is thus endorsed to wit:

Bond filed and Security approved March 24th, 1943.

A. Sydney Gadd Jr. Clerk

STATE OF MARYLAND

TO WIT:

QUEEN ANNE'S COUNTY,

I hereby certify that the foregoing is truly taken and copied from Liber W. H. C. No.1, folio 249 A Bond Record Book for Queen Anne's County.

IN TESTIMONY Whereof I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County on this 26th day of March in the year nineteen hundred and forty three.

Seals Place.

A. Sydney Gadd Jr. Clerk

ORDER OF COURT  
Filed March 23rd, 1943.

ORDER OF COURT

It is on this 23rd day of March, 1943 by the Circuit Court for Queen Anne's County ORDERED that the sale of the Real Estate of the property of Robert W. Eddins and Annie W. Eddins, his wife, under the mortgage from them described in the within and foregoing Report of Sale set forth in the within and foregoing Report of Sale as made by Harry C. Butler, assignee of said mortgage under the power of sale contained in said mortgage be and the same is hereby finally ratified and confirmed no cause to the contrary thereof Having been shown; although it appears that notice has been given in accordance with the Order Nisi heretobefore passed in this cause in relation to said sale and said report; And as it appears that Madison Brown, the auditor of this Court has appeared for Harry C. Butler, assignee as aforesaid as his attorney in proceedings relating to this mortgage and is therefore disqualified to act as the auditor in these proceed- ings, the papers and proceedings of this Cause be and the same are hereby referred unto Charles E. Tucker as special auditor With instructions to state and return to this Court an audit or account between the proceeds of the sale of said cause and the said Harry C. Butler, assignee and the vendor of this Cause; And the assignee is directed to file an additional bond in the penalty of Three Thousand Dollars (\$3000.00), if corporate surety be given, before receiving the balance of the purchase money.

Wm. R. Horney  
Judge

Filed Mar 23, 1943.

.....  
A U D I T  
Filed April 14th, 1943.

In the Circuit Court for Queen Anne's County, in Equity.

Harry C. Butler, assignee :  
vs : Chancery Docket  
Robert W. Eddins, et al. : Cause No. 3342.

To the Honorable, the Judges of said Court:-

The Report of Charles E. Tucker, special auditor appointed to state and annexed account, unto Your Honors, respectfully sets forth:-

That before proceeding to state the within account this auditor took the oath required of him by the law in the matter before the clerk of this Court.

That this auditor then examined the papers of the cause and the vouchers of the vendor of the cause for his allowance out of the sale and then has stated the within account in accordance with the same in the following manner:

Harry C. Butler, assignee of the mortgage mentioned in the proceedings and the vendor under the said mortgage of the real estate sold in the proceedings is first charged with the gross amount of the sale made by him per his report filed in this cause and then thereout the auditor has allowed as follows, to wit;

Unto the said Harry C. Butler, as vendor his commissions for making the sale, the Court costs of the cause, costs of the two bonds filed by said vendor, costs of advertising notices of the sale and the several orders nisi of the sale, the fee charged by J. E. Anthony for crying the sale, taxes on the mortgaged property paid by the vendor and the fee of the auditor.

Unto the said Harry C. Butler as assignee of the mortgage and the attorney for the collection thereof the amount due to him under the mortgage as of the day of the sale per statement of mortgage debt filed.

The balance of the amount of the sale so charged less the allowances mentioned above is not distributed but is left in the hands of the vendor subject to the future order of this court.

Which is respectfully submitted,

Chas E. Tucker  
SPECIAL AUDITOR

CAUSE NO. 3342

The proceeds of the sale of the mortgaged real estate of Robert W. Eddins, trading as The Eddins Furniture Company, mortgagor making the mortgage filed in this Cause, IN ACCOUNT WITH Harry C. Butler, assignee of said mortgage and the person making the sale described in these proceedings under the power of sale in said Mortgage contained.

CR

1943  
January  
12

By amount of the mortgage sale made this date per report of sale filed by said Harry C. Butler, vendor, appears, to wit: the sum of .....\$11,050.00

DR

To Harry C. Butler, assignee and vendor for his Commissions for making the sale mentioned in said report, per terms of said mortgage, to wit; the sum of .....\$487.00

To the same vendor for the court costs of these proceedings as taxed by the clerk of the court, per his bill of costs exhibited to the auditor, appears, to wit  
Costs of A. S. Gadd, clerk, .....\$22.75  
Appearance fee of plaintiff's Attorney, ..... 10.00  
a total now allowed of .....\$32.75 \$32.75

To the same vendor for the costs of his bonds filed as vdnoor in this cause paid to the corporate surety on said bonds as receipted to the auditor appears, to wit: ... \$44.00

To the same vendor for costs of advertising in newspaper "Queen Anne's Record and Observer" notices of the sale made and the order nisi passed on the sale as per receipted account for same exhibited to the auditor, appears, to wit: .....\$56.75



To same vendor, for the charge made by J. E. Anthony, auctioneer at the sale made, for crying said sale, per account for said services exhibited to the auditor, appears to wit: the sum of .....\$50.00

To same vendor for amount of the state and county taxes for year 1942 on the mortgaged real estate sold, paid to J. Edgar Bryan, county treasurer and tax collector, pertax statement receipted by said Bryan exhibited, to the auditor appears, to wit: .....\$ 83.42

To same vendor for the costs of advertising the order nisi to be passed as to this audit, the sum of ..... \$3.50

To Charles E. Tucker, special auditor, for stating this account and making the report hereof, the sum of ..... \$9.00

amount carried forward, ..... \$766.42 \$11,050.00

CAUSE NO. 3342 DR CR
Amounts brought forward from Page No. 2: .....\$766.42 \$11,050.00

DR.

To Harry C. Butler, assignee of said mortgage and attorney per assignment of same for collection thereof for the amount due on day of sale under said mortgage to said assignee per statement of the mortgage debt filed in this cause, as follows, to wit:

For the amount of the mortgage debt, principal and interest, the sum of \$6,839.00

For attorney's commission of collection thereon, per terms of mortgage, the sum of ..... 341.95

For costs of fire insurance obtained by holder of mortgage on mortgaged property the sum of ..... 43.00

A total allowance of ..... 7,223.95 7,223.95

7,990.37

To this balance to remain subject to the order of the court, to wit: the sum of ..... 3,059.63

11,050.00 11,050.00

DR

By balance brought down to remain subject to the order of this court, to wit: sum of ..... \$3,059.63

April 14, 1943.

Chas. E. Tucker
SPECIAL AUDITOR

Filed April 14th, 1943.

.....
N I S I
Filed April 14, 1943.

NISI RATIFICATION OF AUDIT

Harry C. Butler, assignee : In the Circuit Court for
vs : Queen Anne's County in Equity
Robert W. Eddins and : Cause No. 3342.
Annie W. Eddins :

ORDERED, This 14th day of April in the year nineteen hundred and forty three, that the Report and Account filed in these proceedings by Chas. E. Tucker, Special, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the Seventh day of May, 1943; provided a copy of this order be published once a week in each of two successive weeks before the Thirtieth day of April, 1943, in some newspaper printed and published in Queen Anne's County.

A. Sydney Gadd Jr. Clerk

Filed April 14, 1943.

.....  
COPY OF ADVERTISEMENT OF ORDER  
NISI AND CERTIFICATE OF PUBLICATION  
Filed May 8th, 1943.

NISI RATIFICATION OF AUDIT

Harry C. Butler, Assignee : In the circuit Court for  
: :  
vs : Queen Anne's County  
: :  
Robert W. Eddins and Annie : in Equity.  
W. Eddins, : Cause No. 3342

ORDERED, This 14th day of April in the year nineteen hundred and forty three, that the Report and Account filed in these proceedings by Chas. E. Tucker, Special Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the seventh day of May, 1943, provided a copy of this order be published once a week in each of two successive weeks before the thirtieth day of April, 1943, in some newspaper printed and published in Queen Anne's County.

A. SYDNEY GADD JR.  
Clerk

Filed April 14, 1943.

True Copy  
Test: A. Sydney Gadd Jr. Clerk

QUEEN ANNE'S RECORD - OBSERVER  
Centreville, Md. May 5th, 1943.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate does hereby certify that the Nisi Ratification of Audit in the case estate of Harry C. Butler, Assignee vs Robert W. Eddins and Annie W. Eddins, In the Circuit Courts of Queen Anne's Count in Equity, Cause No. 3342. a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD OBSERVER, a weekly newspaper printed and published at Centreville, in Queen Anne's County, Maryland, once a week for two successive weeks before the 30th day of April 1943, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD AND OBSERVER was on the 15th day of April 1943, and the last insertion on the 22 day of April 1943.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING  
COMPANY

By John H. Price  
Filed May 8th, 1943.

.....P.....  
ORDER OF COURT  
Filed May 14th 1943.

In the Circuit Court for Queen Anne's County, in Equity.

Harry C. Butler, assignee, :  
: :  
versus : Cause No. 3342.  
: :  
Robert W. Eddins, :  
Annie W. Eddins, :

Ordered, on this 14th day of May, in the year nineteen hundred - 43 by the Circuit Court for Queen Anne's County sitting as a Court of Equity, that the within and aforegoing report and account of Charles E. Tucker as special auditor be and the same is hereby finally ratified and confirmed, no cause to the contrary thereof having been shown, although notice appears to have been given in accordance with the order nisi heretofore passed in the cause in relation of said report and account; and it is further ordered by the court Harry C. Butler, assignee and the vendor making the sale in this cause set forth be and he is hereby authorized and empowered and directed to apply the proceeds accordingly with a due proportion of interest received on credit sales or to be so received to the commissions of the vendor, the claims of the creditors and the shares of the distributees.

Wm. R. Horney  
Judge.

Filed May 14, 1943.

Further Proceedings Recorded in this Liber folio 600.

C A U S E N O 3341

Queen Anne's County, to wit: Be it remembered that on this thirtieth day of October in the year nineteen hundred and forty three, the following Order to Docket Suit was brought to be recorded, to wit:

Richard T. Earle, Assignee : In the Circuit Court for
vs : Queen Anne's County, in Equity.
Frederick Aulbach and : Cause No.
Katie Aulbach, his wife, :
Mortgagors. :

Mr. A. S. Gadd Jr., Clerk of said Court:

You will record assignment to me of mortgage given by Frederick Aulbach and Katie Aulbach, his wife, to Eugene L. Dudley, Recorded in Liber J. F. R. No. 7, folio 359, and file in this cause a certified copy of said mortgage and assignment, file accompanying oath as regards to military servic@s of the defendants, file accompanying statement of mortgage indebtness, approve accompanying bond and file,

Richard T. Earle
Atty for Assignee.

Filed Oct 30th 1942.

OATH AS TO MORTGAGE
INDEBTNESS
Filed Oct 30, 1942.

Richard T. Earle, Assignee, ; In the Circuit Court for Queen
vs ; Anne's County, in Equity.
Frederick Aulbach and ; Cause No.
Katie Aulbach, his wife, ;
Mortgagors. :

STATEMENT OF MORTGAGE INDEBTEDNESS.

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I hereby certify that on this 30th day of October, in the year nineteen hundred and forty two, personally appeared before me, the subscriber, The Clerk of the Circuit Court for Queen Anne's County, Richard T. Earle, assignee of the mortgage in the course of foreclosure in these proceedings, and made oath in due form of law that there is due and owing under said mortgage filed herein the sum of ONE THOUSAND AND FIFTY DOLLARS (\$1,050.00), with interest thereon from the Second day of March, 1942, and also the sum of Eleven Dollars and Forty Seven Cents (\$11.47) paid as fire insurance premium on the property covered by said mortgage and for a vacancy premit paid said Fire Insurance Company and as a part of said premium, due to the said property being vacant.

A. Sydney Gadd Jr.
Clerk of the Circuit Court for Queen Anne's
County

Filed Oct 30, 1942.

AFFIDAVIT AS TO MILITARY
SERVICES OF DEFENDANTS,
Filed Oct 30, 1942.

Richard T. Earle, Assignee, : In the Circuit Court for Queen
Vs : Anne's County, In Equity
Frederick Aulbach and :
Katie Aulbach, hos wife, : Cause No.
Mortgagors. :

State of Maryland, Queen Anne's County, to wit:

I hereby certify that on this 30th day of October, in theyear nineteen hundred and forty two, personally appeared before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, Richard T. Earle, Assignee, Plaintiff ain the above cause, and made oath in due form of law that the plaintiffs nor neither one of them are engaged in the Military Services of the United States nor have either one of them been so engaged within three months prior to the making of this affidavit.

A. Sydney Gadd Jr.
Clerk of the Circuit Court for Queen Anne's
County.

Filed Oct 30, 1942.

.....  
 CERTIFIED COPY OF MORTGAGE  
 Filed Oct 30th 1942.

#8803                    QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the second day of September, in the year nineteen hundred and twenty one, the following Mortgage was brought to be recorded, to wit:

THIS MORTGAGE, made this second day of September, in the year nineteen hundred and twenty one, by Frederick Aulbach, his wife of Baltimore City in the State of Maryland.

WHEREAS, Frderick Aulbach and Katie Aulbach, his wife, are jointly and severally indebted unto Eugene L. Dudley of Queen Anne's County, State of Maryland, in the full and just sum of eighteen hundred dollars, together with interest thereon from this date, for the unpaid purchase money for the land and premises hereafter described which said sum of eighteen hundred dollars, is to be paid at the expiration of four years from this date and interest on said principal sum of eighteen hundred dollars, is to be paid annually in the meantime at the rate of six per cent.

NOW THIS MORTGAGE WITNESSETH: that for and in consideration of the premises and the said sum of eighteen hundred dollars, the said Frederick Aulbach and Katie Aulbach his wife, do hereby grant and convey unto said Eugene L. Dudley, all that tract, farm, and parcel of land situate, lying and being in the second precinct of the fifth election district of Queen Anne's County aforesaid, on the north side of the public road leading from Perry's Corner to Grasonville, near the village of Perry's Corner, known as The Carmichawl Tract, or Jay Birds, or by whatsoever name or names the same may be called or known, adjoining the land formerly owned by William J. Price, now deceased, and the land of others, containg ninety five acres of land, more or less, and being the same land as that conveyed unto said Frederick Aulbach and Katiee Aulbach, his wife, as tenants by the entireties, by Eugene L. Dudley, by deed of even date herewith and to be recorded among the land record books for Queen Anne's County immediately preceding these presents.

Together with all the rights, roads, ways, waters, privileges and advantages thereto belonging or in anywise appertaining and the building and improvemtns thereon erected and being. And it is hereby agreed that, in the event of a sale of the above described property under the power of sale hereinafter expressed, all annual crops, pitched, planted or growing upon said property at the time of sale shall passto the purchaser of said property. Provided, that if the said Frederick Aulbach and Katie Aulbach, or either of them their or either of their heirs, executors, administrators, or assigns, shall well and truly pay to the said Eugene L. Dudley, his executors, administrators or assigns, the aforesaid sumof eighteen hundred dollars, together with interest thereon at the rate of six per cent per annum, as above set forth, and shall perform all the covenants conditions, and agreements herein on their part to be performed, then this mortgage shall be void; and until default be made in the premises, the said Frederick Aulbach, his wife, their heirs and assign or the survivor of them or the heirs and assign of the survivor of them shall possess said property. And the said Frederick Aulbach and Katies Aulbach, his wife, for themselves their and each of their heirs, executors, administrators and assigns, hereby covenant to pay, as they severally fall due, the debt and interest hereby intended to be secured, all taxes, assessments, public dues and charges levied or that may be levied thereon and on the property hereby conveyed, all costs and attorney's commissions and charges incurred in the collection of said debt and interest or any part of either, and pending this mortgage to keep indured, the improvements on said premises, to the amount of at least the insurable value thereof, in some Company or Companies approved by the said Eugene L. Dudley, his exēcutors, administrators, or assigns, and to have the said policy or policies so framed or endorsed that the proceeds arising from said policy or policies, in case of loss, shall be applied to the payment of the debt and interest intended to be secured by this mortgage, and to deliver upon demand, to the mortgagee, his executors, administrators or assigns, said policy or policies, and that no act or thing shall be done whereby said mortgaged premises may be depreciated or lessened in value. But, in case of default in payment of said debt or the interest to accure thereon, or any part of either, as they severally fall due, or in any covenant, conditions or agreement, in this mortgage, then the whole debt intended hereby to be secured, and all moneys owing hereunder or secured hereby shall be due and demanable and the said Eugene L. Dudley, his executors, administrators, or assigns, or H. B. W. Mitchell, his and their hereby duly constituted attorney for the purpose, are hereby authorized and empowered to sell said premises upon giving twenty days previous notice of the time, place, manner and terms of sale by advertisement in a newspaper printed and published in Queen Anne's County, Maryland, and such other notice as the party selling may deem expedient, for cash, or for cash and credit, at the option of the person making the sale, the credit payments, if any, to bear interest from day of sale, and to be secured by the note or notes of the purchaser, with security to be approved by the person making the sale, and to apply the proceeds of sale to the payment of, first, all expenses incident to such sale, including compensation to the person making sale the same as allowed to Trustees selling real estate under decree of the Circuit Court for Queen Anne's County, in Equity, second, all moneys owing hereunder or secured hereby, whether the same shall have then matured to not, and third the balance to Frederick Aulbach and Katie Aulbach, his wife, or whoever may be entitled to the same. And it is hereby agreed that when default be made in any covenant or condition contained in this mortgage, and when suit has been docketed in the proper Court for the purpose of the foreclosure of this mortgage under the power of sale above granted the said Eugene L. Dudley, his executors, administrators, or assigns, or H. B. W. Mitchell, his and their said attorney shall not be required to receive and accept the principal and interest of said mortgage indebtedness in satisfaction thereof, unless the tendor of said mortgage indebtedness be accompanied by the payment of all expenses incurred under said foreclosure proceedings, including all costs of advertisement, Court costs and all expenses incurred to the time of said tendor and a commission on the total amount of the mortgage indebtedness, principal and interest, equal to one - half the commission allowed

Trustees for making sale of real estate under decree of the Circuit Court for Queen Anne's County, in Equity, and which said costs, expenses and commissions the said Frederick Aulbach and Katie Aulbach, wiw wife, for themselves, their heirs, executors, administrators and assigns, hereby coven<sup>ant</sup> to pay .

Witness our hands and seals.

Witness: E. M. Forman. Frederick Aulbach (SEAL)  
Katie Aulbach (SEAL)

State of Maryland, Queen Anne's County, to wit:-

I hereby Certify that on this second day of September, in the year nineteen hundred and twenty one, before me, the subscriber, a Justice of the Peace of the State of Maryland, in and for Queen Anne's County, personally appeared Frederick Aulbach and Katie Aulbach, his wife, and did each acknowledge the within and aforegoing mortgage to be their respective act and deed, and at the same time also personally appeared before me, Eugene L. Dudley, and made oath that the consideration stated in the within and aforegoing mortgage was true and bona fide as thereinset forth.

Ezekiel M. Forman  
Justice of the Peace.

Queen Anne's County, to wit: Be it remembered that on the twenieth day of April, in the year nineteen hundred and fwenty six the following assignment was brought to be recorded, to wit:

For value received and pursuant to and order of the Orphans Court for Queen Anne's County, the within and aforegoing mortgage is hereby transferred and assigned into John R. Benton without recourse or guarantee, said Benton having paid to me principal debt and interest secured by said mortgage and \$93.90 attorney's commissions for collection.

Witness my hand and seal this 20th day of April, in theyear nineteen hundred and twenty six.

Witness: Richard Lane. Frank S. Dudley (SEAL)  
Exe<sup>cut</sup>or of Eugene L. Dudley, late of Queen Anne's County, deceased.

Queen Anne's County, to wit: Be it remembered that on the fourth day of June, in the yeaf nineteen hundred and thirty, the following assignment was brought, to be recorded, to wit:

For value received, I, John R. Benton, do hereby transfer and assign the within and aforegoing mortgage for the amount and to the extant of the balance due thereunder, to wit: the sum of (\$100.00) Eleven Hundred Dollars unto The Stevensville Bank of Maryland a body corporate, with interest from the 3rd day of June 1930, without recourse or guarantee.

Witness my hand and seal this 3rd day of June 1930.

Test: Barnes Legg Jno. R. Benton (SEAL)

Queen Anne's County, to wit: Be it remembered that on the 30th day of October, in the year 1942, the following Assignment was brought to be recorded, to wit:

The body corporate, The Stevensville Bank of Maryland, des hereby assign the within and aforegoing mortgage to Richard T. Earle, for the purpose of foeclosure and collection, Witness the name of the said body corpor<sup>ate</sup> by J. Arhie Legg Presient of the said body corporate, and the seal of the said body corporate duly affixed thereto and Attested by its Cashier, this 30th day of October 1942.

Test: FLORENCE P. JONES The Stevensville Bank of Maryland  
Florence P. Jones By J. Arhie Legg  
J. ARHIE LEGG, President.

Attest: Barnes Legg  
Barnes Legg Cashier Corporate Seal.

STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

I hereby certify that the aforegoing is truly taken and copied from Liber J. F. R. No.7, folio 359 A Land Record Book for Queen Anne's county.

Seals Place. In Testimony Whereof I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County this 31st day of October in the year nineteen hundred and forty two.

A. Sydney Gadd Jr.  
Clerk

.....  
CERTIFIED COPY OF BOND  
Filed

Queen Anne's County, to wit: Be it remembered that on this thirtieth day of October, in the year nineteen hundred and forty two, the following Bond was brought to be recorded, to wit:

KNOW ALL MEN BY THESE PRESENTS, That we, Richard T. Earle, of Queen Anne's County, State of Maryland, as principal, and Glens Falls Indemnity Company, a body corporate, duly authorized by its charter to become sole surety on bonds, as surety, are held and firmly bound unto the State of Maryland in the full and just sum of THREE THOUSAND DOLLARS (\$3,900.00) current to be paid to the said State of Maryland or its certain attorney, to which payment well and truly to be made and done we bind ourselves and each of us, our heirs, personal representatives successors and assigns, jointly and severally by these presents, sealed with our seals and dated this Thirtieth day of October in the year nineteen hundred and forty two.

WHEREAS, the above bounden Richard T. Earle, is about to exercise the power of sale contained in a certain mortgage given by Frederick Aulbach and Katie Aulbach, his wife, dated the second day of September, in the year nineteen hundred and twenty one, to Eugene L. Dudley, and recorded in Liber J. F. R. No.7, folio 359 & etc., a Land Record Book for Queen Anne's County, which by mesne assignments has been assigned to Richard T. Earle for the purpose of foreclosure and collection, default having occurred in said mortgage.

Now the condition of the above obligation is such that if the above bounden, Richard T. Earle, shall well and faithfully abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of such mortgage property or the proceeds thereof, then this obligation shall be void, otherwise to be and remain in full force and virtue in law.

Signed, sealed and delivered  
in presence of

JOHN PALMER SMITH  
John Palmer Smith

Richard T. Earle (SEAL)  
Richard T. Earle

Attest:

GLENS FALLS INDEMNITY COMPANY

JOHN PALMER SMITH  
John Palmer Smith

By L. HERMAN MEREDITH  
L. Herman Meredith, Attorney

Corporate Seal Place.

STATE OF MARYLAND,

QUEEN ANNE'S COUNTY, TO WIT:

I hereby certify that the foregoing is truly taken and copied from Liber W. H. C. No.1, folio 228 A Bond Record Book for Queen Anne's County.

Seals Place.

In Testimony Whereof I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County this 2nd day of November in the year nineteen hundred and forty two.

A. Sydney Gadd Jr. Clerk

.....  
REPORT OF SALE  
Filed Dec. 1st 1942.

Richard T. Earle, Assignee

: In the Circuit Court for Queen Anne's

vs

: County, In Equity.

Frederick Aulbach and  
Katie Aulbach, his wife.

: Cause No. 3341.  
:

REPORT OF SALE

This Report of Sale made by Richard T. Earle, Assignee of mortgage as hereinafter set forth, to your Honors, respectfully shows:

That default having occurred in the payment of the principal, interest and insurance premium on the property covered by given by Frederick Aulbach and Katie Aulbach, his wife, to Eugene L. Dudley, which mortgage had been duly assigned to The Stevensville Bank of Maryland, was assigned by said bank to your assignee for the purpose of foreclosure and collection. Your assignee having docketed suit, filed an approved bond, affidavit as regards to the military services of the defendant, both being dead, also filed a statement of mortgage indebtedness, did give more than twenty days previous notice of the time, manner and place of sale in the Queen Anne's Record-Observer, a Newspaper printed and published in Queen Anne's County, and on December 1st., 1942, in front of the Court House in Centreville, Maryland, between the hours of one and two P.M. did then and there offer at public sale the following property, to wit: all that lot or tract of land situate, lying and being in the Fifth Election District of Queen Anne's County, Maryland, near Perry's Corner, on the north side of the public road from Perry's Corner to Grasonville, known as "The Carmichael

Tract" or "Jay Bord" or by whatever name or names the same may be called, adjoining the tract of land formerly owned by William J. Price, now owned by Talisman, Inc., and the land of others, containing ninety five acres of land, more or less, improved by a frame dwelling house and other out buildings, being the same land described in said mortgage, and sold the same to Joseph W. A. Evans and Marion Evans, his wife, as tenants by the entireties, at and for the sum of FIFTEEN HUNDRED DOLLARS (\$1,500.00), they being then and there the highest bidders for the same and the said purchasers have paid the full purchase price for the same, & taxes and insurance to be finally adjusted upon ratification of sale.

Respectfully submitted.

Richard T. Earle, Assignee.

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

I hereby certify that on this 1st day of December, 1942, personally appeared before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, Richard T. Earle, Assignee, plaintiff in the above cause, and made oath in due form of law that the matters and facts set forth in the within and foregoing report of sale are true as therein set forth and that said sale was fairly made.

A. Sydney Gadd Jr. Clerk

Filed Dec. 1st .942.

ADVERTISEMENT OF ASSIGNEE'S  
SALE OF REAL ESTATE.  
Filed Dec. 1st 1942.

ASSIGNEE SALE OF VALUABLE REAL ESTATE

The undersigned assignee by virtue of the power of sale contained in a mortgage from Frederick Aulbach and Katie Aulbach, his wife, to Eugene Dudley, dated September 2nd, 1931, and recorded in Liber J. F. R. No.7, folio 359 and etc., a Land Record Book for Queen Anne's County, default having occurred in the terms of said mortgage, has been by mesne assignments assigned to the undersigned assignee for the purpose of foreclosure and collection, the said assignee will offer for public sale on TUESDAY, DECEMBER, 1, 1942 between the hours of 1 and 2 p.m. in front of the Court House in Centreville, Maryland, all that lot or tract of land situate, lying and being in the second precinct of the Fifth Election District of Queen Anne's County, Maryland, near Perry's Corner, on the north side of the public road leading from Perry's Corner to Grasonville, known as The Carmichael Tract" or "Jay Bird" of by whatsoever name or names the same may be called, adjoining the tract of land formerly owned by William J. Price, deceased, now owned by Talisman, Inc., and the land of others, containing ninety five acres of land, more or less, being the same land and all the land conveyed unto the said Frederick Aulbach and Katie Aulbach, his wife, as tenants by the entireties, by Eugene L. Dudley, improved by a frame dwelling house and other outbuildings.

Terms of sale: One third of the purchase money in cash on day of sale, the balance upon ratification of sale, unpaid balance to bear interest from day of sale, secured to the satisfaction of the assignee, or all cash on day of sale at the option of the purchaser, taxes and insurance to be adjusted to day of sale, title papers and revenue stamps to be at the expense of the purchaser, possession to be given upon ratification of sale.

RICHARD T. EARLE.  
Assignee 4t-11-26

J. Elmer Anthony,  
Auctioneer.

QUEEN ANNE'S RECORD - OBSERVER  
Centreville, Md. December 1, 1942

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Assignee's Sale of Valuable Real Estate in the case estate of Richard T. Earle, assignee vs Frederick Aulbach and Katie Aulbach, his wife a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD OBSERVER, A weekly newspaper printed and published at Centreville, in Queen Anne's County, Maryland, once a week for four successive weeks before the 1st day of December 1942, and that the first insetion of said advertisement in said Queen Anne's Record -Observer was on the 5th day of November 1942 and the last insertion on the 26 day of November 1942.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

By Myrtle Lewis

Filed Dec. 1st 1942.

.....  
N I S I  
Filed Dec. 1st 1942.

N I S I

Richard T. Earle, Assignee                    :            In the Circuit Court for  
  :            :  
  :            Queen Anne's County, in Equity  
  :            :  
Frederick Aulbach                             :            Chancery No. 3341  
Katie Aulbach                                 :            :  
  :            :

ORDERED, This 1st day of December A. D. ., 1942, that the sale of real estate made and reported in this cause by Richard T. Earle, Assignee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 2nd day of February next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 2nd day of January next.

The Report states the amount of sale to be \$1.500.00

A. Sydney Gadd Jr. Clerk

Filed Dec. 1st 1942.

.....  
AMENDED STATEMENT OF MORTGAGE DEBT  
Filed Jan 22, 1943.

Richard T. Earle, Assignee,                    :::            In the Circuit Court for  
  :            :  
  :            Queen Anne's County, in Equity  
  :            :  
Frederick Aulbach and                         :            No. 3341.  
Katie Aulbach, his wife.                     :            :  
  :            :

AMENDED STATEMENT OF MORTGAGE INDEBTEDNESS

Frederick Aulbach and Katie Aulbach, his wife,

To Richard T. Earle, Assignee, Dr.

Mortgage given by Frederick Aulbach and Katie Aulbach, his wife, to Eugene Dudley, dated second day of September, 1921, and recorded in Liber J. F. R.No. 7, folio 359 &etc., a Land Record Book for Queen Anne's County, which said mortgage was duly assigned by Frank S. Dudley, Executor of Eugene Dudley, to John R. Benton, and by the said John R. Benton assigned to The Stevensville Bank of Maryland, a body corporate, which assigned the same to Richard T. Earle for the purpose of foreclosure and collection, default having occurred in payment of principal and interest.

Principal Mortgage indebtedness	\$1050.00
Int. on said Indebtedness from March 2nd 1942 to day of Sale Dec. 1st., 1942.	47.07
	<hr/> 1,097.07
To Richard T. Earle 5% Com. for collection of same	54.85
Insurance premium paid by Stevensville Bank of Maryland	2.53
Total Indebtedness	<hr/> \$1,154.45

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I hereby certify that on this 22nd day of January, 1943, personally appeared before me, the subscriber, the Clrk of the Circuit Court for Queen Anne's County, Richard T. Earle, Assignee, and made oath in due form of law that with and foregoing statement of mortgage indebtedness is true as therein stated.

A. Sydney Gadd Jr.  
Clerk of the Circuit Court for  
Queen Anne's County.

Filed Jan 22, 1943.

.....  
CERTIFICATE PUBLICATION NISI SALE  
Filed Feb. 1st 1943.

N I S I

Richard T. Earle, Assignee                    :            In the Circuit Court for  
  :            :  
  :            Queen Anne's County, in Equity  
  :            :  
Frederick Aulbach                             :            Chancery No. 3341.  
Katie Aulbach                                 :            :  
  :            :

ORDERED, This 1st day of December A. D. 1942, that the sale of real estate made and reported in this cause by Richard T. Earle, Assignee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 2nd day of February next; provided a copy of this order be inserted in some



newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 2nd day of January next.

The Report states the amount of sale to be \$1,500.00.

A. SYDNEY GADD JR. Clerk

Filed Dec. 1st, 1942

True Copy

Test:

A. SYDNEY GADD JR. Clerk

QUEEN ANNE'S RECORD - OBSERVER  
Centreville, Md. Feb. 1, 1943.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate does hereby certify that the Order Nisi in the case of Richard T. Earle, Assignee vs Frederick Aulbach & Katie Aulbach a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD OBSERVER, a weekly newspaper printed and published at Centreville, in Queen Anne's County, Maryland, once a week for four successive weeks before the 2nd day of January 1943, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD -OBSERVER was on the 3rd day of December 1942, and the last insertion on the 24th day of December, 1942.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY  
By Myrtle Lewis

Filed Feb. 1st .1943.

.....  
CERTIFIED COPY OF ORDER OF COURT  
Filed Feb. 3rd 1943

ORDERED, by the Orphans' Court for Queen Anne's County, this twenieth day of April, in the year ninetenn hundred and twenty six, upon the aforegoing petition of Frank S. Dudley, late of Queen Anne's County, deceased, that the mortgage from Frederick Aulback, and wife, to Eugene L. Dudley, being the mortgage mentioned in the aforegoing petition be, and he is hereby authorized and empowered to transfer and assign said mortgage, without recourse or guarantee, unto John R. Benton, upon the payment to your petitioner of the face value of said mortgage, including interest and any collection costs.

W. Hopper Bibson  
John R. Benton  
Chas E. Cannon

IN THE ORPHANS' COURT FOR QUEEN ANNE'S COUNTY, MARYLAND, SCT:

The Register of Wills for Queen Anne's County, Maryland, does hereby certify that the within and aforegoing is a true copy of the Order of Court of Frank S. Dudley, in the matter of the Administration of the Estate of Eugene L. Dudley, late of Queen Anne's County, deceased, as filed and passed in this office on Apr. 20, 1926 and recorded in Liber W. T. B. No. 2 folio 82 in the Orphans' Court for Queen Anne's County, Maryland.

In Testimony Whereof I hereunto subscribe my name and affix  
Seals Place the seal of my office this 3rd day of February 1943.

Edward E. Coursey  
Register of Wills for Queen Anne's County,  
Maryland.

Filed Feb. 3rd 1943.

.....  
AFFIDAVIT AS REGARDS TO MILITARY SERVICES OF DEFENDANTS  
Filed Feb. 3rd 1943.

Richard T. Earle, Assignee, : In the Circuit Court for  
vs : Queen Anne's County, in Equity  
Frederick Aulbach and : Cause No. 3341.  
Katie Aulbach, his wife, Mortgagors :

AFFIDAVIT AS REGARDS TO MILITARY SERVICE.

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I hereby certify that on this 3rd day of February, 1943, personally appeared before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, Richard T. Earle, Assignee, who made oath in due form of law that the equity of redemption of the real estate in the property being foreclosed was in the heirs of Katie Aulbach, who with her husband Frederick Aulbach were grantees of Eugene L. Dudley, and that Frederick Aulbach predeceased Katie Aulbach, who

died in September 1942, and that upon the death of Frederick Aulbach the title to said real estate vested in Katie Aulbach and that at the time of the foreclosure of this mortgage, that the equity of redemption was vested in four children and only heirs at law of Katie Aulbach, and that the assignee knows that neither at the time of the docketing suit in this cause or three months prior to that time that any of the said four heirs were engaged in the Military Services of the United State nor are they or any of them, not in the Military Services of the United State nor have any of them been in the Military Services of the United States three months prior to the making of this affidavit.

A. Sydney Gadd Jr.  
Clerk of the Circuit Court for  
Queen Anne's County;

Filed Feb. 3rd 1943.

.....  
AFFIDAVIT AS TO MILITARY STATUS  
Filed Feb. 6, 1943.

Richard T. Earle, Assignee : In the Circuit Court for Queen  
vs : Anne's County, In Equity.  
Frederick Aulbach and : Cause No. 3341.  
Katie Aulbach his wife, :  
Mortgagors :

AMENDED AFFIDAVIT AS TO MILITARY SERVICES.

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I hereby certify that on this Sixth day of February, 1943, personally appeared before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, Richard T. Earle, Assignee in the above entitled cause, and made oath in due form of law that the real estate against which the said mortgage was foreclosed, was at the time of said foreclosure vested in the heirs at law of Katie Aulbach, the mortgagors in this cause, being seized of an estate as tenants by the entirety and the said Frederick Aulbach having died leaving Katie Aulbach, his widow, who died in Baltimore City on September 14th, 1942. That the heirs of the said Katie Aulbach are the following, to wit:  
John Stumpf, a son, 24 years of age, resides at 1122 Haubert St., Baltimore, Maryland; Carrie Loose, a daughter 50 years of age, resides at 1339 Hull St., Baltimore City, Maryland, Anna Tisdale, a daughter, 46 years of age, and resides at 1821 Register St., Baltimore, Md.; Mary Coleman, a daughter, 39 years of age, resides at 1626 Normal Ave., Baltimore, Maryland; all of said heirs at law are seized of the equity of redemption in equal proportions equally. the said Assignee made oath in due form of law that none of said heirs at law where at the time of the institution of said foreclosure proceedings or three months prior thereto engaged in the Military Services of the United States, nor are they now engaged nor have they been engaged in said services three months prior to this affidavit. That the occupation of the said parties is not known to him.

A. Sydney Gadd Jr.  
Clerk of the Circuit Court for  
Queen Anne's County.

Filed Feb. 6, 1943.

.....  
ORDER OF COURT  
Filed Feb. 8, 1943.

ORDER OF COURT

It is thereupon, ORDERED this 8th day of February, 1943, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that the sale of the real estate made and reported in this cause by Richard T. Earle, Assignee, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, although notice appears to have been given in accordance with the previous order Nisi passed herein, as per certificate or publication to said order nisi filed in this cause the assignee is allowed the usual commission, and all expenses, not personal upon production of proper vouchers therefor before the auditor, the papers are hereby directed to the auditor to state an audit in said cause.

Wm. R. Horney  
Judge.

Filed Feb. 8, 1943.

.....  
PETITION BY HEIRS AT LAW OF  
KATIE AULBACH TO BE DISTRIBUTED  
SURPLUS PROCEEDS OF SALE  
FILED Feb. 12th, 1943.

Richard T. Earle, Assignee, : In the Circuit Court for Queen  
vs : Anne's County, In Equity.  
Frederick Aulbach and Katie : Cause No. 3341.  
Aulbach, his wife, Mortgagors. :

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Petition of John Stumpf by Richard T. Earle, his attorney, to your Honors, respectfully shows:

- 1. That Frederick Aulbach and Katie Aulbach, his wife, mortgagors in this case were dead at the time of the institution of the foreclosure proceeding in this cause.
- 2. That there is a small net proceeds of sale after the payment of the principal mortgage indebtedness, interest and all other costs incident to this foreclosure proceedings.
- 3. That the said mortgagors in this cause owned said real estate or the equity of redemption therein as tenants by the entireties, having acquired the same from Eugene L. Dudley, as per certify copy of said deed filed herein marked "Petitioner's Exhibit No. 1", and prayed to be taken as a part hereof,
- 4. That being so seized the said Frederick Aulbach departed this life on October 21st., 1941, leaving the said Katie Aulbach, his widow, surviving him, who under the terms of said deed became vested of the entire interest in said real estate subject to the purchase money mortgage foreclosed herein.
- 5. That the said Katie Aulbach, wife of the said Frederick Aulbach, died intestate in Baltimore City, Maryland, on September 14th, 1942, leaving her four children and only heirs at law surviving here, the names, ages, and residences being as follows, to wit:

Carrie Loose, Age fifty years, resides at 1339 Hubl St., Baltimore, Maryland; Anna Tisdale, Age forty six years, resides at 1821 N. Register St., Baltimore, Md; Mary Coleman, Age thirty nine years, resides at 1626 Normal Ave., Baltimore, Md; John Stumpf, age forty four years, resides at 1122 Haubert St., Baltimore, Md.

Wherefore your petitioner prays that said net surplus be distributed to the above named children and only heirs at law of the said Katie Aulbach, in equal proportions equally.

Richard T. Earle  
Richard T. Earle, Atty, for Petitioner.

Respectfully submitted.

John Stumpf  
John Stumpf

STATE OF MARYLAND, BALTIMORE CITY, to wit:

I hereby certify that on this 9th day of February, 1943, personally appeared before me, the subscriber, a Notary Public of the State of Maryland in and for Baltimore City, John Stumpf and made oath in due form of law that the matters and facts set forth in the within and foregoing petition are true as therein stated to the best of his knowledge and belief; and at the same time personally appeared William J. Meyler, who is a disinterested party in these proceedings and made oath in due form of law that to his personal knowledge as regards to the relationship between the parties mentioned in said petition and their relationship to Katie Aulbach, that the statements made in said petition relative thereto are true to the best of his knowledge and belief. In witness whereof I have hereunto subscribed my name and affixed my seal.

Notary Public Seal.

Daniel J. Meyler  
Notary Public

Filed Feb. 12th 1943.

:P:::::::::::::  
A U D I T  
Filed March 3rd 1943.

In the Circuit Court for Queen Anne's County, in Equity.

Richard T. Earle, Assignee	:::
versus	: Chancery Docket ,
	: CAUSE NO. 3341.
Frederick Aulbach,	:
Katie Aulbach, his wife,	:

To the Honorable, the judges of said Court.

The report of Madison Brown, your Auditor, unto your Honrs respectfully sets forth:-

That it appears from the proceedings of this cause that Frederick Aulbach and Katie Aulbach, his wife, who were the mortgagors making the mortgage mentioned in this Cause, were at the time they made the mortgage owners as tenants by the entireties, of the land conveyed by said mortgage and sold in these proceedings and that both died before the mortgage sale and before paying the mortgage and that said Katie Aulbach was the longest liver. See Petition for distribution of net proceeds of sale filed in this Cause, February 12th., 1943 and marked "Paper No. 16".

That from an examination of said Petition which has been made under the oath of one of the Petitioners and a disinterested person, the said Katie Aulbach died intestate and that she left surviving her as her only heirs at law, four children, who are named in said Petition and in the annexed account.

That in the within account stated by your Auditor, Richard T. Earle, assignee of said mortgage, and the vendor thereunder of the sale made in this Cause is charged with the amount of the mortgage sale made by him per his report of sale (Paper No. 7) filed in the Cause and then out of said amount the auditor has made the following allowances:

Unto said vendor his commissions for making the sale, the cost of his bond, the cost of the advertisements of these proceedings, the taxes paid by him on the land sold, and the fee of the auditor.

Unto the said Richard T. Earle as the assignee of the mortgage the amount of the mortgage indebtedness, in full, due on the day of the sale, per statement of mortgage debt, Paper No. 10 filed.

Unto the four children and heirs at law of Katie Aulbach, in equal parts, the amount of the sale, less the allowances above set forth, the amount so distributed to these heirs at law, being the net proceeds of the sale.

Which is respectfully submitted,

February 27, 1943.

Madison Brown  
Auditor

CAUSE NO. 3341

The proceeds of the sale of the mortgaged real estate of Katie Alubach, the surviving mortgagor making the mortgage mentioned in this cause IN ACCOUNT WITH Richard T. Earle, the assignee of said mortgage and as such the party making the sale of the mortgaged real estate under the power of sale contained in said mortgage through the proceedings of this cause.

	CR	
1942		
Dec		
1	By the amount of the gross sale made this date by said vendor per his report of sale filed in this cause, to wit:	
	the sum of .....	\$1,500.00

	DR.	
1942		
Dec		
1	To Richard T. Earle, said vendor, for his commission for making said sale, per terms of said mortgage, the sum of .....	\$97.50
	To same vendor for the court costs of this cause per statement of costs made by the clerk of the court and exhibited to the auditor, to wit:	
	the cost of said clerk, .....	20.35
	the cost of register of wills, .....	1.50
	Paid per statement .....	21.85
	appearance fee of R. T. Earle, .....	10.00
	total of these costs now allowed, .....	31.85      31.85
	To the same vendor for the costs of his bond filed in this cause paid to the corporate surety thereon per receipted account exhibited to the auditor, the sum of .....	25.00
	To the same vendor for the costs of advertising notices of the sale made and the order nisi passed on same, in Centreville newspaper, per receipted account for same exhibited to the auditor, the sum of .....	39.42
	To the same vendor for the amount paid by him to J. E. Anthony, for crying the sale made, as auctioneer, per receipted account for the same exhibited to the auditor, the sum of .....	15.00
	To the same vendor for the amount of state and county taxes levied for year 1942 on the property sold and paid to him under terms of the sale, per receipted tax account of tax collector, exhibited to the auditor, sum of .....	32.12
	amounts carried forward, .....	\$240.89      \$1,500.00

CAUSE NO. 3341

Amounts brought forward .....	240.89	1,500.00
-------------------------------	--------	----------

DR.

To Richard T. Earle, as assignee of said mortgage the full amount of the mortgage indebtedness due on the day of the sale, principal, interest, attorney's commissions of collection and costs of insurance per

	DR	CR
statement of the mortgage debt filed in this cause on January 22, 1943. appears, to wit: the sum of .....	\$1,154.45	
To Madison Brown, the auditor for stating this account the sum of .....	13.50	
To Richard T. Earle, vendor, for the cost of advertising the order nisi to be passed as to this audit, the sum of .....	3.50	
	\$1,412.34	
To balance carried below, the sum of .....	87.66	
	\$1,500.00	\$1,500.00

CR.

By balance brought down, to wit: ..... 87.66

DR.

Distribution among the heirs of Katie Aulbach, her children :

To Carrie Loose, 1/4th of said balance, to wit: the sum of .....	\$21.915	
To Anna Tisdale, 1/4th of said balance, to wit: the sum of .....	\$21.915	
To Mary Coleman, 1/4th of said balance, to wit; the sum of .....	\$21.915	
To John Stumpf, 1/4th of said balance, to wit: the sum of .....	\$21.915	
	\$87.660	\$87.66

February 27, 1943.

Madison Brown  
Auditor

.....  
NISI AUDIT  
Filed March 3rd 1943.

NISI RATIFICATION OF AUDIT

Richard T. Earle, assignee,	:	In the Circuit Court for Queen
	:	
vs	:	Anne's County, in Equity.
	:	
Frederick Aulbach and Katie Aulbach, his wife.	:	Cause No. 3341.

ORDERED, This 3rd day of March in the year nineteen hundred and forty three, that the Report and Account filed in these proceedings by Madison Brown, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 26th day of March, 1943, provided a copy of this order be published once a week in each of two successive weeks before the 19th day of March, 1943, in some newspaper printed and published in Queen Anne's County.

Filed March 3, 1943. A. Sydney Gadd Jr. Clerk

.....  
CERTIFICATE OF NISI RATIFICATION OF AUDIT  
Filed March 23rd 1943.

NISI RATIFICATION OF AUDIT

Richard T. Earle, assignee	:	In the Circuit Court for
	:	
vs	:	Queen Anne's County, in Equity
	:	
Frederick Aulbach and Katie Aulbach, his wife	:	Cause No. 3341.

ORDERED, This 3rd day of March in the year nineteen hundred and forty three that the Report and Account filed in these proceedings by Madison Brown, Auditor, be ratified and confirmed, unless cause to the contrary be shown on or before the 26th day of March, 1943, provided a copy of this order be published once a week for two successive weeks before the 19th day of March, 1943, in some newspaper printed and published in Queen Anne's County,

Filed March 3, 1943. A. SYDNEY GADD JR. Clerk  
True Copy  
Test: A. Sydney Gadd Jr. Clerk

QUEEN ANNE'S RECORD -OBSERVER  
Centreville, Md. March 23, 1943.

THE QUEEN ANNE'S RECORD AND OBSERBER PUBLISHING COMPANY, a body corporate, does hereby certify that the annexed Nisi Ratification of Audit in the case estate of Richard T. Earle Assignee vs Frederick Aulbach and Katie, his wife, Cause No. 3341 in the Circuit Court for Queen Anne's County in equity a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD OBSERVER, a weekly newspaper printed and published at Centreville, in Queen Anne's County, Maryland, once a week for 2 successive weeks before the 19th day of March 1943, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD - OBSERVER was on the 4th day of March 1943, and the last insertion on the 11th day of March 1943.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY

By B. H. Freeny

Filed Mar 23rd, 1943.

ORDER OF COURT  
Filed Mar 27th 1943.

Richard T. Earle, Assignee : In the Circuit Court for  
vs : Queen Anne's County, in Equity.  
Frederick Aulbach and : Cause No. 3341.  
Katie Aulbach, his wife :

ORDERED, This 27th day of March 1943, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that the within and foregoing audit be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, although notice appears to have been given in accordance with the certificate of publication of nisi ratification to the same, and the Trustee is hereby directed to made distribution in accordance therewith, with a due proportion of interest collected.

Wm. R. Horney  
Judge.

Filed Mar 27, 1943.

CAUSE No. 3325

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Seventh day of July in the year nineteen hundred and forty two, the following Order To Docket Suit and Affidavits was brought to be recorded, to wit:

John Palmer Smith, Assignee of Mortgage, vs Roy H. Wilson, Marion H. Wilson, his wife, Mortgagors. In the Circuit Court for Queen Anne's County, in Equity. Chancery No. 3325.

\*\*\*\*\*

To the Clerk of said Court:

Docket suit forthwith on the Chancery Docket of said Court as per the above titling and file in said cause a certified copy of the mortgage from Roy H. Wilson and Marion H. Wilson, his wife, to The Salisbury Bank, bearing date the 17th day of February, 1941, and recorded among the land records of Queen Anne's County in Liber A. S. G. Jr., #4, folio 153, etc, and of the assignment thereof from said Salisbury National Bank to said John Palmer Smith for the purpose of foreclosure and collection, said assignment bearing date July 3rd, 1942, and recorded or to be recorded at the foot of said mortgage.

And also file in said cause the accompanying affidavit as to military service required under the Soldiers' and Sailors' Civil Relief Act of 1940.

This suit is filed for the foreclosure of the above described mortgage under the power of sale contained therein, default having occurred in the terms, conditions and covenants of said mortgage by reason of the non-payment of the monthly installments covenanted to be paid by the terms of said mortgage at the times therein provided for the payment thereof.

Also file herein the bond accompanying this order, in the penalty of \$6,000.00).

JOHN PALMER SMITH Solicitor.

JOHN PALMER SMITH John Palmer Smith Assignee of Mortgage,

AFFIDAVIT AS TO MILITARY SERVICE Filed July 7th 1942.

John Palmer Smith, Assignee of Mortgage, vs Roy H. Wilson, Marion H. Wilson, his wife, Mortgagors. In the Circuit Court for Queen Anne's County, in Equity. Chancery No. 3325.

AFFIDAVIT AS TO MILITARY SERVICE

State of Maryland, Queen Anne's County, To wit:

I hereby certify, that on this 7th day of July, 1942, before me, the Subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared John Palmer Smith, who, being duly sworn, did depose and say:-

My name is John Palmer Smith;

I am an attorney at law with business address at Centreville, Maryland:

I am counsel for The Salisbury National Bank in this case and assignee of the mortgage and the Plaintiff in the Cause as above set forth, and as counsel and assignee I have made diligent inquiry and have ascertained, to the best of my ability, the following facts, which I believe to be true;

That Roy H. Wilson and Marion H. Wilson, his wife, the mortgagors, are not in any manner engaged in the Military Service of the United States of America, nor have they been so engaged within the three months prior to this date; and that further the said Roy/Wilson and Marion H. Wilson, his wife, are 30 years of age and 22 years of age, respectively, and Roy H. Wilson is employed as a Clerk in the Office for Emergency Management in Washington, D. C., and Marion H. Wilson, his wife, is a housewife, and both reside at 138 Kentucky Ave., S. E., in Washington, D. C.

JOHN PALMER SMITH John Palmer Smith, Assignee of Mortgage.

Subscribed and Sworn to before me, The Clerk of the Circuit Court for Queen Anne's County, this 7th day of July, 1942.

A. Sydney Gadd Jr.  
Clerk

Filed July 7th 1942.

John Palmer Smith, Assignee : No. 3325 Chancery  
vs :  
Roy H. Wilson and : In the Circuit Court for  
Marion H. Wilson, his wife. : Queen Anne's County,  
State of Maryland.

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

C. Douglas Sergeant, Manger of the Insured Mortgage Department of The Salisbury National Bank, does hereby certify that after diligent inquiry it has been found that Roy H. Wilson and Marion H. Wilson, his wife, the MORTGAGORS, are not in manner engaged in the military service of the United States of America, nor have they been so engaged within the three months prior to this date; and further that the said Roy H. Wilson and Marion H. Wilson, his wife, are 30 years of age and 22 years of age, respectively, and Roy H. Wilson, is employed as a Clerk in the Office for Emergency Management in Washington, District of Columbia, and Marion H. Wilson, his wife, is a housewife, and both reside at 138 Kentucky Ave., S. E. Washington, District of Columbia.

Notary Public  
Seals' Place.

C. Douglas Sergeant  
Manager of the Insured Mortgage Department of The Salisbury National Bank- MORTGAGEE.

SUBSCRIBED and SWORN to before me, a Notary Public of the State of Maryland, in and for Wicomico County, this 3rd day of July, A. D., 1942.

Walter P. Nock  
Notary Public.

Filed July 7th, 1942.

.....  
CERTIFIED COPY OF MORTGAGE  
Filed July 7, 1942.

#20,486 QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Eighteenth day of February, in theyear nineteen hundred and forty one, the following Mortgage was brought to be recorded, to wit:-

Two- Twenty Cent and One-Five Dollar  
Recordation Tax Stamps, Endorsed  
February 18, 1941 William Reddie Atty.

M O R T G A G E

THIS MORTGAGE, Made this 17th day of February, A. D. 1941, by and between Roy H. Wilson and Marion H. Wilson, his wife, of Queen Anne's County, in the State of Maryland, hereinafter called the Mortgagor, and The Salisbury Bank a corporation organized and existing under the laws of the State of Maryland, hereinafter called the Mortgagee.

WHEREAS, the Mortgagor is justly indebted to the Mortgagee for borrowed money in the principal sum of Fifty-four Hundred and no/100 --- Dollars (\$5400.00), with interest from date of the rate of four & one-half per centum (4½%) per annum on the unpaid principal until paid, principal and interest being payable at the office of The Salisbury National Bank, in Salisbury Maryland, or at such other place as the holder hereof may designate in writing, in monthly installments of Thirty and 02/100 - Dollars (\$ 30.02), commencing on the first day of April, 1941, and on the first day of each month thereafter until the principal and interest are fully paid, except that the final payment of principal and interest, if not sooner paid, shall be due and payable on the first day of March, 1966, Privilege is reserved to pay this debt in whole, or in an amount equal to oneor more monthly payments on the principal that are next due, on the first day of any month prior to maturity; PROVIDED, HOWEVER, that written notice of an intention to exercise such privilege is given at least thirty (30) days prior to prepayment; and provided further that in the event this debt is paid in full prior to maturity and while it is insured under the provisions of the National Housing Act, all parties liable for the payment of same, whether principal, surety, guarantor or endorser, agree to be jointly and severally bound to pay to the holder of this mortgage a premium charge of one percent (1%) of the original principal amount hereof, except that in no event shall the adjusted premium exceed the aggregate amount of premium charges which would have been payable if the mortgage had continued to be insured until maturity; such payment to be applied by the holder upon its obligation to the Federal Housing Administrator.

AND WHEREAS, it was a condition precedent to the making of the aforesaid loan that therepayment thereof, with interest, should be secured by the execution of these presents.

NOW, THEREFORE, THIS MORTGAGE WITNESSETH, that in consideration of the premises and the sum of One Dollar (\$1.00) this day paid, the receipt where



of is hereby acknowledged, the Mortgagor does hereby grant, convey and assign unto the Mortgagee, its successors and assigns,

all that lot (s) of ground situate, lying and being in Queen Anne's County, in The State of Maryland, aforesaid, and described as follows, that is to say : ALL that lot or parcel of land situate, lying and being in the Third Election District of Queen Anne's County, State of Maryland, on the left side of the State Road leading from Centreville by Milton Slemmer's Property to Carville Station on the Railroad, bounded on one side by the said road, on another side by the land recently conveyed by Henry Bordley Seward and wife to Frances Mae Doehler ( hereinafter calld " The Doehler Land") and bounded on its two remaining sides by the other lands of Henry Bordley Seward ( hereinafter called " The Seward Land ") and contained within the following metes and bounds, courses and distance, to wit:

BEGINNING for the same at a point in said road which is 17'6" from the center of said road and which is 360' distant from the corner of the land of William Olin Hunter also located on said road and which is also a corner for the land called the Doehler Land as aforesaid and running thence with the Doehler Land  $32\frac{1}{4}^{\circ}$  E. 150 feet to a point a corner for the Doehler Land and for the Seward Lane: thence with the Seward Land, N.  $57\frac{3}{4}^{\circ}$  W. 90 feet to a point a corner for the Seward Lane: thence, still with the Seward Land S.  $32\frac{1}{4}^{\circ}$  W. 150 ft. to a point in said road; thence with said road, S.  $57\frac{3}{4}^{\circ}$  E. 90 feet to the place of beginning, containing 13,500 square feet of land, more or less.

BEING the same lot or parcel of ground conveyed to the said Roy H. Wilson and Marion Wilson, his wife, by Deed from Henry Bordley Seward and Clara S. Seward , his wife, dated October 31, 1940, and recorded in Liber A. S. G. Jr. No. 3, folio 412, Land Record Book for Queen Anne's County.

TOGETHER with and including as part of the buildings and improvements erected on the aforesaid lot or parcel of ground all cabinets (kitchen), book cases, water heater, lighting fixtures, mantel, medicine cabinets, oil burner unit, and screens, all of which accessoried and equipment are herewith declared to be by the said Mortgagors fixtures and permanent additions to the realty and intended to be included as part of the security for this mortgage.

TOGETHER with the buildings and improvements thereon, and the rights, roads, alleys, ways, waters, privilèges, appurtenances and advantages there-to belonging or in anywise appertaining.

TO HAVE AND TO HOLD the said lot (s) of ground and improvements unto the said Mortgagee, its successors and assigns, in fee simple.

PROVIDED, That this conveyance shall be null and void upon the performance of all conditions and stipulations entioned herein and upon the full payment of the principal debt secured hereby, and the interest thereon, and all moneys advanced or expended, and all other proper costs, charges, commissions and expenses as herein provided, When this mortgage shall have been fully paid off in accordance with its terms and tenor, it will be duly released by the Mortgagee at the request and expense of the Mortgagor, but in the event of default in the payment of any installment of principal or interest as above provided (it being agreed that the default shall exist only if not made good prior to the due date of the next such installments) or if there be a default in any of the conditions, stipulations, or covenants of this mortgage, then the Mortgagee may exercise the option of treating the remainder of the mortgage debt hereby secured due and payable. Failure to exerceise this option shall not constitute a waiver of the right to exerceise it at any other time.

And the Mortgagor, in order more fully to protect the security of this mortgage, covenants and agrees as follows:

1. That, together with, and in addition to, the monthly payments of principal and interest payable under the terms, of the mortgage debt hereby secured, the Mortgagor will pay to the Mortgagee, on the first day of each month until the said debt is fully paid, the following sums:

- (a) If this mortgage and the mortgage debt hereby secured are insured under the provisions of the National Housing Act and so long as they continue to be so insured, one twelfth (1/12) of the annual mortgage insurance premium for the purpose of putting the Mortgagee in funds with which to discharge the said Mortgagee's obligation to The Federal Housing Administrator for mortgage insurance premiums pursuant to the provisions of Title II of the National Housing Act, as amended, and Regulations there-under . The Mortgagee shall, on the termination of its obligation to pay mortgage insurance premiums, credit to the account of the Mortgagor all payments made under the provisions of this subsection which the Mortgagee has not become obligated to pay to the Federal Housing Administrator.
- (b) A sum equal to the ground rent, if any, next due, plus the premiums that will next become due and payable on policies of fire and other hazard insurance, covering the mortgaged property, plus taxes and assessments next due on the mortgaged property (all as estimated by the Mortgagee) less all sums already paid therefor divided by the number of months to elapse before one month prior to the date when such ground rents, premiums, taxes and assessments will become delinquent, such sums to be paid by Mortgagee in trust to pay said ground rents, premiums, taxes and special assessments.

(c) All payments mentioned in the two preceding subsections of this paragraph and all payments to be made under the mortgage debt hereby secured shall be added together and the aggregate amount thereof shall be paid by the Mortgagor each month in a single payment to be applied by the Mortgagee to the following items in the order set forth:

- (I) Premium charges under the contract of insurance with the Federal Housing Administrator;
- (II) ground rent, if any, taxes, special assessments, fire and other hazard insurance premiums;
- (III) interest on the mortgage debt secured hereby; and
- (IV) amortization of the principal of said debt.

Any deficiency in the amount of such aggregate monthly payment shall, unless made good by the Mortgagor prior to the due date of the next such payment, constitute an event of default under this mortgage. The Mortgagor agrees to pay a "late Charge" not to exceed two (2) cents for each dollar of each payment more than fifteen (15) days in arrears, to cover the extra expenses involved in handling delinquent payments.

2. If the total of the payments made by the Mortgagor under (b) of paragraph 1 preceding shall exceed the amount of payments actually made by the Mortgagee for ground rents, taxes, assessments of insurance premiums, as the case may be, such excess shall be credited by the Mortgagee on subsequent payments to be made by the Mortgagor. If, however the monthly payments made by the Mortgagor under (b) of paragraph 1 preceding shall not be sufficient to pay ground rents, taxes, assessments or insurance when the same shall become due and payable, then the Mortgagor shall pay to the Mortgagee any amount necessary to make up the deficiency on or before the date when payment of such ground rents, taxes, assessments or insurances premiums shall be due. If at any time the Mortgagor shall tender to the Mortgagee, in accordance with the provisions of the mortgage debt secured hereby, full payment of the entire indebtedness, the Mortgagee shall, in computing the amount of such indebtedness, credit to the account of the Mortgagor all payments made under the provisions of (a) of paragraph 1 which the Mortgagee has not become obligated to pay to the Federal Housing Administrator, and any balance remaining in the funds accumulated under the provisions of (b) of paragraph 1 hereof. If there shall be a default under any of the provisions of this mortgage resulting in a public sale of the premises covered hereby, or if the Mortgagee acquires the property otherwise after default, the Mortgagee shall apply, at the time of the commencement of such proceedings, or at the time the property is otherwise acquired, the balance then remaining in the funds accumulated under (b) of paragraph 1 preceding, as a credit against the amount of principal then remaining unpaid under the mortgage debt, and shall properly adjust any payments which shall have been made under (a) of paragraph 1.

3. That he will pay all taxes, assessments, water rates and other governmental or municipal charges, fines, or impositions, and grounds rents, for which provision has not been made hereinbefore, and will promptly deliver the official receipts therefor to the Mortgagee; and in default of such payment by the Mortgagor, the Mortgagee may pay the same, and any sum or sums so paid by the Mortgagee shall be added to the mortgage debt hereby secured, shall be payable on demand, shall bear interest at the rate of four and one-half per centum (4½) per annum and shall be secured by this mortgage.

4. That he will keep the said premises in as good order and condition as they are now and will not commit or permit any waste thereof, reasonable wear and tear excepted.

5. That he will keep the improvements now existing or hereafter erected on the mortgaged property, insured as may be required from time to time by the Mortgagee against loss by fire and other hazards, casualties and contingencies in such amounts and for each periods as may be required by the Mortgagee and will pay promptly, when due, any premiums on such insurance provision for payment of which has not been made hereinbefore. All insurance shall be carried in companies approved by the Mortgagee and the policies and renewals thereof shall be held by the Mortgagee and have attached thereto loss payable clauses in favor of and in form acceptable to the Mortgagee. In event of loss Mortgagor will give immediate notice by mail to the Mortgagee, who may make proof of loss if not made promptly by Mortgagor, and each insurance company concerned is hereby authorized and directed to make payment for such loss directly to the Mortgagee instead of to the Mortgagee and the Mortgagee jointly and the insurance proceeds, or any part thereof, may be applied by the Mortgagee at its option either to the reduction of the indebtedness hereby secured or to the restoration or repair of the property damaged. In event of foreclosure of this mortgage or other transfer of title to the mortgaged property in extinguishment of the indebtedness secured hereby, all right, title and interest of the Mortgagor in and to any insurance policies then in force shall pass to the purchaser or grantee.

6. That upon a default in any of the covenants of this mortgage, the Mortgagee shall be entitled, without notice to the Mortgagor, to the immediate appointment of a receiver of the property covered hereby, without regard to the adequacy or inadequacy of the property as security for the mortgage debt; and upon any such default, whether or not a receiver has been appointed, the rents and benefits of said property are hereby assigned to the Mortgagee as additional security. Until there is a default under this mortgage the Mortgagor shall have the right to possession of the said property.

7. That it shall be deemed a default under this mortgage if he shall sell, cease to own, transfer, or dispose of the within described property without the written consent of the Mortgagee.

8. That he specially warrants the property herein mortgaged, and that he will execute such further assurances thereof as may be required.

In case of default in any of the payments, covenants or conditions of this mortgage continuing for the space of Thirty days, the whole mortgage debt intended hereby to be secured shall become due and demandable; and it shall be lawful for the said Mortgagee, its successors and assigns, or Carroll E. Bounds, Its Attorney or Agent, at any time after such default to sell the property hereby mortgaged, or so much thereof as may be necessary, to satisfy and pay said debt, interest and all costs incurred in making such sale, and to grant and convey the said property to the purchaser of purchasers thereof, his her or their heirs or assigns; and which sale shall be made in the following manner, viz: upon giving twenty days' notice of the time, place, manner and terms of sale, in some newspaper printed in Queen Anne's County, and such other notice as by the said Mortgagee or the party making the sale, may be deemed expedient; and in the event of a sale of said property, under the powers hereby granted, the proceeds arising from such sale, to apply, first, to the payment of all expenses incident to such sale, including a counsel fee of Fifty Dollars (\$50.00) and a commission to the party making the sale of said property equal to the commission allowed trustees for making sale of property by virtue of a decree of a Court having equity jurisdiction in the Court aforesaid; secondly, to the payment of all claims of the said Mortgagee under this Mortgage, whether the same shall have matured or not; and the surplus (if any there be) shall be paid to the said Mortgagor, or to whoever may be entitled to the same.

AND the said Mortgagor hereby covenants and agrees that immediately upon the first insertion of the advertisement or notice of sale as aforesaid under the power hereby granted, there shall be and become due by him to the party inserting said advertisement or notice, all expenses incident to said advertisement or notice, all court costs and all expenses incident to the foreclosure proceedings under this mortgage and a commission on the total amount of the mortgage indebtedness, principal and interest, equal to one-half of the percentage allowed as commissions to trustees making sale under orders or decrees of the Circuit Court for Queen Anne's County, in Equity, which said expenses, costs and commissions the said Mortgagor hereby covenants and agrees to pay; and the said Mortgagee or its said Attorney, shall not be required to receive the principal and interest only, of said mortgage debt in satisfaction thereof, unless the same be accompanied by a tender of the said expenses, costs and commission, but said sale may be proceeded with unless, prior to the day appointed therefor, legal tender be made of said principal, interest, costs, expenses and commission.

The covenants herein contained shall bind, and the benefits and advantages shall inure to, the respective heirs, executors, administrators, successors and assigns of the parties hereto. Whenever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

WITNESS the signature (s) and seal (s) of the Mortgagor (s) on the day and year first above written.

Witness:

MAURICE A. STEWART  
Maurice A. Stewart

ROY H. WILSON (SEAL)  
Roy H. Wilson

MARION H. WILSON (SEAL)  
Marion H. Wilson

STATE OF MARYLAND COUNTY OF TALBOT, to wit:

I HEREBY CERTIFY, That on this 17th day of February, 1941, before me, the subscriber, a Notary Public, of the State of Maryland, in and for the County aforesaid, personally appeared Roy H. Wilson and Marion H. Wilson, his wife, the above named Mortgagors, and each acknowledged the foregoing mortgage to be their act.

At the same time also personally appeared C. Douglas Sergeant, the Agent of the within body corporate, Mortgagee, and made oath in due form of law that the consideration of said mortgage is true and bona fide as therein set forth: and also made oath that he is the agent of the Mortgagee and is duly authorized to make this affidavit.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year aforesaid.

Notary Public Seal.

MAURICE A. STEWART  
Maurice A. Stewart

QUEEN ANNE'S, COUNTY, TO WIT: Be it remembered that on the Seventh day of July in the year nineteen hundred and forty two, the following Assignment was filed for record, to wit:

THE SALISBURY NATIONAL BANK, a body corporate of the United States of America, hereby assigns the within and foregoing mortgage unto John Plamer Smith for the purpose of foreclosure and collection.

AS WITNESS the corporate seal of the said The Salisbury National Bank and the hand of William S. Gordy, Jr., its President, attested by Howard H. Ruark, Cashier thereof, this 3rd day of July, A. D., 1942.

THE SALISBURY NATIONAL BANK

By William S. Gordy Jr.  
William S. Gordy, Jr.  
PRESIDENT.

ATTEST:

HOWARD H. RUARK  
Howard H. Ruark  
CASHIER.

Corporate Seals Place.

STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

I hereby Certify that the foregoing is truly taken and copied from Liber A. S. G. Jr. No. 4 folio 157 , A Land Record Book for Queen Anne's County.

Seals  
Place.

In Testimony Whereof I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's county this seventh day of July in the year nineteen hundred and forty two.

A. Sydney Gadd Jr.  
Clerk

.....  
CERTIFIED COPY OF BOND  
Filed July 7th 1942.

Queen Anne's County to wit: Be it remembered that on this seventh day of July in the year nineteen hundred and forty two, the following Bond was brought to be recorded, to wit:

GLENS FALLS INDEMNITY COMPANY,  
GLENS FALLS , NEW YORK

KNOW ALL MEN BY THESE PRESENTS:

That We John Palmer Smith, of Centreville, Queen Anne's County, Maryland, as Principal, and GLENS FALLS INDEMNITY COMPANY, a body corporate of the State of New York and duly authorized to transact business in the State of Maryland, as Surety, are held and firmly bound unto the State of Maryland, in the full and just sum of Six Thousand (\$6,000.00) Dollars, current money, to be paid to the said State or its certain Attorney, to which payment well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs, executors, administrators, and successors, jointly and severally, firmly by these presents, sealed with our seals, and dated this seventh day of July, nineteen hundred and forty two.

WHEREAS, by virtue of a power of sale contained in a mortgage from Roy H. Wilson & Marion H. Wilson, his wife, to The Salisbury National Bank bearing date on or about the 17th day of February , nineteen hundred and forty one, the said body corporate, The Salisbury National Bank, or its assignee, is authorized and empowered to make sale of the property described in said mortgage in case default should be made in the payment of the principal debt secured by said mortgage or of the interest thereon in whole or in part, . AND whereas default has been made in the payment of the interest and principal aforesaid, and the said body corporate, The Salisbury National Bank by duly recorded assignment assigned said mortgage unto the said Principal for the purpose of foreclosure, and the said Principal is about to execute said power and make sale of the property described as aforesaid in said mortgage;

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bounden John Palmer Smith, do and shall well and faithfully abide and fulfill any order of decree which shall be made by any Court of Equity in relation to the sale of such mortgaged property or the proceeds thereof, then the above obligation to be void and of no effect, otherwise to be and remain in full force and virtue in law.

Witness:-

JOHN CANNON

JOHN PALMER SMITH (SEAL)  
John Palmer Smith

ATTEST:-

JOHN CANNON

GLENS FALLS INDEMNITY COMPANY

Seals Place.

L. H. MEREDITH  
L. H. Meredith Attorney

And on the back of the foregoing Bond is thus endorsed, to wit:

Bond filed and Security approved July 7th, 1942.

A. SYDNEY GADD JR.  
Clerk

STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

I hereby Certify that the foregoing is truly taken and copied from Liber W. H. C. No.1 folio 209 A Bond Record Book for Queen Anne's County.

In Testimony Whereof I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County this seventh day of July in the year nineteen hundred and forty two.

A. Sydney Gadd Jr.  
A. Sydney Gadd Jr.  
Clerk

REPORT OF SALE  
Filed Sept. 8, 1942.

John Palmer Smith, Assignee of Mortgage. vs Roy H. Wilson, Marion H. Wilson, His wife. Mortgagors. In the Circuit Court for Queen Anne's County. in Equity. Chancery No. 3325.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of John Palmer Smith, Assignee of Mortgage from Roy H. Wilson and Marion H. Wilson, his wife, to The Salisbury National Bank of Maryland, dated February 17th, 1941, and recorded among the land Records of Queen Anne's County in Liber A. S. G. Jr., No. 4, folio 153, etc., default having occurred in the terms of said mortgage, the said John Palmer Smith, assignee as aforesaid, by virtue of the power of sale contained in the above described mortgage, after giving bond as security, approved by the Clerk of this Court for the faithful performance and discharge of the trust reposed in him under said mortgage, and after giving notice of the time, place, manner and terms of sale by advertisement inserted in the Queen Anne's Record- Observer, a newspaper printed and published in Queen Anne's County, Maryland, for more than twenty days before the day of sale, to wit, four successive weeks beginning on the 9th day of July, 1942, for the first insertion of advertisement, and on July 16th, 1942, July 23rd, 1942, and July 30th, 1942, for the succeeding insertions, as per certificate of The Queen Anne's Record and Observer Publishing Company filed herewith, and as provided in said mortgage, did pursuant to said notice and advertisement, attend in front of the Court House Door, at the Town of Centreville, Queen Anne's County, Maryland, on Tuesday, August 4th, 1942, beginning at the house of 2:00 o'clock P.M., and did then and there proceed to make sale of the real estate described in said advertisement and mortgage, to wit:

All the lot of ground, improved by a frame modern dwelling house, situate, lying and being in the Third Election District of Queen Anne's County, Maryland, on the left side of the State Road leading from Centreville by Milton Slemmer's property to Caryville Station on the Railroad, bounded on one side by the said road, on another side by the lands of Frances Mae Doehler and bounded on its two remaining sides by the other lands of Henry Bordley Seward, and contained within the following metes and bounds, courses and distances, to wit: BEGINNING for the same at a point in said road which is 17 ft. 6 in, from the center of said road and which is 360 ft. distant from the corner of the land of Wm Olin Hunter also located on said road and which is also a corner for the land called the "Doehler Land", and running thence with the Doehler Land N. 32 1/4 deg. E. 150 ft. to a point a corner for the Doehler Land and for the Seward Land; thence with the Seward Land, N. 57 - 3/4 deg/W. 90 feet to a point a corner for the Seward Land; thence still with the Seward Land S. 32 1/4 deg. W. 150 ft. to a point in said road; thence with said road, S. 57- 3/4 deg. E. 90 feet to the place of beginning, containing 13,500 sp. ft. of land, more or less.

BEING the same lot conveyed to the said Roy H. and Marion H. Wilson by deed from Henry Bordley Seward and Clara S. Seward, his wife, dated Oct. 31, 1940 and recorded in Liber A. S. G. Jr., No. 3, folio 412, a land record book for Queen Anne's County.

And your Assignee and Vendor sold this above described property to The Salisbury National Bank, a body corporate of the United States of America, who was then and there the highest bidder therefor at and for the sum of Four thousand three hundred dollars (\$4,300.00).

The said purchaser has complied with the terms of sale.

Your assignee- vendor made the following particular announcements: Possession to the purchaser at one upon compliance with the terms of sale; and All State and County taxes for the calender year 1942 to be paid by the vendor; and

and All fire insurance premiums to be adjusted as of day of sale;

All title papers, revenue stamps and notary fees at the expense of the purchaser.

Filed herewith:

Certificate of advertisement in the Queen Anne's Record -Observer

And as in duty bound, etc.,

JOHN PALMER SMITH Assignee and Vendor.

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:-

I HEREBY CERTIFY, that on this 8th day of September, 1942, before the Subscriber, Clerk of the Circuit Court for Queen Anne's County, personally appeared John Palmer Smith, Assignee of Mortgage and Vendor, the party making the above mentioned and enclosed Report of Sale, and made oath in due form of law that the matters and things stated in the foregoing Report and Sale to be true and correct as therein stated to the best of his knowledge and belief, and that the sale was fairly made.

And further made oath as aforesaid that there has been no change in the matters and facts set forth in the affidavit as to military service filed in this cause on the 7th day of July, 1942, and that the status of the parties mentioned in said affidavit is the same as it was on the date of the filing of said affidavit.

A. Sydney Gadd Jr. Clerk

Filed Sept. 8th, 1942.

CERTIFICATE OF ADVERTISEMENT OF SALE Filed Sept. 8, 1942.

ASSIGNEE'S SALE OF A FINE MODERN DWELLING Near Centreville, Md.

Default having occurred in the terms of the mortgage from Roy H. Wilson and Marion H. Wilson, his wife, to The Salisbury National Bank, dated Feb. 17th, 1941, and recorded in Liber A. S. G. Jr., No. 4, fol. 153, etc., a land record book for Queen Anne's County, Maryland, the undersigned Assignee of said Mortgage will sell at Public Sale to the highest bidder in front of the Court House, at the town of Centreville, Queen Anne's County, Md., on TUESDAY, AUGUST 4, 1942, beginning at the hour of 2:00 o'clock p.m., the following property, to wit;

All the lot of ground, unimproved by a frame modern dwelling house, situate, lying and being in the Third Election District of Queen Anne's County, Maryland, on the left side of the State Road leading from Centreville, by Milton Slemmer's property to Carville Station on the Railroad, bounded on one side by the said road, on another side by the lands of Frances Mae Doehler and bounded on its two remaining sides by the other lands of Henry Bordley Seward, and contained within the following metes and bounds, courses and distances, to wit: BEGINNING for the same at a point in said road which is 17 ft. 6 in. from the center of said road and which is 360 feet distant from the corner of the land of Wm. Olin Hunter also located on said road and which is also a corner for the land called the "Doehler Land", and running thence with the Doehler Land N. 32 1/4 deg. E. 150 ft. to a point a corner for the Doehler Land and for the Seward Land; thence with the Seward Land, N. 57 -3/4 deg, W. 90 feet to a point a corner for the Seward Land; thence still with the Seward Land S. 32 1/4 deg. W. 150 ft. to a point in said road; thence with said road, S. 57-3/4 deg. E. 90 feet to the place of beginning, containing 13,500 sq. ft. of land, more or less.

Being the same lot conveyed to the said Roy H. and Marion H. Wilson by deed from Henry Bordley Seward and Clara S. Seward, his wife, dated Oct. 31, 1940, and recorded in Liber A. S. G. jr., No. 3, fol 412, a land record book for Queen Anne's County.

This property consists of a fine, modern, frame dwelling house, with all modern conveniences, and splendidly located on a stone road about 1/2 mile northeast of Centreville.

Possession at one.

TERMS OF SALE: Cash, Further particulars on day of sale.

JOHN PALMER SMITH Assignee of Mortgage.

John Palmer Smith, Atty. J. Elmer Anthony, Auct.

QUEEN ANNE'S RECORD - OBSERVER Centreville, Md. Aug. 13, 1942.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO. hereby certifies that the Assignee's Sale in the case of Roy H. Wilson and Marion H. Wilson to Salisbury National Bank a true copy of which is hereto annexed, was

inserted in the QUEEN ANNE'S RECORD \* OBSERVER, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week for four (4) successive weeks the first publication thereof having been made in said newspaper on the 9th day of July 1942, being more than twenty days before the 4th day of August 1942.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO.

By Myrtle Lewis

Filed Sept. 8, 1942.

.....  
N I S I  
Filed Sept. 8, 1942.

John Palmer Smith, Assignee of Mortgage. : In the Circuit Court for  
VS : Queen Anne's County, in Equity.  
Roy H. Wilson, :  
Marion H. Wilson, his wife, : Chancery No. 3325.  
Mortgagors. :

ORDERED, This 8th day of September A. D., 1942, that the sale of the real estate made and reported in this cause by John Palmer Smith, Assignees and Vendor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 12th day of November next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 12th day of October next.

The Report states the amount of sales to be \$4,300.00

A. SYDNEY GADD JR. Clerk

Filed September 8, 1942.

.....  
CERTIFICATE OF PUBLICATION OF  
NISI OF SALE.  
Filed Nov. 21, 1942.

N I S I

John Palmer Smith, Assignee of Mortgage : In the Circuit Court for  
vs : Queen Anne's County, in Equity  
Roy H. Wilson, Marion H. Wilson, his wife, :  
Mortgagors. : Chancery No. 3325.

ORDERED, This 8th day of September A. D., 1942, that the sale of the real estate made and reported in this cause by John Palmer Smith, Assignee and Vendor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 12th day of November next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 12th day of October next.

The Report states the amount of sale to be \$4,300.00

A. SYDNEY GADD JR. Clerk

True Copy  
Test:

A. SYDNEY GADD JR. CLERK

Filed September 8, 1942.

THE QUEENSTOWN NEWS:

Queenstown, Maryland, November 20th, 1942.

THE QUEENSTOWN NEWS hereby certifies that the ORDER NISI in the case of John Palmer Smith, Assignee of Mortgage, vs. Roy H. Wilson and Marion H. Wilson, his wife, Mortgagors, a true copy of which is hereto annexed, was inserted in the Queenstown News, a weekly newspaper printed and published at Queenstown, Queen Anne's County, Maryland, once a week for four successive weeks, the first publication thereof having been made in said newspaper on the 11th day of September, 1942, being more than four weeks before the 12th day of October, 1942.

THE QUEENSTOWN NEWS,  
By M. W. Aker  
Editor and Publisher.

Filed Nov. 21, 1942.

STATEMENT OF MORTGAGE DEBT  
Filed Dec. 19, 1942.

John Palmer Smith, : In the Circuit Court for  
Assignee of Mortgage, : Queen Anne's County,  
vs : in Equity.  
Roy H. Wilson and : Chancery No. 3325.  
Marion H. Wilson, his wife, :  
Mortgagors. :

STATEMENT OF MORTGAGE DEBT

Statement of the mortgage debt due and owing as of the day  
of sale:

Amount of mortgage principal debt \$5,310.74  
Interest due thereon from Dec. 1, 1941 162.02  
Total due August 4th, 1942..... 5,472.76

State of Maryland

Queen Anne's County, to wit:

I hereby certify that on this 19th day of December, 1942,  
before the Subscriber, Clerk of the Circuit Court for Queen Anne's County,  
personally appeared John Palmer Smith, Assignee of Mortgage, and made oath in  
due form of law that the foregoing Statement of Mortgage Debt is true to the  
best of his knowledge and belief.

Witness my hand and Notarial Seal.

A. SYDNEY GADD JR.  
Clerk

Filed Dec. 19, 1942

John Palmer Smith, : In The Circuit Court for  
Assignee of Mortgage, : Queen Anne's County,  
vs : in Equity.  
Roy H. Wilson and : Chancery No. 3325  
Marion H. Wilson, his wife, :  
Mortgagors. :

STATEMENT OF MORTGAGE DEBT

Statement of the mortgage debt due and owing as of the day of  
sale.

Amount of mortgage principal debt .....\$5,310.74  
Interest due thereon from December 1, 1941  
to August 4th, 1942. .... 162.02  
TOTAL 5,472.76

State of Maryland

Wicomico County, To wit:-

I HEREBY CERTIFY, that on this 17th day of December, 1942,  
before the Subscriber, a Notary Public of the State of Maryland, in and for  
Wicomico County, personally appeared C. Douglas Sergeant, FHA Loan Manager of  
The Salisbury National Bank, of Salisbury, Maryland, and made oath in due form  
of law that the foregoing Statement of Mortgage Debt is true to the best of his  
knowledge and belief.

Witness my hand and Notarial Seal.

Notary Public  
Seal.

Water P. Nock  
Notary Public  
My commission expires May 3, 1943.

Filed Dec. 19, 1942.

And attached hereto is the original Mortgage .



FINAL ORDER OF RATIFICATION  
 Filed Dec. 21, 1942.

John Palmer Smith, Assignee of Mortgage	:	In the Circuit Court for
	:	Queen Anne's County, in Equity,
vs	:	Chancery No. 3325.
Roy H. Wilson and Marion H. Wilson, his wife Mortgagors.	:	

FINAL ORDER OF RATIFICATION

ORDERED, this 21st day of November, 1942, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that the sale of the real estate made by John Palmer Smith, Assignee of Mortgage, and reported in this cause, be and the same is hereby Finally Ratified and confirmed, no cause to the contrary thereof having been shown, although due notice appears to have been duly given as required by the preceding Order Nisi heretofore passed in this Court; and the said John Palmer Smith, Assignee as aforesaid, is allowed the usual commissions allowed by this Court upon the sale of real estate and for all expenses, not personal, upon producing the vouchers therefor before the Auditor.

Wm. R. Horney  
 Judge.

Filed Dec. 21, 1942.

REPORT AND ACCOUNT OF THE AUDITOR  
 Filed Jan 2nd 1943

In the Circuit Court for Queen Anne's County, in Equity.

John Palmer Smith, Assignee of mortgage	:	Chancery Docket
versus	:	Cause No. 3325.
Roy <sup>a</sup> . Wilson and Marion H. Wilson, his wife Mortgagors.	:	

To the Honorable, the judges of said Court:-

The Report of Madison Brown, your auditor, unto your Honors respectfully sets forth:-

The proceedings of this cause were instituted and have been conducted for the collection of a mortgage debt secured by a mortgage on land through the sale of the land under the power of sale contained in the mortgage and the proceeds of the sale after the deduction therefrom of the costs of the sale and of the commissions of the vendor making the sale are not sufficient to pay the mortgage debt in full.

The mortgage was given by the above named mortgagors to The Salisbury National Bank, a corporation and this corporation assigned the mortgage unto John Palmer Smith for the purpose of collection of the debt by foreclosure of the mortgage and the said John Palmer Smith is the party who made the sale reported in this cause under said mortgage.

In the annexed account the auditor has charged said John Palmer Smith, as said vendor with the gross sale made by him per his report of sale filed in this cause and has then thereout allowed as follows; to wit:

Unto the said John Palmer Smith the compensation for making the sale provided for by the mortgage, the court costs of the cause, the cost of his bond, the costs of advertising notices of the sale and the several orders nisi of the cause, the charges of the auctioneer for crying the sale, the cost of a vacancy permit to retain the insurance on the property, the state and county taxes due for the year 1942 to be paid by the vendor under the terms of sale and the fee of the auditor and

Unto the Salisbury National Bank, the mortgagee, the balance of the gross sale remaining after the aforesaid allowances on account of the mortgage debt due on the day of the sale under said mortgage, said balance not being sufficient to pay the mortgage debt in full as above stated.

The auditor appends a statement showing the amount due the said mortgagee after the application to its mortgage claim of the net proceeds of the sale above mentioned.

Which is respectfully submitted,

MADISON BROWN  
 AUDITOR

January 2, 1943.

CAUSE NO. 3325.

The proceeds of the sale of the mortgage property of Roy H. Wilson and Marion H. Wilson, his wife, the parties making the mortgage under which the said mentioned

in this cause was made, IN ACCOUNT WITH John Palmer Smith, assignee of said mortgage and the vendor making making the said sale.

CR.

1942  
August  
4

By amount of the mortgage sale so made on this date per report of sale of said vendor herein filed, to wit: \$4,300.00

1942  
August  
4

To John Palmer Smith, party making said mortgage sale, for his compensation for making said sale, per terms of said mortgage, a  
counsel fee of .....\$50.00  
a commission on the sale of ...217.00  
a total allowance of ..... 267.00 \$267.00

To do., for the court costs of this cause, per statement made by the Clerk, exhibited, as follows:  
Costs due the clerk, ..... 18.75  
appearance fee of plaintiff's attorney, .....10.00  
a total, ..... 28.75 \$28.75

To do., for the cost of his bond filed herein paid the corporate surety thereon per receipted account for same exhibited, the sum of ..... \$24.00

To do., for the amount paid J. Elmer Anthony auctioneer for crying the said sale per his receipted account for same, exhibited, the sum of .....\$10.00

To do., for amount paid publishers of the newspaper, Queen Anne's Record, Observer Company, for costs of advertising notices of the said sale, per receipted account for same exhibited, the sum of .....\$47.25

To do., for costs of advertising the order nisi on said sale in Queenstown News, per receipted account for same, exhibited, the sum of .....\$ 5.00

To do., for amount paid J. H. E. Legg, insurance broker, for a vacancy permit under insurance policy, per receipted account for same, exhibited, .....\$ 6.26  
and for amount paid carpenter for fixing lock on door of mortgaged house, ......50  
a total of .....\$6.76 \$ 6.76

amounts carried forward ..... 388.76 \$4,300.00

CAUSE NO. 3325

ACCOUNT OF AUDITORS:

Amounts brought forward, from Page No. 1, .....	DR. \$388.76	CR. 4,300.00
---	--------------	--------------

DR.

To John Palmer Smith, vendor as aforesaid, for amount of state and county taxes for year 1942 on mortgaged property, to be paid by vendor under terms of sale (per report), per tax statement receipted by collector of taxes exhibited, the sum of ,...\$41.17

To do., for costs of advertising the order nisi to be passed as this audit, the sum....\$ 3.50

To Madison Brown, auditor, for stating this account, the sum of .....\$ 13.50

\$ 446.93

To the Salisbury National Bank, the corporation mortgagee named in the mortgage hereinbefore mentioned, this balance, same being the net proceeds of said sale, to wit: the sum of .\$3853.07

\$4300.00 \$ 4,300.00

January 2, 1943.

MADISON BROWN  
AUDITOR.

In the Circuit Court for Queen Anne's County, in Equity.

John Palmer Smith, assignee of mortgage, :  
 :  
 versus : Chancery Docket,  
 :  
 Roy H. Wilson, Marion H. Wilson, his wife. :  
 Mortgagors. : Cause No. 3325.  
 :

STATEMENT SHOWING THE INDEBTEDNESS DUE BY THE MORTGAGORS ABOVE NAMED AFTER THE APPLICATION TO THE MORTGAGE DEBT OF THE NET PROCEEDS OF THE MORTGAGE SALE SHOWN BY ANNEXED ACCOUNT.

Roy H. Wilson and Marion H. Wilson, the mortgagors making the mortgage described below, IN ACCOUNT WITH the Salisbury National Bank, the mortgage named in said mortgage.

1942  
 August 4-  
 To the amount of the principal mortgage debt, to wit: sum of .....\$5,310.74  
 To amount of the interest due thereon as of August 4, 1942. .... 162.02  
 Due by the mortgage given by the said mortgagors to said mortgagee bearing date February 17, 1941 and recorded in Liber A. S. G. junior No. 4, a land record book of Queen Anne's County on folio 153, making a total amount of debt due as of August 4, 1942, day of sale of this cause per statement of mortgage debt filed in this cause, to wit: the sum of .....\$5,472.76

CR.

Less the net proceeds of the mortgage sale of this cause distributed to said Salisbury National Bank on account of said debt by the annexed account, page 3 of this audit, to wit: ..... \$3,853.07

DR. To balance now due by said mortgagors to said mortgagee, bearing interest from August 4, 1942, to wit: the sum of \$1,619.69

January 2, 1942.

MADISON BROWN  
 AUDITOR.

Filed Jan 2nd 1942.

.....  
 NISI AUDIT  
 Filed Jan 2nd 1943.

NISI RATIFICATION OF AUDIT

John Palmer Smith, : In the Circuit Court for  
 assignee :  
 vs : Queen Anne's County, in Equity.  
 :  
 Roy H. Wilson and :  
 Marion H, Wilson : Cause No. 3325.  
 :

ORDERED, this 2nd day of January in the year nineteen hundred and forty three, that the Report and Account filed in these proceedings by Madison Brown, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 29th day of January, 1943; provided a copy of this order be published once a week in each of two successive weeks before the 22nd day of January, 1943, in some newspaper printed and published in Queen Anne's County.

A. SYDNEY GADD JR. Clerk

Filed Jan 2nd. 1943.

.....  
 NISI RATIFICATION OF AUDIT  
 Filed June 8, 1943.

NISI RATIFICATION OF AUDIT

John Palmer Smith, Assignee : In the Circuit Court for Queen  
 vs : Anne's County,  
 :  
 Roy H. Wilson and Marion :  
 H. Wilson : In Equity.  
 : Cause No. 3325.  
 :

ORDERED, This 2nd day of January in the year nineteen hundred and forty-three that the Report and Account filed in these proceedings by Madison Brown, Auditor, be ratified and confirmed, unless cause to the contrary



## C A U S E N O. 3332

QUEEN ANNE'S COUNTY, to wit: Be it remembered that on this Twelfth day of August in the year nineteen hundred and forty three, the following Bill of Complaint was brought to be recorded, to wit:

In the Circuit Court for Queen Anne's County, in Equity.

Richard N. Dadds, plaintiff Chy. #3332

versus

John Jones,	)	
Evelyn Monti,	)	
Russell Dadds,	)	Defendants in their own rights.
Carroll Dadds,	)	
Arnold Dadds,	)	
Harry Palmer,	)	
Mary Kinnamon	)	
Mary Dadds	(	
John Monti,	(	Defendants in their rights as spouses of
Marie Dadds,	(	other parties.
Helen Palmer,	(	
Jack Kinnamon,	(	
Emma Dadds,	(	

To the Honorable, the Judges of said Court:

Your orator, complaining, says:

1. That Richard F. Dadds, late of said county, deceased, was in his lifetime seised and possessed of a lot of land improved by a frame dwelling house called or known as "The Richard F. Dadds Property" situate, on Kent Island in the Fourth Election District of Queen Anne's County, State of Maryland, on the right side of but not immediately adjacent to the State Road leading from the bridge over Kent Narrows to Stevensville and bounding on a road or lane called "Dundee Avenue", and adjoining the property of the heirs of Ran Kelley and that of Arville Nash.

Note: Dundee Avenue is a road or land which branches from the right side of the said State Road at the corner where Kelleys' Garage is located.

2. That said Richard F. Dadds and Ella Jane Dadds, his wife, had a married daughter named Rowie B. Palmer who died before her father and who left surviving her as her only heirs at law a son named Harry Palmer and a daughter named Mary Kinnamon.

3. That said Richard F. Dadds departed this life sometime in the year 1917 intestate, seised and possessed of the above described lot of land and leaving as his only heirs at law the following named persons; to wit:

- (1) Ellen Jane Dadds, his wife, who took from her husband 1/3 part of said land.
- (2) Oscar F. Dadds, a son, who took from his father 2/9 parts of said land.
- (3) Richard N. Dadds, a son, the plaintiff who took from his father 2/9 parts of said land.
- (4) Harry Palmer, the grandson mentioned above, who took from his grandfather 2/18 parts of said land.
- (5) Mary Kinnamon, the grand-daughter mentioned above who took from her grand-father 2/18 parts of said land.

4. That Oscar Dadds above mentioned died sometime in the year 1918 intestate, seised and possessed of 2/9 parts of said land and leaving as his only heirs at law the following named persons, to wit:

- (1) Mattie Dadds, his wife, who took from her husband 2/27 parts of said land.
- (2) Evelyn Monti, daughter, who took from her mother 1/27 part of said land.
- (3) Russell Dadds, his son, who took from his father 1/27 part of said land.
- (4) Carroll Dadds, his son, who took from his father 1/27 part of said land.
- (5) Arnold Dadds, his son, who took from his father 1/27 part of said land.

5. That Mattie Dadds, above named after the death of her husband, Oscar Dadds married one John Jones and she died in the year 1920 intestate, seised and possessed of 2/27 parts of said land and leaving surviving her as her only heirs at law the following named persons, to wit:

- (1) John Jones, her husband, who took from his wife 2/81 parts of said land
- (2) A daughter, named Evelyn Monti, who took from her mother 1/81 parts of said land.
- (3) Russell Dadds, her son, who took from his mother 1/81 parts of said land.
- (4) Carroll Dadds, her son, who took from his mother 1/81 parts of said land.
- Arnold Dadds, her son, who took from his mother 1/81 parts of said land.

5. That Ellen Jane Dadds, above named wife of Richard F. Dadds died intestate on the 15th day of February, 1942, seised and possessed of 1/3 part of said land and leaving as her only heirs at law, the following named persons, to wit:

- (1) Richard N. Dadds, her son, the plaintiff who took from his mother 1/9 part of said land.
- (2) Evelyn Monti, her grand-daughter, who took from her grand-mother 1/36 part of said land.

- (3) Russell Dadds, her grand-son who took from his grand-mother  $1/36$  part of said land.  
 (4) Carroll Dadds, her grand-son, who took from his grand-mother  $1/36$  part of said land.  
 (5) Arnold Dadds, her grand-son who took from his grand-mother  $1/36$  part of said land.  
 (6) Henry Palmer, her grand-son, who took from his grand-mother  $1/18$  part of said land.  
 (7) Mary Kinnamon, her grand-daughter, who took from her grand-mother  $1/18$  part of said land.

6. Note: The parts of the land above mentioned are of course undivided parts.

7. That of the persons named in the foregoing paragraphs the following persons are now living, now own said land and are seized and possessed thereof in the following parts or proportions, to wit:

- |   |        |    |          |       |
|---|--------|----|----------|-------|
| (1) Richard N. Dadds, the plaintiff who as heir |        |    |          |       |
| of his father owns                              | $2/9$  | or | $72/324$ | parts |
| as heir of his mother owns                      | $1/9$  | or | $36/324$ | parts |
| (2) Harry Palmer, defendant who                 |        |    |          |       |
| as heir of his grandfather owns                 | $2/18$ | or | $36/324$ | parts |
| as heir of his grandmother owns                 | $1/18$ | or | $18/324$ | parts |
| (3) Mary Kinnamon, defendant who                |        |    |          |       |
| as heir of her grandfather owns                 | $2/18$ | or | $36/324$ | parts |
| as heir of her grandmother owns                 | $1/18$ | or | $18/324$ | parts |
| (4) Evelyn Monti, defendant who                 |        |    |          |       |
| as heir of her father owns                      | $1/27$ | or | $12/324$ | parts |
| as heir of her mother owns                      | $1/81$ | or | $4/324$  | parts |
| as heir of her grandmother owns                 | $1/36$ | or | $9/324$  | parts |
| (5) Russell Dadds, defendant who                |        |    |          |       |
| as heir of his father owns                      | $1/27$ | or | $12/324$ | parts |
| as heir of his mother owns                      | $1/81$ | or | $4/324$  | parts |
| as heir of his grandmother owns                 | $1/36$ | or | $9/324$  | parts |
| (6) Carroll Dadds, defendant who                |        |    |          |       |
| as heir of his father owns                      | $1/27$ | or | $12/324$ | parts |
| as heir of his mother owns                      | $1/81$ | or | $4/324$  | parts |
| as heir of his grandmother owns                 | $1/36$ | or | $9/324$  | parts |
| (7) Arnold Dadds, defendant who                 |        |    |          |       |
| as heir of his father owns                      | $1/27$ | or | $12/324$ | parts |
| as heir of his mother owns                      | $1/81$ | or | $4/324$  | parts |
| as heir of this grandmother owns                | $1/36$ | or | $9/324$  | parts |
| (8) John Jones, defendant who                   |        |    |          |       |
| as heir of his wife owns                        | $2/81$ | or | $8/324$  | parts |

8. That the said lot of land above mentioned and described cannot be divided among the said parties interested therein or owning the same as set forth in the preceding paragraph of this bill of complaint according to their respective interests therein without loss or injury to the said parties entitled thereto as above set forth.

9. That the said Harry Palmer has a wife named Helen Palmer and they live together in Stevensville in Queen Anne's County and she is a party to this bill.

10. That said Mary Kinnamon has a husband named Jack Kinnamon and they live together in Queenstown in Queen Anne's County and he is a party to this bill.

11. That Evelyn Monti has a husband named John Monti and they live together at 1628 Light Street, Baltimore City and he is a party to this bill.

12. That Russell Dadds has a wife named Marie Dadds and they live together at 54 East Randall Street, Baltimore City, and she is a party to this bill.

13. That Carroll Dadds is a single person and lives at 48 East Cross Street, Baltimore.

14. That Arnold Dadds has a wife named Mary Dadds and they live together at 1688 1828 Light Street in Baltimore City and she is a party to this bill.

15. That Richard N. Dadds, the plaintiff has a wife named Emma Dadds, and she lives 2211 Mount Holly Street, Baltimore City and she is a party to this bill.

16. That John Jones is a single man and lives in Queenstown, Maryland.

17. That your orator is entitled to have the real estate hereinbefore mentioned and described sold under a decree of this Court and a division had of the money arising from said sale among the parties entitled thereto according to their respective rights and interests therein.

To the end therefore;

That the said Evelyn Monti, Russell Dadds, Carroll Dadds, Arnold Dadds, Henry Palmer, Mary Kinnamon, John Jones, John Monti, Mary Dadds, Marie Dadds, Helen Palmer, Jack Kinnamon, Emma Dadds may answer in the premises and that a decree may be passed for the sale of the real estate hereinbefore mentioned and described for the purpose of partition among the parties entitled thereto and the proceeds of such sale distributed among the said parties in proportion to their respective interest and rights and that your orator may have such further and other relief as his case may require.

May it please Your Honors to grant unto your orator the writs of subpoena against, the said Evelyn Monti and John Monti, her husband, residing at No. 1628 Light Street in Baltimore City, Russell Dadds and Marie Dadds, his wife, residing at 54 East Randall Street, Baltimore City, Carroll Dadds, residing at 48 East Cross Street in Baltimore City, Arnold Dadds and Mary Dadds, his wife, residing at 1628 Light in Baltimore City, Harry Palmer and Helen Palmer, his wife, residing in Stevensville, Queen Anne's County, Mary Kinnamon and Jack Kinnamon, her husband, residing at Queenstown, Queen Anne's County, Maryland, John Jones, residing in Queenstown, Queen Anne's County, Maryland, Emma Dadds, residing at 2211 Mount Holly Street, Baltimore City, Maryland,

commanding them to appear in this Court at some certain day to be named therein, to answer in the premises and abide by and perform such decree as may be passed therein.

And as in duty bound, etc.

HARRY C. BUTLER  
MADISON BROWN ,  
ATTORNEYS FOR COMPLAINTS.

Filed Aug. 12th, 1942.

.....  
SUBPOENA FOR HARRY PALMER AND  
WIFE TO APPEAR AND ANSWER  
Filed

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Harry Palmer and Helen Palmer, his wife,

Seals Place.

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the First Monday of September next, to answer the complaint of Richard N. Dadds against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins, Chief Judge of our said Court, the first Monday of August 1942.  
Issued the twelfth day of August 1942.

Harry C. Butler & Madison Brown

A. SYDNEY GADD JR. Clerk

Solicitor for Complainant

TO THE DEFENDANT: YOU are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of September next, being the Return Day.

True Copy  
Test:

A. SYDNEY GADD JR. Clerk

A. SYDNEY GADD JR. CLERK

.....  
SUBPOENA FOR EMMA DADDS TO  
APPEAR AND ANSWER  
To lie in Office

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Emma Dadds

Seals Place.

OF BALTIMORE CITY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the First Monday of September next, to answer the complaint of Richard N. Dadds against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins, Chief Judge of our said Court, the first Monday of August 1942.  
Issued the twelfth day of August 1942.

Harry C. Butler, & Madison Brown

A. SYDNEY GADD JR. Clerk

Solicitor for Complainant

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fiftendays of the first Monday of September next, being the Return Day.

True Copy  
Test: A. SYDNEY GADD JR. Clerk  
A. SYDNEY GADD JR. Clerk

.....  
SUBPOENA FOR MARY AND JACK  
KINNAMON TO APPEAR AND ANSWER

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Mary Kinnamon and Jack Kinnamon, her husband,  
Seals Place.

OF QUEEN ANNE'S COUNTY GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the First Monday of September next, to answer the complaint of Richard N. Dadds against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable, Stephen R. Collins, Chief Judge of our said Court, the first Monday of August 1942.  
Issued the twelfth day of August 1942.

A. SYDNEY GADD JR. Clerk  
Harry C. Butler & Madison Brown

Solicitor for Complainant.

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of September next, being the Return Day.

A. SYDNEY GADD JR. Clerk

And on the back of the foregoing is thus endorsed to wit:  
Served by reading and leaving copy with Mary Kinnamon and Jack Kinnamon on August 15, 1942.

EDWARD E. COURSEY Sheriff

Biled Aug. 15th, 1942.

.....  
SUBPOENA FOR JOHN JONES  
TO APPEAR AND ANSWER  
Filed Aug 15th 1942.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND  
John Jones

TO  
Seals Place.

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the First Monday of September next, to answer the complaint of Richard N. Dadds, against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril,

WITNESS, The Honorable Stephen R. Collins, Chief Judge of our said Court, the first Monday of August 1942.  
Issued the twelfth day of August 1942.

A. SYDNEY GADD JR. Clerk  
Harry C. Butler, & Madison Brown  
Solicitors for Complainant

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of September next, being the Return Day.

A. SYDNEY GADD JR. Clerk



And on the back of the foregoing is thus endorsed, to wit:

Served by reading and leaving copy with John Jones, August 10, 1942.  
Filed Aug. 15th, 1942. EDWARD E. COURSEY Sheriff

.....  
SUBPOENA FOR CARROLL DADDS TO  
APPEAR AND ANSWER.  
Filed Aug 21st 1942.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Carroll Dadds

Seals place.

OF BALTIMORE CITY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the First Monday of September next, to answer the complaint of Richard N. Dadds against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins, Chief Judge of our said Court, the first Monday of August 1942.  
Issued the twelfth day of August 1942.

Harry C. Butler & Madison Brown. A. SYDNEY GADD JR. Clerk

Solicitors for Complainant

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of September next, being the Return Day.

A. SYDNEY GADD JR. Clerk

And on the back of the foregoing is thus endorsed, to wit:

Summoned and a Copy of the Process left with the defendant.

JOSEPH C. DEEGAN  
Sheriff.

8.19.42.  
Filed Aug. 21st 1942.

.....  
SUBPOENA FOR EVELYN AND JOHN  
MONTI TO APPEAR AND ANSWER.  
Filed Aug 21, 1942.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Evelyn Monti and John Monti, her husband

Seals Place.

OF BALTIMORE CITY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the First Monday of September next, to answer the complaint of Richard N. Dadds against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins, Chief Judge of our said Court, the first Monday of August 1942.  
Issued the twelfth day of August 1942.

Harry C. Butler & Madison Brown A. SYDNEY GADD JR. Clerk  
Solicitors for Complainant.

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of September next, being the Return Day.

A. SYDNEY GADD JR. Clerk

And at the foot of the foregoing is thus endorsed to wit:  
Summoned Ambo and a Copy of the Process left with the Defendant. Lycett  
JOSEPH C. DEEGAN Sheriff





To the Honorable, the Judges of said Court:

The joint and several answer of Arnold Dadds and Mary Dadds, his wife to the bill of complaint of Richard N. Dadds against them in this Court in the above entitled cause exhibited.

These defendants admit the several matters and things charged in the complainant's Bill to be true and submit to such decree in the premises as may be right.

And as in duty bound etc.

ARNOLD DADDS  
Arnold Dadds

Filed Sept. 24, 1942.

MARY E. DADDS  
Mary E. Dadds

.....  
ANSWER OF HARRY PALMER AND  
HELEN PALMER  
Filed Sept. 24, 1942.

In the Circuit Court for Queen Anne's County, in Equity.

Richard N. Dadds,.....Plaintiff, : Chancery Docket,  
: :  
versus : :  
: :  
John Jones, : Cause No. \_\_\_\_\_  
Evelyn Monti, ..... Defendant. : :

To the Honorable, the Judges of said Court:

The joint and several answer of Harry Palmer and Helen Palmer, his wife to the bill of complaint of Richard N. Dadds against them in this Court in the above entitled cause exhibited.

These defendants admit the several matters and things charged in the complaint's bill to be true and submit to such decree in the premises as may be right.

And as in duty bound etc.,

HARRY PALMER  
Harry Palmer

HELEN PALMER  
Helen Palmer

Filed Sept. 24, 1942.

.....  
ANSWER OF JOHN MONTI  
Filed Sept. 24, 1942.

In the Circuit Court for Queen Anne's County, in Equity.

Richard N. Dadds, .....Plaintiff, : Chancery Docket,  
: :  
vs : :  
: :  
John Jones, : Cause No1 \_\_\_\_\_  
Evelyn Monti, et al..... defendants. : :

To the Honorable, the Judges of said Court:

The joint and several answer of Evelyn Monti and John Monti, her husband to the bill of complaint of Richard N. Dadds against them in this Court in the above entitled cause exhibited.

These defendants admit theseveral matters and things charged in the complainant's bill to be true and submit to such decree in the premises as may be right.

And as in duty bound etc.

Evelyn Monti.

JOHN MONTI  
John Monti

Filed Sept. 24, 1942.



I hereby certify that on this 29th day of September in the year nineteen hundred and forty two before me, the subscriber, a Notary Public of the State of Maryland in and for Baltimore City aforesaid, personally appeared Richard N. Dadds and having been be me duly sworn he did depose and say:

My name is Richard N. Dadds.

I reside at 2211 Mt. Holly Street, Baltimore, Maryland.

I know Russell Dadds and Marie Dadds, his wife, both of whom are defendants named in the Bill of Complaint filed in the above-entitled cause.

Russell Dadds is related to me as my nephew. He is living in Baltimore City on this date at 54 E. Randall Street, Baltimore, Maryland.

He is on this date engaged in working for Kaffers Co. at Bush & Hamburg st. in Baltimore, Maryland.

Marie Dadds, his wife lives with him at 54 E. Randall Street, Baltimore, Maryland and is engaged in house work for her husband and as his housekeeper.

I know that on the day of the date of this affidavit said Russell Dadds and Marie Dadds, his wife are not in the Military Service of the United States as defined by the Soldiers' and Sailors' Relief Act of 1940 of the Statutes of the United States and as defined by Chapter 710 of the Laws of the State of Maryland of the year 1941.

RICHARD N. DADDS  
Richard N. Dadds

Sworn to and subscribe before me, the subscriber, in witness whereof I hereunto subscribe my name and affix my Seal Notarial the day and year first hereinabove written.

Notary Public Seal.  
Filed Sept. 30, 1942.

JAMES A. LISLE  
Notary Public

.....  
PETITION OF : PLAINTIFF FOR DECREE  
PRO CONESSO  
Filed Sept. 30, 1942.

In the Circuit Court for Queen Anne's County, in Equity.

Richard N. Dadds, :  
                              :   
          versus              : Cause No. 3322.   
                              :   
John Jones,                  :   
Evelyn Monti, et al.      :

To the Honorable, the Judges of said Court:

The Petition of Richard N. Dadds, plaintiff in the Cause unto Your Honors respectfully set forth:

That as will appear from the subpoenas issued in the above Cause for Carroll Dadds, for Russell Dadds and Marie Dadds, his wife, the said Carroll Dadds, Russell Dadds and Marie Dadds were duly summoned to appear to answer in this Court the said Bill of Complaint filed in this Cause and each has failed to appear in this Court according to the exigency of the writ.

Your petitioner is advised that he is entitled to obtain an order of this Court that the Bill of Complaint aforesaid be taken pro confesso against said defendants.

Your petitioner therefore prays Your Honors to pass an order to the effect that that Bill of Complaint be taken pro confesso against said defendants.

Respectfully submitted.

MADISON BROWN  
HARRY C. BUTLER  
ATTORNEYS FOR THE PETITIONER.

Filed Sept. 30, 1942.

.....  
ORDER OF COURT  
Filed Oct 1st. 1942.

O R D E R O F C O U R T

The foregoing Petition has been read and considered and the subpoenas issued in this Cause for Carroll Dadds, for Russell Dadds and for Marie Dadds have been examined.

It appears from the examination of said subpoenas that said Carroll Dadds, Russell Dadds and Marie Dadds have been duly summoned to appear to the Bill of Complaint and each has failed to appear according to the exigency of the writ.

It Is thereupon on this 30th day of September, 1942, by the Circuit Court for Queen Anne's County sitting as a Court of Equity, ADJUDGED, ORDERED and

DECREE that Richard N. Dadds, the complainant is entitled to relief in the premises and that the Bill of Complaint be and the same is hereby taken pro confesso against the said Carroll Dadds, against the said Russell Dadds, and against the said Marie Dadds; because it does not certainly appear to what relief the complainant is entitled, it is further ADJUDGED and ORDERED that leave be and the same is hereby given to the complainant to take testimony before one of the Examiners of this Court to support the allegation of the Bill.

Wm. R. Horney  
Judge.

Filed Oct 1, 1942.

:::::::::::::::::::::  
T E S T I M O N Y  
Filed Oct 17th, 1942.

In the Circuit Court for Queen Anne's County, in Equity.

Richard N. Dadds	:
	: Chancery Docket,
versus	:
	: Cause No. 3332.
John Jones et al.	:

To the Honorable, the Judges of said Court:

The subscriber, one of the regular Examiners for this Court having been notified by Madison Brown esquire, counsel for the plaintiff, of the plaintiff's desire to take testimony in the above entitled cause, and this Court having granted a decree pro confesso referring the papers in said cause to one of the regular examiners of this Court did attend at the office of Madison Brown, esquire of counsel for the plaintiff and in the presence of said Madison Brown esquire and Harry C. Butler esquire, proceeded to take the following testimony on the fifteenth day of October in the year 1942 at the hour of two o'clock, to wit:

A request for the appointment of a stenographer for the taking of such testimony as might be offered, your Examiner duly qualified Mrs. Delha Rolph as stenographer.

Richard N. Dadds, the first witness of lawful age produced on the part of the plaintiff being duly sworn and examined deposes and says.

Question No. 1.

Please state your name, your age, residence and occupation.

Answer:

My name is Richard N. Dadds, I am 56 years of age, and I reside in Baltimore City and I am a conductor on a street car line.

Question No. 2.

Do you know the parties to this Cause or any of them? If so, state which of them you know and for how long you have known them.

Answer:

I am one of the plaintiffs. I know all the other parties to the suit. My wife, Emma Dadds is a party, With the exception of John Jones, the remaining parties are my neices and nephews or husbands and wives of my neices and nephews.

Question No. 3.

State whether or not you were acquainted with Richard F. Dadds and Ella Jane Dadds, his wife, late of Queen Anne's County and now dead. If so, state if you know when and where they died and whether they died leaving wills or whether they died without leaving wills.

Answer:

I knew both of them, they were my father and my mother, Richard F. Dadds died sometime in the year 1917 and my mother died on February 15, 1942. Both died without leaving last wills and testaments and both died residents of Kent Island.

Question No. 4.

If Richard F. Dadds, your father, left any real estate or land when he died please describe the same briefly and give your idea of the value of the same.

Answer:

When he died he owned a lot of land on Kent Island containing a dwelling house, then called and now known as "The Richard F. Dadds Property" and is on the right side of the State Road leading from the bridge over the Narrows to Stevensville but it does not bound immediately upon this road but it does bound on a road branching therefrom called "Dundee Avenue". This land adjoins the property of Ran Kelly and that of Arville Nash. It contains about four acres of land and is worth about \$800.00 to \$1000.00.

Question No. 5.

Please state the names of those persons who survived your father as his only heirs at law.

Answer:

He left the following named persons as his only heirs at law:

His wife, my mother, Ella Jane Dadds.

A son named Oscar Dadds now dead.

A son, Richard N. Dadds, myself and plaintiff

a grandson named Harry Palmer.

a granddauther named Mary Kinnamon

My father and mother had a daughter named Rowie B. Palmer who died in the lifetime of my father and who left surviving her as her only heirs at law two children, Harry Palmer and Mary Kinnamon whom I have named. Both of these are parties to this suit.

Question No. 6;

I understand that your brother, Oscar Dadds, is dead. If this is so please state when he died and whether he died leaving a last will and testament.

Answer:

My brother, Oscar Dadds, died sometime in the year 1918 without leaving a last will and testament.

Question No. 7.

What real estate, if any, did Oscar Dadds leave when he died and give me the names of the persons he left as his only heirs at law.

Answer:

When he died he owned that undivided interest or part in the land I have described which he inherited from his father.

When he died he left as his only heirs at law, the following named persons, to wit: Mattie Dadds, his wife and a daughter named Evelyn Monti,

a son named Russell Dadds,

a son named Carroll Dadds,

a son named Arnold Dadds,

all these children have been made parties to this suit.

Question No. 8.

You state that your brother, Oscar Dadds left surviving him as one of his heirs a wife named Mattie Dadds, State whether she is now living or dead and whether or not she died leaving a last will and testament.

Answer:

After the death of Oscar Dadds, her husband, Mattie Dadds married a man named John Jones, She died sometimes in the year 1920 without leaving a last will and testament and John Jones, her husband survived her and he is a party of this suit.

Question No. 9.

What real estate, if any, did Mattie Dadds or Mattie Jones own at the time of her death and state whom she left to survive her as her only heirs at law.

Answer:

When Mattie Dadds Jones died she owned in the land left by my father that undivided part thereof which she inherited from Oscar Dadds, her husband and she left surviving her the following named persons as her only heir at law.

John Jones, her husband,

Evelyn Monti, her daughter,

Russell Dadds, her son,

Carroll Dadds, her son,

Arnold Dadds, her son, these children are parties to this suit, and they are also the children of Oscar Dadds.

Question no. 10.

You have stated that your mother, Ella Jane Dadds died intestate on February 15, 1942. What real estate, if any did your mother own at the time of her death?

And state the names of these persons she left as her only heirs at law.

Answer.

When my mother died she owned in the land I have described as left by my father that undivided part thereof which she inherited from Richard F. Dadds, her husband. She left the following named persons as her only heirs at law, all of whom are now living and are parties to this suit: Richard N. Dadds, myself,

Evelyn Monti, her granddaughter,

Russell Dadds, her grandson,

Carroll Dadds, her grandson,

Arnold Dadds, her grandson,

Harry Palmer, her grandson,

Mary Kinnamon, her granddaughter,

These grandchildren are the same persons I have before in this my testimony mentioned and they are of course heirs at law of my father.

Question No. 11.

Please state by whom the land Richard F. Dadds left when he died is now owned and state in what manner these owners acquired the land and their titles.

Answer.

It is now owned by the following named persons as tenants in common; all of whom I have already mentioned in my answer.

Richard N. Dadds, myself as heir at law of both my father and my mother.

Harry Palmer, as heir at law of both his grandmother and his grandfather.

Mary Kinnamon, as heir at law of both her grandmother and her grandfather.

Evelyn Monti, as heir at law of her father, as heir at law of her mother and of her grandmother.

Russell Dadds, as heir at law of his father, of his mother and of his grandmother.

Carroll Dadds, as heir at law of his father, of his mother and of his grandmother.

Arnold Dadds, as heir at law of his father, of his mother and of his grandmother,

John Jones, as the heir at law of his wife, Mattie Dadds Jones,.

Question No. 12.

State whether or not in your opinion the land you have called and described as "The Richard F. Dadds Property" can be divided among those persons you have just named as owning the same jointly or in common without loss or injury to them according to their respective interests or rights therein and give the reasons for your answer:

Answer:

The land cannot be divided among these parties now owning the same as stated by me without loss or injury because it is too small. I am entitled to one-third of this land and own the largest share of any of the parties. My share, one-third could not be set aside to me without loss to me. My share of the sale of the property would be worth more to me and will something I can handle while my third of the land would be too small to mean anything and besides how could the house be divided and if it is allotted to any one share of the property it would cause an over value of that share.

Question No. 13.

State which of the parties to this suit have husbands or wives and name such husbands and wives.

Answer.

Harry Palmer has a wife named Helen Palmer. Mary Kinnamon has a husband named Jack Kinnamon, Evelyn Monti has a husband named John Monti, Russell Dadds has a wife named Marie Dadds. Arnold Dadds has a wife named Mary Dadds. I have a wife



named Emma Dadds. These husbands and wives of these parties to the suit have been made parties to this suit. Carroll Dadds and John Jones are single persons.  
 Examiners' Special Question:  
 Answer.  
 I do not.

RICHARD N. DADDS  
 Richard N. Dadds

There being no further witness to be examined and no further time being desired for the production of evidence your Examiner herewith respectfully makes his return and certifies that he was engaged as such Examiner for two days, making costs chargeable to the plaintiff as follows:

Charles E. Tucker, Examiner , , , , ,	\$8.00
Mrs. Delha Rolph, Stenographer....	3.00
Richard N. Dadds, plaintiff.....	.
John Y.T.Gardner, Witness.....	.75
	<u>\$11.75</u>

Respectfully submitted,

Chas. E. Tucker EXAMINER.

Filed Oct 17th, 1942.

.....  
 D E C R E E  
 Filed Nov. 4th, 1942.

In the Circuit Court for Queen Anne's County, in Equity.

Richard N. Dadds, et al... plaintiffs,	:	Chancery Docket,
versus	:	
	:	
John Jones, et al. .... defendants.	:	Cause No. 3332.

These cause standing ready for hearing and being submitted without argument, the proceedings were read and considered.

It is thereupon, on this 4th day of November, in the year nineteen hundred and forty two by the Circuit Court of Queen Anne's County sitting as a Court of Equity, and by the authority of this Court, ADJUDGED, ORDERED AND DECREED, as follows, to wit:

- (1) That the real estate of Richard F.Dadds in the proceedings mentioned, be sold for the purpose of partition between the parties.
- (2) That Madison Brown and Harry C. Butler, of said county, be and they are hereby appointed trustees to make such sale.
- (3) That the manner and course of their proceedings shall be as follows:
  - (a) They shall first file with the clerk of this Court a bond to the State of Maryland to be executed by themselves and a surety or sureties to be approved by this Court or by said Clerk in the penal sum of Two Thousand Dollars if the sureties shall be natural persons and in the penal sum of One Thousand Dollars if the surety thereon shall be a corporation authorized by its charter or by law to become sole sureties on bonds of trustees for the faithful performance of the trust reposed in them by their decree or which may be reposed in them by any future decree or order in the premises.
  - (b) They shall then proceed to make sale of the said real estate having given at least three weeks previous notice of the time place, manner and terms of sale by advertisement inserted in some weekly newspaper published in Queen Anne's County.
- (4) That the terms of said sale shall be as follows:  
 One-half of the purchase money to be paid at the time and place of the sale and the balance thereof to be paid when said sale shall have been ratified by this Court.
- (5) That as soon as may be convenient after such sale the said trustees shall return to this Court a full and particular account of their proceedings relative to such sale with an affidavit annexed thereto of the truth thereof and of the fairness of said sale.
- (6) That after said sale has beenratified by this Court and after the whole purchase money shall have been paid (and not before) the said trustee shall by a good and sufficient deed to be executed and acknowledged by them according to law convey to the purchaser or purchasers, his, her or their heirs and assigns the property and estate to him, her or them sold, free, clear and discharged of and from all claim of the parties to this cause and decree, plaintiffs and defendants and of all persons claiming by, from or under them or any of them.
- (7) That said trustees shall bring into this Court the money arising from said sale to be distributed under the direction of this Court after deducting therefrom the costs of this suit and such commissions to said trustees as this

court shall think proper to allow in consideration of the skill, attention and fidelity wherewith they shall appear to have discharged their trust.

(8) That at the time of the advertisement of said sale the trustees are hereby directed to give notice.

to the creditors of Richard F. Dadds, deceased, and to the creditors of Oscar Dadds, deceased, and to the creditors of Mattie Dadds Jones, deceased, and to the creditors of Ellem Jane Dadds, deceased all of ssaid deceased persons being mentioned in the proceedings of this cause, to file their claims against said deceased persons (with the proper vouchers thereof) within ninety days from the 16th day of November, 1942.

Wm. R. Horney  
Judge.

Filed Nov. 4, 1942.

.....  
CERTIFIED COPY OF BOND

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Seventh day of December in the year nineteen hundred and forty two, the following Bond was brought to be recorded, to wit:

State of Maryland, Queen Anne's County, to wit:

KNOW ALL MEN BY THESE PRESENTS, that we, Madison Brown and Harry C. Butler of Queen Anne's County in the State of Maryland, as principals and the AMERICAN SURETY COMPANY OF NEW YORK, a corporation duly incorporated and existing under the laws of the State of Maryland with due authority given it both in law and by its charter to become the sole surety on bonds of trustees are held and firmly bound unto the State of Maryland in the full and just sum of One Thousand dollars, lawful money of the United States of America to be paid to said State of Maryland or to its certain attorney, to which payment well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs, executors administrators, successors and assigns, jointly and severally, in the whole and for the whole, firmly by these presents.

SEALED with our seals and dated this fourth day of December in the year nineteen hundred and forty two.

WHEREAS, by a decree of the Circuit Court for Queen Anne's County in the State of Maryland sitting as a court of Equity, bearing date on the 4th day of November, 1942 and passed in a cause in said Court wherein Richard N. Dadds and others are the plaintiffs and John Jones and others are the defendants and bearing the number 3332 Chancery, the above bounded Madison Brown and Harry C. Butler have been appointed Trustees to make sale of certain real estate in the proceedings of said cause described and mentioned and by which decree they are required to give this bond to be filed in said Court.

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bound Madison Brown and Harry C. Butler do and shall well and faithfully perform the trust reposed in them by said decree or that may be reposed in them by any future decree or order in the premises then the obligation to be void; otherwise to be and remain in full and force and virtue in law.

Signed, sealed and delivered in the presence of

MADISON BROWN (SEAL)  
Madison Brown

Delha Dancy Rolph  
Delha Dancy Rolph

HARRY C. BUTLER (SEAL)  
Harry C. Butler

Corporate Seals Place.

AMERICAN SURETY COMPANY OF NEW YORK  
AMERICAN SURETY COMPNAY OF NEW YORK

By Madison Brown  
Madison Brown,  
Its Attorney in Fact.

And on the back of the foregoing Bond is thus endorsed, to wit:

Bond and Security approved this 7th day of December, 1942.

A. SYDNEY GADD JR. Clerk

STATE OF MARYLAND  
QUEEN ANNE'S COUNTY TO WIT:

I hereby Certify that the foregoing is truly taken and copied from Liber W. H. C. No.1, folio 323 A and Record Book for Queen Anne's County.

In Testimony Whereof I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County this seventh day of December in the year nineteen hundred and forty two.

A. SYDNEY GADD JR. Clerk

Seals Place.

REPORT OF SALE  
Filed Dec. 21, 1942

In the Circuit Court for Queen Anne's County, in Equity  
Richard N. Dadds, et al, : Chancery Docket  
versus : Cause No. 3332/  
John Jones et al. :

Joint Report of Madison Brown, and Harry C. Butler, Trustees.

TO THE HONORABLE, THE JUDGES OF SAID COURT:-

The report of Madison Brown and Harry C. Butler, the trustee appointed by the decree passed in this cause unto Your Honors respectfully setsforth:-

1. That prior to the day of the sale mentioned hereinafter, your trustees filed with the clerk of this Court their bond to the State of Maryland executed by themselves and the American Surety Company of New York, a corporation with authority in law and under its charter to become sole surety on bonds of trustees, in the penalty of one thousand dollars conditioned for the faithful performance of the trust reposed in them by said decree, as directed by said decree and this bond was duly approved and filed by said clerk.
2. That prior to the day of sale hereinafter mentioned they gave more than three previous weeks notice of the time, place manner and terms of the sale hereinafter mentioned by advertisement in the Queen Anne's Record-Observer, a weekly newspaper published at Centreville in Queen Anne's County, Maryland, once a week for four successive weeks before the 8th day of December, 1942, the day of said sale.
3. That your trustees file with this report as part hereof a copy of said notice or advertisement of sale with the certificate attached thereto of the publishers of said paper as to the length of time and dates of its publication.
4. That your trustee Harry C. Butler was not able to attend the sale because he was in Baltimore on that day on important personal business.

Which is respectfully submitted,

MADISON BROWN  
Madison Brown

HARRY C. BUTLER  
Harry C. Butler  
TRUSTEES

The Separate Report of Madison Brown, one of said Trustees.

The separate report of Madison Brown, trustee as aforesaid unto Your Honors respectfully sets forth:-

That pursuant to the advertisement of sale above mentioned he did attend in front of the Court House door in the town of Centreville, in Queen Anne's County, Maryland, on Tuesday, December 8th, 1942 at the hour of 2 o'clock P.M. and then and there proceeded to sell in execution of the decree of sale above mentioned the real estate so decreed to be sold and described as follows, to wit:-

All that lot of land called or known as " The Richard.T. Dadds Property", "The Ella Jane Dadds Property" situate on Kent Island in Queen Anne's County, Maryland on Dundee Avenue, a road which branches from north side of State Road which runs from Kent Narrows Bridge to Stevensville at a point near Kelley's old garage and adjoining the property of Rowena Kelley, Orville Nash and Lem Taylor and containing 5.4 acres of land, more or less, as ascertained by a survey caused to be made by the trustees named in said decree after their appointment.

This property at the time and place of sale above mentioned, this trustee sold in execution of said decree and under the terms advertised at public sale, after competitive bidding unto Richard N. Dadds and Emma K. Dadds, his wife, they being then and there the highest bidder therefore and as tenants by the entireties, at and for the sum of eight hundred dollars (\$800.00).

The purchasers paid in cash \$400.00 of said purchase money and stated to selling trustee they would pay the balance thereof on ratification of the sale.

The property was sold under advertised terms and with the understanding that the taxes of current year would be paid by the trustees out of the purchase money.

Which is respectfully submitted,

MADISON BROWN TRUSTEE

The report states the purchase money to be \$800.00.

State of Maryland, Queen Anne's County, to wit:

I hereby Certify that on this 21st day of December in the year nineteen hundred and forty two before me the subscriber, due Clerk of the Circuit Court for Queen Anne's County, personally appeared Madison Brown and Harry C. Butler, trustees above named and did each make oath in due form of law that the matters and things set forth in the foregoing report of sale are true as therein stated and that the sale therein mentioned and reported was fairly made.

A. SYDNEY GADD JR.  
A. Sydney Gadd Jr.,  
Clerk for Circuit Court  
for Queen Anne's County.

Filed Dec. 21, 1942.

FOR THE ORDER OF FINAL RATIFICATION ON THE SALE ABOVE SET FORTH SEE THE OTHER SIDE OF THIS PAGE .

.....  
TRUSTEE'S SALE AND CERTIFICATE  
Filed Dec. 21, 1942.

TRUSTEES SALE OF  
HOUSE AND LOT ON  
KENT ISLAND

By virtue of a decree of the Circuit Court for Queen Anne's County, in Equity, passed in Cause No. 3332 (Richard N. Dadds versus John Jones et al) the undersigned as trustees, named in said decree will sell at public sale to the highest bidder in front of the Court House Door in the town of Centreville, Queen Anne's County, Maryland, on TUESDAY, DEC. 8, 1942 at the hour of 2'oclock P.M.

All that lot of land called or known as " The Richard F. Dadds Property" "The Ella Jane Dadds Property" situate on Kent Island, Queen Anne's County, Maryland on Dundee Avenue, a road which branches from the north side of State Road from Kent Narrows Bridge to Stevensville at a point near Kelley's old garage. This property is bounded on one side by the Rowena Kelley Land and on the other side by the land of Orville Nash and Lem Taylor, and contains 5.4 acres of land, more or less, by recent survey, Improvements consist of a two story frame dwelling house and several out buildings.

Terms of sale: One half of the purchase money to be paid in cash at time and place of sale and the balance to be paid in cash on ratification of sale by the Court.

Possession will be given on day of sale.

MADISON BROWN  
HARRY C. BUTLER,  
Trustees.

J. E. Anthony, Auctioneer.

COURT'S NOTICE TO CREDITORS

Pursuant to the Order of the Circuit Court for Queen Anne's County, in Equity, passed in cause No. 3332, notice is hereby given .

To the creditors of Richard F. Dadds, deceased.

To the creditors of Oscar Dadds, deceased.

To the creditors of Mattie Dadds Jones, deceased.

To the creditors of Ella Jane Dadds, deceased.

To file their claims with the legal vouchers thereof against said deceased persona with the clerk of the Circuit Court for Queen Anne's County within 90 days from the 16th day of November, 1942.

MADISON BROWN  
HARRY C. BUTLER.  
Trustees of Cause 3332.

QUEEN ANNE'S RECORD -OBSERVER  
Centreville, Md. Dec. 7, 1942.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Trustee's Sale of House and Lot on Kent & Court's Notice to Creditors in the case of Richard N. Dadds vs John Jones et al. a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD OBSERVER, a weekly newspaper printed and published at Centreville, in Queen Anne's County, Maryland once a week for four successive weeks before the 8th day of December 1942, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD- OBSERVER was on the 12th day of November 1942, and the

last insertion on the 3rd day of December 1942.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY.

By Myrtle M. Lewis

Filed Dec. 21, 1942.

ORDER NISI SALE
Filed Dec. 21, 1942.

N I S I

Richard N. Dadds et al., vs John Jones, et al. In the Circuit Court for Queen Anne's County, In Equity. Chancery No. 3332.

ORDERED, This 21st day of December A. D., 1942, that the sale of real estate made and reported in this cause by Madison Brown and Harry C. Butler, trustees, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 25th day of February next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 25th day of January next.

The Report states the amount of sale to be \$800.00

A. SYDNEY GADD JR. Clerk

Filed Dec. 21, 1942.

CERTIFICATE PUBLICATION NISI SALE
Filed Mar. 2nd 1943.

N I S I

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY, IN EQUITY. CHANCERY NO. 3332.

Richard N. Dadds, et al., vs John Jones et al.

ORDERED, This 21st day of December A. D., 1942, that the sale of real estate made and reported in this cause by Madison Brown and Harry C. Butler, trustees, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 25th day of February next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 25th day of January next.

The Report states the amount of sales to be \$800.00.

A. SYDNEY GADD JR. Clerk

True Copy Test:

A. SYDNEY GADD JR. Clerk

Filed December 21, 1942.

Queenstown, Queen Anne's County, Maryland:

Michael W. Aker and George J. Steinfeld, the undersigned, do hereby certify that they are the publishers of a newspaper called " THE QUEENSTOWN NEWS" which is published weekly on Friday of each week in Queen Anne's County aforesaid and we do further certify order "NISI" in the case of Richard N. Dadds et al., versus John Jones et al., Chancery Cause No. 3332, in The Circuit Court for Queen Anne's County, in Equity, a true copy of which is hereunto annexed appeared as an advertisement in that edition of the Queenstown News above named which issued to the public on December 25, 1942, and that said advertisement was inserted in said newspaper once in each of four successive weeks before the 25th day of January, 1943 and the editions of said newspaper issued to the public on these dated, eto wit:

December 25, 1942, January 1st., 1943.
January 8th, 1943, January 15th, 1943.

MICHAEL W. AKER

GEORGE J. STEINFELT

Filed Mar 2, 1943.

ORDER OF COURT  
 Filed March 2, 1943.

In the Circuit Court for Queen Anne's County, in Equity.

Richard N. Dadds, et al., :  
 vs : Chancery Docket  
 John Jones, et al. : Cause No. 3332.

It is on this 2nd day of March, 1943, by the Circuit Court for Queen Anne's County sitting as a court of Equity and by the authority of this Court that the sale of the real estate made by Madison Brown & Harry C. Butler as trustees appointed to make said sale under the decree of the court heretofore passed in this cause, described and set forth in the within and foregoing report of sale filed by said trustees be and the same is hereby finally ratified and confirmed, no cause to the contrary thereof having been shown althou it appears that notice has been given, with the regard to same pursuant to the order nisi heretofore passed in this cause in relation to said sale.

And it is further ordered by the court that as Madison Brown the regular auditor of the court is one of the trustees named in said decree the papers and proceedings of this cause are hereby referred to Charles E. Tucker as special auditor with instructions to him to state and return to this court an account between the proceeds of the sale mentioned above on one hand and said trustees on the other.

Wm. R. Horney  
 Judge.

Filed March 2, 1943.

A U D I T  
 Filed April 28th 1943.

In the Circuit Court for Queen Anne's County, in Equity.

Richard N. Dadds, : Chancery Docket,  
 versus :  
 John Jones, et al. : Cause No. 3332.

To the Honorable, the Judges of said Court:-

I, Charles E. Tucker, appointed as special auditor to state the within account, do make this report unto Your Honors:

- (1) That before stating the account I took before the clerk of this Court, that oath required of me as special auditor, in this case.
- (2) I have stated the within account by first charging unto the trustees of this cause the amount of the sale of the real estate made by them, in accordance with their report filed in this cause and then thereout I have allowed unto the trustees the following items: Their commissions for making the sale, the costs of their bond filed in this cause, the court costs of the cause, the costs of the surveyor of the land sold, the costs of advertising the sale and the several orders nisi of the cause, the fee of the auctioneer at the sale and the fee of the auditor.
- (3) That the amount of the charge so made against the trustees remaining after these allowances forms the net proceeds of the sale for distribution among the parties who owned the land at the time of the decree passed in this cause.
- (4) That I find after careful examination of the papers of this cause, especially the Bill of Complaint filed in the cause, that the following persons are entitled to the balance in different proportions, to wit:  
 The heirs at law of Ella Jane Dadds, the heirs at law of Richard F. Dadds, the heirs at law of Oscar Dadds, and the heirs at law of Mattie Dadds.
- (5) The names of these several heirs at law and the amounts to which they are entitled are set out in detail in paragraph 7 of Page No. 3 of the Bill of Complaint.
- (6) After distributing this balance to these heirs at law whose names so appear in said paragraph of said Bill in accordance with their respective rights of ownership as set forth in said paragraph, the account is balanced.

Which is respectfully submitted.

CHAS. E. TUCKER  
 Special Auditor

April 27, 1943.

CAUSE NO. 3332

The proceeds of the sale of the real estate owned by Richard F. Dadds at the time of his death intestate, in 1917, but owned at the time of the decree passed in this cause by Richard N. Dadds and others as tenants in common IN ACCOUNT WITH Madison Brown and Harry C. Butler, the trustees appointed to sell said real estate by the decree of this cause and the vendors thereof.

1942  
Dec.  
8 CR.  
By amount of the sale made by said vendors per their Report filed in this cause, to wit: the sum of .....\$800.00

1942  
Dec.  
8 DR.  
To Madison Brown and Harry C. Butler, trustees and vendors for their commissions for making the sale, per rule of court, the sum of .....\$54.50  
  
To the vendors for the costs of the bond, filed by them in this cause, paid the corporate surety thereon, per receipted account for same exhibited to the auditor, the sum of ..... \$10.00  
  
To the same vendors for the court costs of these proceedings as set out in statement of same made by clerk of the court, exhibited to the auditor, as follows:  
Appear. fee of J. H. Cross, .....\$10.00  
Costs of sheriff, Queen Anne's County, ... 2.25  
Costs of sheriff, Baltimore City, ..... 6.65  
Witness fee of Y. T. Gardner, ..... .75  
costs of clerk, ..... 37.70  
paid to clerk of court, ..... 57.35  
Appear. fee of Brown & Butler, ..... 10.00  
Cost - C. E. Tucker, examiner, paid..... 8.00  
Cost of clerk of examiner, paid. .... 3.00  
Total cost now allowed, ..... 78.35 \$78.35  
  
To the same vendors for amount paid J. B. Metcalfe upon making survey of land sold, per receipt for same exhibited, the sum of ..... \$20.00  
  
To the same trustees for cost of advertising in Centreville newspaper, notices of sale \$29.25 and notices to creditors \$5.00, per account for same exhibited to auditor, sum of ..... \$34.25  
  
To same vendors for cost of advertising order nisi on sale in Queenstown News, the sum of ..... 5.00  
  
To same trustees for amount paid J. E. Anthony, for crying the sale made, per account receipted and exhibited to the auditor, the sum of ..... 10.00  
  
To the same vendors for cost of advertising the order nisi to be passed as to this audit,..... 3.50  
  
amounts carried forward ..... 215.60 \$800.00

CAUSE NO. 3332

Amounts brought forward, ..... 215.60 \$800.00

DR  
To Charles E. Tucker, Special auditor for stating this account, the sum of ..... 9.00  
224.60  
To balance, net sale, carried below, ..... 575.40  
\$800.00 \$800.00

CR  
By balance brought down, to wit: ..... 575.40

Distribution to Heirs-at-Law of Ella Jane Dadds who died Feb. 15, 1942 owning 1/3 part, or 108/324 parts, of said land, her heirs being entitled to 108/324 parts, of said balance, or to the sum of \$191.80 now distributed:

To Richard N. Dadds her son is distributed 36/324ths of said balance, the sum of ..... \$63.94  
To Henry Palmer, her grandson is distributed, 18/324ths of said balance, the sum of ... \$31.97  
To Mary Kinnamon, her granddaughter, is distributed 18/324ths of said balance, the sum of ..... 31.97

the parties named below are the grandchildren of said Ella J. Dadds:

To Evelyn Monti is distributed 9/324-ths of said balance, the sum of .....15.98  
 To Russell Dadds is distributed 9/324-ths of said balance, the sum of .....15.98  
 To Carroll Dadds is distributed 9/324 ths- of said balance, the sum of .....15.98  
 To Arnold Dadds is distributed 9/324 ths. of said balance, the sum of .....15.98

Total amount distributed above, .....\$191.80

To balance of the sale now remaining carried forward, ..... 383.60

\$575.40

\$575.40

CAUSE NO. 3332

CR.

By balance brought forward for distribution, the sum of ..... \$383.60

DR.

Richard F. Dadds.

Distribution to heirs at law of Richard F. Dadds:

To Richard N. Dadds, his son is distributed 72/324-ths of said balance, to wit: ..... \$127.87  
 the sum of .....  
 The following are grandchildren of Richard F. Dadds:

To Harry Palmer is distributed 36/324-ths of said balance, to wit: the sum of ..... \$ 63.94

To Mary Kinnamon is distributed 36/324 ths of said balance, to wit: the sum of ..... \$ 63.94

Distribution to heirs at law of Oscar Dadds:

To Evelyn Monti, his child is distributed 12/324-ths of said balance, to wit: the sum of ..... \$ 21.31

To Russell Dadds, his child is distributed 12/324-ths of said balance, to wit: the sum of .....\$ 21.31

To Carroll Dadds, his child is distributed 12/324-ths of said balance, to wit; the sum of .....\$ 21.31

To Arnold Dadds, his child is distributed 12/324-ths of said balance, to wit: the sum of ..... \$21.31

Distribution to heirs at law of Mattie Dadds:

To Evelyn Monti, her daughter is distributed 4/324-ths of said balance, to wit: the sum of ..... \$ 7.10

To Russell Dadds, her son is distributed 4/324 ths of said balance, to wit: the sum of ..... 7.10

To Carroll Dadds, her son is distributed 4/324-ths of said balance, to wit: the sum of ..... 7.10

To Arnold Dadds, her son is distributed 4/324-ths of said balance, to wit: the sum of ..... 7.10

To John Jones , her husband is distributed 8/324-ths of said balance, to wit: the sum of ..... 14.21

383.60

\$383.60

April 27, 1943.

CHAS. E. TUCKER  
 SPECIAL AUDITOR

Filed April 28th, 1943.



.....  
N I S I  
Filed April 28th, 1943.

NISI RATIFICATION OF AUDIT

Richard N. Dadds, : In the Circuit Court for  
vs : Queen Anne's County, in Equity.  
John Jones, et al. : Cause No. 3332

ORDERED, This 28th day of April in the year nineteen hundred and forty three, that the Report and Account filed in these proceedings by Chas, E. Tucker, Special Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the published once a week in each of two successive weeks before the 15th day of May, 1943, in some newspaper printed and published in Queen Anne's County.

Filed April 28, 1943.

A. SYDNEY GADD JR. Clerk

.....  
COPY OF ADVERTISEMENT  
OF ORDER NISI ON AUDIT

NISI RATIFICATION OF AUDIT

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY, IN EQUITY CAUSE NO. 3332

Richard N. Dadds,  
vs  
John Jones, et al.

ORDERED, This 28th day of April in the year nineteen hundred and forty-three, that the Report and Account filed in these proceedings by Chas. E. Tucker, Special Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 22nd day of May, 1943, provided a copy of this order be published once a week in each of two successive weeks before the 15th day of May, 1943, in some newspaper printed and published in Queen Anne's County.

Filed April 28, 1943.

True Copy A. SYDNEY GADD JR. Clerk  
Test: A. SYDNEY GADD JR. Clerk

Queenstown, Queen Anne's County, Maryland May 8, 1943.

The undersigned, Michael Aker and George Steinfelt do hereby certify that they are the publishers of a newspaper called the Queenstown News which they issue to the public on Friday of each week and they further certify that the nisi ratification of audit in the case of Richard N. Dadds versus John Jones et al., in the Circuit Court for Queen Anne's County, in Equity, Cause No. 3332 a true copy of which is hereunto attached was published once a week in each of two successive weeks before the 15th day of May, 1943, in those editions of said newspaper issued to the public on these dates, to wit:

April 30, 1943.  
May 7, 1943.  
and that the first publication of said advertisement appeared in that issue of the newspaper published.  
April 30, 1943.

MICHAEL AKER  
Michael Aker

GEORGE STEINFELT  
George Steinfelt

Filed May 14th 1943.

.....  
ORDER OF COURT  
Filed July 26th, 1943.

Richard N. Dadds, plaintiff, :  
vs, : CHANCERY Cause No. 3332.  
John Jones, et al. :

ORDERED, by the Circuit Court for Queen Anne's County, sitting as a Court of Equity, on this 21st day of June, 1943, that the within and foregoing account and report of Charles E. Tucker, special auditor, be and the same is hereby finally ratified and confirmed, no cause to the contrary thereof having

been shown, although it appears that notice has been given in accordance with the order nisi heretofore passed in this cause in relation to said report and account and Madison Brown and Harry C. Butler, the trustees making the sale of said cause, be and they are authorized, empowered and directed to apply the proceeds of the sale of said cause in their hands and distributed by said account in accordance therewith with a due proportion of interest received or to be be received on credit sales to their commissions and to distributive shares of the distributees.

Wm. R. Horney  
Judge.

Filed July 26th, 1943.

## C A U S E N O 3262

Q U E E N A N N E ' S C O U N T Y , T O W I T : Be it remembered that on this  
Twenty Ninth day of October in the year nineteen hundred and Forty the following  
Bill of Complaint was brought to be recorded, to wit:

William Marvin Barton and	:	In the Circuit Court
William Edward Barton, co-	:	
partners, trading as Barton	:	for Queen Anne's
Brothers,	:	
Plaintiffs,	:	County,
	:	
vs.	:	In Equity.
	:	
Frank G. Miles and Hattie H. Miles,	:	
his wife, Walter Miles and Katie	:	
Miles, his wife, Hattie M. Lloyd and	:	
Charles Lloyd, her husband, Lum	:	
Miles and Dorothy Miles, his wife,	:	
Bertha M. Butler and Charles	:	
Butler, her husband, Florence	:	
Elizabeth Wagenfer Packer and John	:	
Packer, her husband, Cyril Miles	:	Cause No. 3262.
Wagenfer, Evelyn Muriel Wagenfer,	:	
infant, Herman Wagenfer, infant, and	:	
Samuel August Wagenfer, Jr. Infant.	:	
Defendants.	:	

## TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your orators, who sue as well for themselves as for all other creditors of William H. Abbott, late of Queen Anne's County, Maryland, deceased, who will come in and contribute to the expenses of this suit, complaining, say:

1. That there is due unto your orators the full and just sum of One Hundred and Five Dollars (\$105.00) for the funeral expense of the deceased.

2. That said William H. Abbott departed this life on the 29th day of April, 1940, intestate, seized of certain real estate ( hereinafter described) but possessed of no personal property of sufficient value to administer upon, and leaving no widow or children, but leaving the following named persons surviving him as his only heirs at law, that is to say: the following named nephews and nieces, all of whom are the children of Carrie Abbot Miles, the one sister (there never having been any brothers) of said William H. Abbot, who predeceased him, to wit:

- (a) Frank G. Miles, of Queen Anne's County aforesaid, a nephew, who is intermarried with Hattie H. Miles;
- (b) Walter Miles, of Queen Anne's County aforesaid, a nephew, who is intermarried with Katie Miles;
- (c) Hattie M. Lloyd, of Queen Anne's County aforesaid, a niece, who is at present a non compos mentis and is confined in the Eastern Shore State Hospital at Cambridge in Dorchester County, State of Maryland, and who is intermarried with Charles Lloyd;
- (d) Lum Miles, of Queen Anne's County aforesaid, a nephew, who is intermarried with Dorothy Miles; and
- (e) Bertha M. Butler, of Talbot County, State of Maryland, a niece, who is intermarried with Charles Butler;

And the following named grandnephews and grandnieces, all of whom are the children of Lillian M. Wagenfer, a niece of said William H. Abbott and a daughter of said Carrie Abbott Miles ( said Lillian M. Wagenfer having predeceased said William H. Abbott), to wit:

- (f) Florence Elizabeth Wagenfer Packer, of Baltimore City, State of Maryland, a grandniece, who is intermarried with John Packer;
- (g) Cyril Miles Wagenfer, of Baltimore City aforesaid, a grandnephew, who is unmarried.;
- (h) Evelyn Muriel Wagenfer, of Baltimore City aforesaid, a grandniece, who is an infant under the age of twenty one years;
- (i) Herman Wagenfer, of Baltimore City, aforesaid, a grandnephew, who is an infant under the age of twenty one years; and
- (j) Samuel August Egenfer, Jr., of Baltimore City aforesaid, a grandnephew, who is an infant under the age of twenty one years.

3. That no administration on the personal estate of said deceased has been had, and your orators are informed and so allege and aver that none will be had because such personal estate of which the deceased died possessed is not of sufficient value to pay the costs of administration.

4. That inas much as there is not sufficient personal estate to pay the administration costs the claims of your orators and other creditors of the deceased should be paid by a sale of all, or such part as may benecessary , or the real estate of said deceased.

5. That your orators are informed and so allege and aver that the deceased died seized of the following described real estate and no other , that is to say:

ALL that lot or parcel of land situate, lying and being in the village of Wye Mills, in Queen Anne's County, State of Maryland, on the west side

of the public road leading from Easton to Centreville, bounded on the east by said public road and on the north, south and west by the land of Herman Orrell, with a frontage on said public road of 50 feet and a depth therefrom of 100 feet; and being the same land which was granted and conveyed unto said Qilliam H. Abbott and Harriet Josephine Abbott, his wife, as tenants by the entireties, by Zebulon H. Stafford by deed bearing date the 17th day of September, 1912 and recorded in Liber W. F. W. No. 2, folios 122, etc., a land record book for Queen Anne's County aforesaid, the said Harriet Josephine Abbott having predeceased said William H. Abbott.

TO THE END, THEREFORE,

(1) That the real estate of said William H. Abbott, deceased, or so much thereof as may be necessary for the purpose, may be sold for the payment of the claims of your orators and those of the other creditors of said deceased.

(2) That a notice to creditors of said deceased may be given by this Honorable Court as provided by law.

(3) That your orators may have such other and further relief as their case may require.

MAY IT PLEASE YOUR HONORS to grant unto your orators the writ of subpoena against said Frank G. Miles and Hattie H. Miles, his wife, Walter Miles and Katie Miles, his wife, Charles Lloyd, husband of Hattie M. Lloyd, and Lum Miles and Dorothy Miles, his wife, who reside in Queen Anne's County aforesaid, said Hattie M. Lloyd, non compos mentis, who is temporarily residing in Dorchester County aforesaid, Bertha M. Butler and Charles Butler, her husband, who reside in Talbot County aforesaid, and Florence Elizabeth Wagenfer Packer and John Packer, her husband, Cyril Miles Wagenfer, Evelyn Muriel Wagenfer, infant, Herman Wagenfer, infant, and Samuel August Wagenfer, Jr., infant, who reside in Baltimore City aforesaid, commanding them and each of them to be and appear in this Court at some certain day to be named therein to answer the premises and abide by and perform such decree as may be passed therein.

And as in duty bound, etc.,

WM. R. HORNEY  
(William R. Horney)  
Solicitor for Plaintiffs,

.....  
CERTIFIED COPY OF DEED  
Filed Oct 27, 1940.

#3257 QUEEN ANNE'S COUNTY, TO WIT: be it remembered that on the seventeenth day of September, in the year nineteen hundred and twelve, the following DEED was brought to be recorded, to wit:-

THIS DEED, made this seventeenth day of September, in the year nineteen hundred and twelve, by Zebulon H. Stafford, (single man) of Talbot County in the State of Maryland.

WITNESSETH: that in consideration of the sum of Four Hundred (\$400.00) Dollars, the receipt whereof is hereby acknowledged, the said Zebulon H. Stafford does hereby grant and convey unto Harriett Josephine Abbott and William H. Abbott, her husband, their heirs and assigns, in fee simple, as tenants by the entireties, of Queen Anne's County, in The State of Maryland, all that lot or parcel of ground situate, lying and being in the village of Wye Mills in Queen Anne's County, in the State of Maryland, on the west side of the public road leading from Easton to Centreville, and bounded on the east by the said public road, and on the north, south and west by the lands of Herman Orrell, and having a frontage of fifty feet and a depth of one hundred feet, more or less and as now enclosed, and is the same lot as that described in the deeds from Joseph Stafford to Zebulon H. Stafford, dated May 26th, 1910, and in the deed from John W. Stafford and Mary F. Stafford, his wife, to Joseph Stafford, dated Feb. 7th. 1885 and in the deed from W. H. H. Holbrook to John W. Stafford, dated November 23rd., 1882, and recorded respectively in Libers S. S. No. 8, folios 36 etc., S. C. D. No. 7, folios 171 etc., S. C. D. No. 5, folios 556, etc., a Land Record Books for Queen Anne's County, State of Maryland, to all of which deeds especial reference is hereby made for an accurate description of the land intended to be herein conveyed by metes and bounds, courses and distances.

TOGETHER with the buildings and improvements thereupon, and all the rights, roads, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

AND the said Zebulon H. Stafford covenants that he will warrant generally and specially the property hereby conveyed and that he will execute such other and further assurances of title thereto as may be or hereafter become requisite.

Witness my hand and seal/

Test: Wm. E. Thompson.

ZEBULON H. STAFFORD (SEAL)

STATE OF MARYLAND,  
QUEEN ANNE'S COUNTY, to wit:

I hereby certify that on this seventeenth day of September, in the year nineteen hundred and twelve, before me, the subscriber, a Justice of the

Peace of the State of Maryland, in and for Queen Anne's County, aforesaid, personally appeared Zebulon H. Stafford, and acknowledged the foregoing Deed to be his act and deed.

WM. R. THOMPSON  
Justice of the Peace.

STATE OF MARYLAND,

QUEEN ANNE'S COUNTY, to wit:

I hereby certify that the foregoing is truly taken and copied from Liber W. F. W. No. 2, folios 122, etc., a Land Record Book for Queen Anne's County.

Seals Place.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County this 29th day of October, in the year nineteen hundred and forty.

A. Sydney Gadd, Jr. Clerk

.....  
SUBPOENA FOR RESPONDENT TO  
ANSWER AND APPEAR  
Filed Nov. 1, 1940

QUEEN ANNE'S COUNTY, to wit:

THE STATE OF MARYLAND.

TO Hattie M. Lloyd, Non Compus Mentis

Seals Place.

OF DORCHESTER COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the first Monday of November next, to answer the complaint of Barton Brothers against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, THE Honorable Thomas J. Keating, Associate Judge of our said Court, the first day of October 1940.  
Issued the 29th, day of October 1940.

William R. Horney

Solicitor for Complainants

A. SYDNEY GADD JR. Clerk

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of November next, being the Return Day.

A. SYDNEY GADD JR. Clerk

And on the back of the foregoing is thus endorsed, to wit:  
Served By Reading to and leaving copy of the within Subpoena with Hattie M. Lloyd Non Compus Mentis and also left duplicate copy of the within Subpoena with Dr. Charles V. Taylor Superintendent of The Eastern Shore State Hospital this 31 day of October 1940.

JAMES R. THOMAS Sheriff

.....  
SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
Filed Nov. 1, 1940.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND.

TO Bertha M. Butler and Charles Butler, her husband.

Seals Place.

OF TALBOT COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the first Monday of November next, to answer the complaint of Frank G. Miles, and wife, et al. against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Thomas J. Keating, Associate Judge of our said

Court, the first Monday of October 1940.  
Issued the 29th day of October 1940.

A. SYDNEY GADD JR. Clerk

William R. Horney

Solicitor for \_\_\_\_\_

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of November next, being the Return Day.

A. SYDNEY GADD JR. Clerk

And on the back of the foregoing is thus endorsed, to wit:  
Received the 30 day of Oct. 1940 and forthwith delivered to the Sheriff of Talbot County for service.

T. J. FAULKNER Clerk

Summoned ambo 10/31/40.

JOHN R. SCOTT Sheriff of Talbot Co.  
Per M. L. Aikenhead Deputy.

.....  
SUMMONS FOR RESPONDENT  
TO APPEAR AND ANSWER  
Filed Nov. 2nd, 1940.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND.

TO Frank G. Miles, and  
Hattie G. Miles, his wife.

Seals Place.

OF QUEEN ANNE'S COUNTY, GREETING:

YOUR ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the first Monday of November next, to answer the complaint of Barton Brothers against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable, Thomas J. Keating Associate Judge of our said Court, the first Monday of October 1940  
Issued the 29th, day of October 1940.

A. SYDNEY GADD JR. Clerk

William R. Horney

Solicitor for Complainants

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fiftendays of the first Monday of November next, being the Return Day.

A. SYDNEY GADD JR. Clerk

And on the back of the foregoing is thus endorsed, to wit:

Served by reading and leaving copy with Frank G. Miles, and Hattie G. Miles October 30, 1940.

EDWARD E. COURSEY Sheriff

.....  
SUPBOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
Filed Nov 2nd 1940.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Walter Miles and Katie Miles, His wife.

Seals Place.

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the first Monday of November next, to answer the complaint of Barton Brothers against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable, Thomas J. Keating, Associate Judge of our said

Court, the first Monday of October 1940.  
Issued the 29th day of October 1940.

William R. Horney

A. SYDNEY GADD JR. Clerk

Solicitor for Complainants

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of November next, being the Return Day.

A. SYDNEY GADD JR. Clerk

And on the back of the foregoing is thus endorsed, to wit:  
Served by reading and leaving copy with Walter Miles and Katie Miles  
Oct. 30, 1940.

EDWARD E. COURSEY Sheriff

.....  
SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER  
Filed Nov. 2nd 1940.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Hattie M. Lloyd and Charles Lloyd  
Seals Place.

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, of Equity, at Centreville, in said county, on the first Monday of November next, to answer the complaint of Barton Brothers against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Thomas J. Keating, Associate Judge of our said Court, the first Monday of October 1940  
Issued the 29th day of October 1940.

William R. Horney

A. SYDNEY GADD JR. Clerk

Solicitor for Complainants

TO THE DEFENDANT, You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of November next, being the Return Day.

A. SYDNEY GADD JR. Clerk

Served by reading and leaving a copy with Charles Lloyd Oct 30,  
1940.

EDWARD E. COURSEY Sheriff

On the back of the other foregoing that was supposed to be served on Hattie Lloyd .  
Non est.

EDWARD E. COURSEY Sheriff

.....  
SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
Filed Nov. 2nd, 1940.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Lum Miles and Dorothy Miles, his wife.  
Seals Place.

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the first Monday of November next, to answer the complaint of Barton Brothers, against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Thomas J. Keating, Associate Chief Judge of our said Court, the first Monday of October 1940  
Issued the 29th, day of October 1940.

William R. Horney

A. SYDNEY GADD JR. Clerk

Solicitor for Complainants

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of Novrmbur next, being the Return Day.

A. SYDNEY GADD JR. Clerk

And on the back of the foregoing is thus endorsed, to wit:  
Served by reading and leaving copy with Lum Miles and Dorathy Miles October 30, 1940.

EDWARD E. COURSEY Sheriff

.....  
SUBPOENA FOR RESPONDENT  
TO ANSWER AND APPEAR  
Filed Nov 5th, 1940.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Cyril Miles Wagenfer

OF BALTIMORE CITY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the first Monday of November next, to answer the complaint of Barton Brothers against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Thomas J. Keating, Associate Judge of our said Court, the First Monday of October 1940.  
Issued the 9th day of October 1940.

A. SYDNEY GADD JR. Clerk

Wm. R. Horney

Solicitor for \_\_\_\_\_

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of November next, being the Return Day.

A. SYDNEY GADD JR. Clerk

And on the back of the foregoing is thus endorsed, to wit:  
Non Est

JOSEPH C. DEEGAN Sheriff

.....  
SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
Filed Nov. 4th, 1940.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND.

TO Evelyn Muriel Wagenfer, Infant  
Herman Wagenfer, Infant  
Samuel August Wagenfer, Infant

Seals Place.

OF BALTIMORE CITY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the first Monday of November next, to answer the complaint of Barton Brothers against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Thomas J. Keating, Associate Judge of our said Court, the First Monday of October 1940.  
Issued the 29th day of October 1940.

A. SYDNEY GADD JR. Clerk

William R. Horney

Solicitor for Complainant

TO THE DEFENDANT, You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday



of November next, being the Return Day.

A. SYDNEY GADD JR. Clerk

And endorsed on the back of the foregoing is thus , to wit:

Non Sunt Liberto

JOSEPH C. DEEGAN Sheriff

.....  
SUPBOENA FOR RESPONDENT  
TO APPEAR AND ANSWER  
Filed Nov. 5th, 1940.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Florence Elizabeth Wagenfer Packer  
John Packer, her husband

OF BALTIMORE CITY COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the first Monday of November next, to answer the complaint of Barton Brothers against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Thomas J. Keating, Associate Judge of our said Court, the first Monday of October 1940  
Issued the 29th, day of October 1940.

A. SYDNEY GADD JR. Clerk

William R. Horney

Solicitor for Complainants.

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of November next, being the Return Day.

A. SYDNEY GADD JR. Clerk

And on the back of the foregoing is thus endorsed, to wit:

Summond Florence Elizabeth Wagenfer Packer and a copy of the process left with the Defendant Non Est as to John Packer Liberto.

JOSEPH C. DEEGAN Sheriff

.....  
ORDER TO REISSUE ORDER OF  
SUBPOENA AGAINST John Packer,  
Filed Nov. 25th, 1940.

WILLIAM MARVIN BARTON, et al. : In the Circuit Court for  
vs : Queen Anne's County, in Equity.  
FRANK G. MILES, ET AL. : Cause No, 3262.

TO THE CLERK OF SAID COURT:

You will please reissue the writ of subpoena against John Packer, husband, of Florence Elizabeth Wagenfer Packer, Cyril Miles Wagenfer, Evelyn Muriel Wagenfer, infant, Herman Wagenfer, infant, and Samuel August Wagenfer, Jr., infant, all of whom reside at 2010 Harlem Avenue, in Baltimore City, Maryland, commanding them and each of them to be and appear in this Court at some certain day to be named therein to answer the Bill of Complaint filed in the above entitled cause and abide by and perform such decree as may be passed therein.

Wm. R. Horney  
(William R. Horney)  
Solicitor for Plaintiffs .

Nov. 25th, 1940.

.....  
SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
Filed 11/28/40.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO John Packer.

Seals Place.

OF BALTIMORE CITY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the First Monday of December next, to answer the complaint of Barton Bros, against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Thos. J. Keating, Associate Judge of our said Court, the First Monday of November 1940  
Issued the 25th day of November 1940.

William R. Horney  
Solicitor for Complainants.  
A. SYDNEY GADD JR. Clerk

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of December next, being the Return Day.

A. SYDNEY GADD JR. Clerk

And on the back of the foregoing is thus endorsed to wit:  
Summoned and a copy of this Process left with the Defendant Liberto.

JOSEPH C. DEEGAN Sheriff

.....  
SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER  
Filed Nov. 28th 1940.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Evelyn Muriel Wagenfer, Infant.

Seals Place

OF BALTIMORE CITY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the First Monday of December next, to answer the complaint of Barton Bros, against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Thos J. Keating, Associate Judge of our said Court, the First Monday of November 1940  
Issued the 25th day of November 1940.

William R. Horney  
Solicitor for Complainants.  
A. SYDNEY GADD JR. Clerk

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of December next, being the Return Day.

A. SYDNEY GADD JR. Clerk

And on the back of the foregoing is thus endorsed, to wit:  
Summoned by reading summons to Evelyn Muriel Wagenfer Infant, and a copy of the Process left with said Infant. Also a copy of the Process left with said Infant. Also a copy of the Process left with Florence Packer Guardian of and Party having care of said Infant named in Writ.

JOSEPH C. DEEGAN Sheriff

.....  
SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
Filed Nov. 28, 1940.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Herman Waganfer, Infant

Seals Place.

OF BALTIMORE CITY, GREETING:

YOU ARE HEREBY COMMANEDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the First Monday of December next, to answer the com-

plaint of Barton Bros. against you in said court exhibited.  
Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Thos. J. Keating, Associate Judge of our said Court, the First Monday of November 1940  
Issued the 25th day of November 1940

William R. Horney \_\_\_\_\_ A. SYDNEY GADD JR. Clerk  
Solicitor for Complainants \_\_\_\_\_

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of December next, being the Return Day.

A. SYDNEY GADD JR. Clerk

And on the back of the foregoing is thus endorsed, to wit:  
Summoned by reading Summons to Herman Wagenfer Infant, and a copy of the Process left with said Infant. Also a copy of the Process left with Florence Packer Guardian of and Party having care of said Infant named in Writ.

JOSEPH C. DEEGAN Sheriff

.....  
SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
Filed Nov. 28th, 1940.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Samuel August Wagenfer, Infant  
Seals Place.

OF BALTIMORE CITY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the First Monday of December next, to answer the complaint of Barton Bros. against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable, Thos J. Keating Associate Judge of our said Court, the First Monday of November 1940  
Issued the 25th day of November 1940

William R. Horney \_\_\_\_\_ A. SYDNEY GADD JRL Clerk  
Solicitor for Complainants \_\_\_\_\_

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of December next, being the Return Day.

A. SYDNEY GADD JR. Clerk

AND ON the back of the foregoing is thus endorsed, to wit:

Summoned by reading Summons to Samuel August Wagenfer, Infant, and a copy of the Process left with said Infant, Also a copy of the Process left with Florence Parker, Guardian of and party having care of said infant named in writ.

Liberto.

JOSEPH C. DEEGAN Sheriff.

.....  
SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER  
Filed Nov. 28, 1940

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Cyril Miles Wagenfer

OF BALTIMORE CITY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the First Monday of December next, to answer the complaint of Barton Bros. against you in said court exhibited

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, That Honorable Thos. J. Keating, Associate Judge of our said Court, the First Monday of November 1940 Issued the 25th day of November 1940

William R. Horney \_\_\_\_\_  
Solicitor for Complainants

A. SYDNEY GADD JR. Clerk

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of December next, being the Return Day.

A. SYDNEY GADD JR. Clerk

And on the back of the foregoing is thus endorsed, to wit:

Non Est. Liberto

JOSEPH C. DEEGAN Sheriff

ORDER FOR SUBPOENA  
Filed Jan 6th, 1941

WILLIAM MARVIN BARTON, ET AL. : In the Circuit Court for  
VS : Queen Anne's County, in Equity.  
FRANK F. MILES, ET AL. : Cause No. 3262

TO THE CLERK OF SAID COURT:

You will please re-issue the writ of subpoena against Cyril Miles Wagenfer, who resides at 2010 Harlem Avenue, in Baltimore City, Maryland, commanding him to be and appear in this Court at some certain day to be named therein to answer the Bill of Complaint filed in the above entitled cause.

WM. R. HORNEY  
(William R. Horney)  
Solicitor for Plaintiff

Filed Jan 6th, 1941.

SUMMONS FOR DEFENDANT TO  
APPEAR AND ANSWER  
Filed Feb. 4, 1941.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Cyril Miles Wagenfer  
2010 Harlem Ave.  
Baltimore, Md.  
OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the first Monday of February next, to answer the complaint of William M. Barton et al against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins, Chief Judge of our said Court, the first Monday of January 1941 Issued the 6th day of January 1941.

William R. Horney \_\_\_\_\_  
Solicitor for Plaintiff

\_\_\_\_\_ Clerk

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of February next, being the Return Day.

A. SYDNEY GADD JR. Clerk

And on the back of the foregoing is thus endorsed, to wit:  
Non Est  
Liberto

JOSEPH C. DEEGAN SHERIFF

ANSWER OF CYRIL MILES  
WAGENFER  
Filed April 24th, 1941.

WILLIAM MARVIN BARTON, ET AL. : In the Circuit Court for  
VS : Queen Anne's County, in Equity.  
FRANK G. MILES, ET AL. : Cause No. 3262.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The answer of Cyril Miles Wagenfer to the Bill of Complaint of William Marvin Barton, et al., filed against him and others in this Court exhibited.

This defendant admits the matters and facts set forth in said Bill of Complaint, and consents to the passage of such decree as may be right and proper in the premises.

And as in duty bound, etc.,

CYRIL MILES WAGENFER  
(Cyril Miles Wagenfer)

Filed April 24th, 1941.

PETITION FOR APPOINTMENT OF  
GUARDIAN AD LITEM.  
Filed May 10th, 1941.

William Marvin Barton, et al. : In the Circuit Court for  
vs : Queen Anne's County, in Equity.  
Frank G. Miles, et al. : Cause No. 3262.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of William Marvin Barton and William Edward Barton, co-partners, trading as Barton Brothers, the plaintiffs in the above entitled cause, by William R. Horney, their solicitor, respectfully shows:

1. That as will appear by reference to the bill of complaint filed in this cause, Hattie M. Lloyd, one of the defendants to said bill, is at present a non-compos mentis and is confined in the Eastern Shore State Hospital at Cambridge in Dorchester County, Maryland.

2. That the writ of subpoena heretofore issued in this cause against said Hattie M. Lloyd, non compos mentis, has been duly served according to law upon her as will appear from the return of the Sheriff of Dorchester County endorsed on said writ and filed in this cause on the 1st day of November, 1940.

3. That as will also appear by reference to said bill, Evelyn Muriel Wagenfer, Herman Wagenfer and Samuel August Wagenfer, three of the defendants are infants under the age of twenty one years.

4. That likewise the writs of subpoena heretofore issued in this cause against said Evelyn Muriel Wagenfer, Herman Wagenfer and Samuel August Wagenfer, infants, have been duly served according to law upon them as will appear from the returns of the Sheriff of Baltimore City endorsed on said writs and filed in this cause on the 28th day of November, 1940.

5. That your petitioners are advised that it is necessary that a Guardian Ad Litem be appointed by this Honorable Court to answer and defend this suit for said non compos mentis and said infants.

Your petitioners, therefore, pray this Honorable Court to pass an order appointing some suitable person within the jurisdiction of this Court Guardian Ad Litem for said Hattie M. Lloyd, non compos mentis, and Evelyn Muriel Wagenfer, Herman Wagenfer and Samuel August Wagenfer, infants, with instructions to answer and defend said suit non compos mentis and said infants.

Respectfully submitted,

WM. R. HORNEY  
(William R. Horney)  
Solicitor for Plaintiffs.

SUBSCRIBED and SWORN To before me, by William R. Horney, this 10th day of May, 1941.

A. SYDNEY GADD JR.  
Clerk  
Filed May 10th, 1941.

.....  
PETITION FOR DECREE PRO CONFESSO  
Filed May 10th, 1941.

William Marvin Barton, et al., : In the Circuit Court for  
vs :  
Frank G. Miles, et al. : Queen Anne's County, in Equity  
: Cause No. 3262.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of William Marvin Barton and William Edward Barton, co-partners, trading as Barton Brothers, the plaintiffs in the above entitled cause, by William R. Horney, their solicitor, respectfully shows:

1. That Frank G. Miles, and Hattie H. Miles, his wife, Walter Miles and Katie Miles, his wife, Charles Lloyd, husband of Hattie M. Lloyd, Lum Miles and Dorothy Miles, his wife, Bertha M. Butler and Charles Butler, her husband, and Florence Elizabeth Wagenfer Packer and John Packer, her husband, who are some of the defendants to the bill of complaint filed in this cause, have been duly returned summoned, but have failed to appear and answer this suit.

2. That Cyril Miles Wagenfer was not returned summoned but filed his answer on the 24th day of April, 1941, admitting the matters and facts set forth in the bill of complaint, and consenting to the passage of such decree as might be right and proper in the premises.

Your petitioners therefore, pray this Honorable Court to pass a decree pro- confesso against those who failed to appear and answer.

And as in duty bound, etc.,

WM. R. HORNEY  
(William R. Horney)  
Solicitor for Plaintiffs.

STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

I HEREBY CERTIFY that on this 10th day of May, 1941, before me the subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared William R. Horney, the solicitor for the plaintiff, and made oath, in due form of law, that the matters and facts set forth in the foregoing petition are true as therein set forth, to the best of his knowledge and belief.

Filed May 10th 1941. A. SYDNEY GADD JR. Clerk

.....  
ORDER OF COURT  
Filed May 14th, 1941

ORDER OF COURT

Upon the foregoing petition, IT IS ORDERED, this 14th day of May, 1941, by the Circuit Court for Queen Anne's County in Equity, and by the authority of said Court, that Hilda T. Seward, of Queen Anne's County, Maryland, be and she is hereby appointed Guardian Ad Litem of Hattie M. Lloyd, non compos mentis, and Evelyn Muriel Wagenfer, Herman Wagenfer, and Samuel August Wagenfer, infants, with instructions to her to answer and defend the suit instituted against said non compos mentis and said infants by the bill of complaint in the above entitled cause.

Filed May 14, 1941.

THOS. J. KEATING

.....  
ORDER OF COURT OF  
DECREE PRO CONFESSO  
Filed May 14, 1941.

DECREE PRO CONFESSO

IT IS ADJUDGED, ORDERED AND DECREED, this 14th day of May, 1941, by the Circuit Court for Queen Anne's County in Equity, and by the authority of said court, upon the foregoing petition and affidavit, that the bill of complaint in this cause be, and the same is, hereby taken pro confesso against the defendants, Frank G. Miles and Hattie H. Miles, his wife, Walter Miles and Katie Miles, his wife, Charles Lloyd, husband of Hattie M. Lloyd, Lum Miles and Dorothy Miles, his wife, Bertha M. Butler, and Charles Butler, her husband, and Florence Elizabeth Wagenfer Packer and John Packer, her husband.

AND IT IS FURTHER ORDERED that depositions be taken before one of the standing examiners of this Court in support of the allegations of the bill.

Filed May 14, 1941

THOS. J. KEATING

.....  
ANSWER OF GUARDIAN AD LITEM FOR  
NON COMPOS MENTIS  
Filed May 15th, 1941.

William Marvin Barton, et al. , ; In the Circuit Court for  
vs ; Queen Anne's County  
Frank G. Miles, et al. ; in Equity.  
; Cause No. 3262.  
;

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The answer of Hattie M. Lloyd, non compos mentis, by Hilda T. Seward, her guardian Ad Litem, to the bill of complaint of William Marvin Barton, et al., exhibited against her in the above entitled cause, says:

That this defendant cannot admit any of the matters and things alleged in said bill of complaint, and being at present non compos mentis, submits her rights to the protection of this Honorable Court.

And as in duty bound, etc.,

HILDA T. SEWARD  
(Hilda T. Seward)  
Guardian Ad Litem

STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

I HEREBY CERTIFY that on this 15th day of May, 1941, before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared Hilda T. Seward, the above named Guardian Ad Litem for Hattie M. Lloyd, non compos mentis, and made oath, in due form of law, that the matters and things stated in the foregoing ANSWER are true, to the best of her knowledge and belief.

A. SYDNEY GADD JR.  
Clerk

Filed May 15, 1941.

.....  
ANSWER OF GUARDIAN AD LITEM  
FOR INFANTS.  
Filed May 15, 1941.

William Marvin Barton , et al., : In the Circuit Court for  
vs : Queen Anne's County,  
Frank G. Miles, et al. : in Equity.  
: Cause No. 3262.  
:

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The answer of Evelyn Muriel Wagenfer, Herman Wagenfer and Samuel August Wagenfer, infants under the age of twenty one years, by Hilda T. Seward, their Guardian Ad Litem, to the bill of complaint of William Marvin Barton, et al., exhibited against them in the above entitled cause, say:

That these defendants cannot admit any of the matters and things alleged in said bill of complaint, and being infants of tender years, submit their rights to the protection of this Honorable Court.

And as in duty bound, etc.,

HILDA T. SEWARD  
(Hilda T. Seward),  
Guardian Ad Litem .

STATE OF MARYLAND, :  
: TO WIT:  
QUEEN ANNE'S COUNTY, :

I HEREBY CERTIFY that on this 15th day of May, 1941, before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared Hilda T. Seward, the above named Guardian Ad Litem for Evelyn Muriel Wagenfer, Herman Wagenfer and Samuel August Wagenfer, infants, and made oath, in due form of law, that the matters and things stated in the foregoing ANSWER are true, to the best of her knowledge and belief.

A. SYDNEY GADD JR.  
Clerk

Filed May 15, 1941.

DEPOSITIONS  
 Filed Dec. 8th, 1941.

William Marvin Barton, et al., : In the Circuit court for  
 : Queen Anne's County, in Equity.  
 vs :  
 : Cause No. 3262.  
 Frank G. Miles, et al. :

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The solicitor for the Plaintiffs having notified the subscriber, one of the regular Examiners for this Honorable Court, of his desire to take testimony in this cause, your Examiner did, after the usual notice to the Guardian Ad Litem of the Defendants, attend on the 28th day of November, 1941, in the law office of William R. Horney, in the town of Centreville, Queen Anne's County, Maryland, at the hour of 1:30 o'clock, P.M., there being present William R. Horney and B. Hackett Turner, Jr., solicitor for the Plaintiffs, William Marvin Barton, one of the Plaintiffs, Frank G. Miles, one of the Defendants, and Hilda T. Seward, Guardian Ad Litem, one of the infant Defendants, and proceeded to take the following testimony, to wit:

Frank G. Miles, the first witness of lawful age produced on the part of the Plaintiffs, being duly sworn did depose and say:

BY MR. HORNEY:

- 1.- Q. State your name, age, residence and occupation?  
 A. My name is Frank G. Miles, I am 48 years old. My place of residence is Centreville, Maryland and I am a farmer.
2. Q. Are you one of the defendants to this suit?  
 A. I am.
3. Q. Did you know William H. Abbott in his lifetime?  
 A. I did.
4. Q. When did he die?  
 A. He died the 29th day of April, 1940.
5. Q. State whether or not he died leaving a will?  
 A. He left no will.
6. Q. Did he die seized and possessed of any real estate?  
 A. Yes, a house and lot at Wye Mills.
7. Q. Did he die possessed of any personal property?  
 A. Nothing but household furniture which in my opinion is worth less than \$ 25.00.
8. Q. Has there been any administration on the personal estate of William H. Abbott, deceased?  
 A. No and I have been informed that the reason for that is that the cost of administration would be greater than the value of the personal estate.
9. Q. Did William H. Abbott leave a widow or any children or any descendants of any children?  
 A. No.
10. Q. Were either the father or mother of William H. Abbott living at the time of his death?  
 A. No.
11. Q. Did William H. Abbott ever have any brothers or sisters?  
 A. Yes, he had one sister. No brothers, His sister was my mother, Carrie Abbott Miles.
12. Q. State whether or not Carrie Abbott Miles is still living?  
 A. No, she died before my uncle, William H. Abbott.
13. Q. Did your mother have other children beside yourself and if so, State whether or not they are living or dead and whether or not they are married and where they live, and also their respective ages?  
 A. I am the oldest. I reside in Queen Anne's County and am married to Hattie H. Miles. Both of us are over twenty one years of age, I have a brother, Walter Miles, who resides in Talbot County, and his wife's name is Katie Miles, both are over 21 years of age. I have a sister, Hattie M. Lloyd, who is non compos mentis and is confined in the Eastern Shore State Hospital at Cambridge in Dorchester County, She is married to Charles Lloyd, Both of them are over 21 years of age. I have a brother Lum Miles who resides in Queen Anne's County and he is married to Dorothy Miles. Both of them are over 21 years of age. I have a sister, Bertha M. Butler who resides in Queen Anne's County and is married to Charles Butler. Both of them are over 21 years of age and I had a sister by the name of Lillian M. Wagenfer, who died before our uncle, William H. Abbott, She has five children. They are: Florence Elizabeth Wagenfer Packer, who resides in Baltimore City and is married to John Packer. Both of them are above the age of 21 years; Cyril Miles Wagenfer, who also resides in Baltimore City and is unmarried, He is over 21 years of age; Evelyn Muriel Wagenfer, who also resides in Baltimore City and is unmarried and is an infant under the age of 21 years; Herman Wagenfer, also of Baltimore City who is unmarried and under the age of 21 years; and Samuel August Wagenfer, Jr., also of Baltimore City, who is unmarried and is an infant under the age of 21 years.
- 14- Q. The bill of complaint filed in this case states that Walter Miles and his wife, Katie Miles, are residents of Queen Anne's County.



You have testified that they reside in Talbot County, Which is correct?

- A. They actually reside in Talbot County because they happen to be on the Talbot County side of the state road in Wye Mills, but a lot of people do not know whether or not it is Queen Anne's County or Talbot County, I am informed that they were summoned by the Sheriff of Queen Anne's County.
- 15- Q. I do not believe you stated the residence of Charles Lloyd. Will you please so state?  
A. He is not a resident of Talbot County but at the time the bill was filed he was a resident of Queen Anne's County.
16. Q. You have testified that Bertha M. Butler and her husband, Charles Butler, reside in Queen Anne's County. The bill of complaint alleges that they are residents of Talbot County. Can you explain this?  
A. They reside in Queen Anne's County now. At the time the bill was filed they resided in Talbot County.
- 17- Q. Do you know whether or not the funeral expenses of William H. Abbott have been paid?  
A. I do not know but I am quite sure the whole bill has/been paid.
- 18- Q. Do you know of any other claims that may have been due by the deceased?  
A. I know that he was getting old age assistance and there is probably something due the County welfareboard.
- 19- Q. You have testified that William H. Abbott left a house and lot located in the village of Wye Mills. What in your opinion is such house and lot worth?  
A. I would not think over \$500.00.

"EXAMINER'S SPECIAL":

I do not.

FRANK MILES

William Marvin Barton, the next witness of lawfullage produced on the part of the Plaintiff, being duly sworn and examined, deposes and says:

BY MR. TURNER:

- 1- Q. Will you state your name, age, residence and occupation?  
A. My name is William Marvin Barton. I am 53 years old. My place of residence is Centreville, Maryland, and I a funeral director and furniture dealer.
- 2- Q. Now, are you the Plaintiff in this suit, Mr. Barton?  
A. I am. My brother and I are in business together and I am testifying for the firm.
- 3- Q. Did you have the funeral and burial of Mr. William H. Abbott, deceased?  
A. We did.
- 4- Q. Have you been paid anything for your services in this matter?  
A. I have not been paid anything on the amount of the bill we are suing under. The full amount was \$175.00 for the expenses of the burial and \$70.00 being paid by an insurance policy, made payable to my brother and co-partner, Edward Barton, leaves a balance due of \$105.00, for which this suit was filed.
- 5- Q. Do you know whether William H. Abbott died seized and possessed of any real estate.  
A. Yes, a small house and lot, located at Wye Mills in Queen Anne's County.
- 6- Q. I now hand you a paper of writing. Would you please identify it and state what it is?  
A. Yes, it is a certified copy of the deed to the property from Zebulon H. Stafford to William H. Abbott and Harriet Josephine Abbott, dated the 17th day of September, 1912.
- (NOTE: At this point the certified copy of the above deed was offered in evidence by the counsel and asked that it be made part of the proceedings and has been marked by your Examiner "Examiner's Exhibit 1").
- 7.- Q. State whether or not Harriet Josephine Abbott predeceased William H. Abbott?  
A. She did.
- 8- Q. Please state in your opinion Mr. Barton, what is the value of the property at the present time?  
A. It is not worth over \$200.00 or \$250.00. It has been unoccupied for so long it has just gone to pieces.
- 9- Q. Do you know whom William H. Abbott left surviving him as his heirs-at-law?  
A. He left some nephew and nieces surviving him and they are: Lum Miles, Walter Miles, and Frank Miles, There are some more whom I do not know.
- 10- Q. Do you know whether or not there has been any administration granted on the estate of William H. Abbott?  
A. None to my knowledge.
11. Q. Do you know whether or not the personal estate of the said William H. Abbott was sufficient to pay the debts due by him at the time of his death?  
A. It was not. From what I have heard of it it was not worth \$25.00. Whatever was there is still there because we told the Miles boys not to bother it.

EXAMINER'S SPECIAL:

I do not.

WILLIAM MARVIN BARTON

Sheriff, Edward Earle Coursey, the next witness of lawful age produced on the part of the Plaintiff, being duly sworn and examined, deposes and says:

BY MR. TURNER:

- 1- Q. Give your full name, age, residence and occupation?  
A. My name is Edward Earle Coursey. I am Sheriff of Queen Anne's County.
- 2. Q. Sheriff, you subpoenaed Walter and Katie Miles in the case of Barton Brother, et al., vs Frank G. Miles, et al.?  
A. Yes, I did.
- 3- Q. They reside in Wye Mills, Talbot County do they not?  
A. Yes, they do.
- 4- Q. Sheriff, when you subpoenaed Walter and Katie Miles did you serve the papers in Queen Anne's County or Talbot County?  
A. In Queen Anne's County. I went to Walter Miles and go Walter Miles and went out to Lum Miles and I served it on both of them at Lum Miles's residence. The next day I served it on Katie Miles near the Post Office in Centreville, Queen Anne's County, Maryland.

"EXAMINER'S SPECIAL."

I do n o t.

EDWARD E. COURSEY

Henry Francis Callahan, the next witness of lawful age produced on the part of the Plaintiff, being duly sworn and examined, deposes and says:

BY MR. TURNER:

- 1- Q. Mr. Callahan, give your full name, address and occupation?  
A. Henry Francis Callahan. My place of residence is Centreville, Maryland, and I am a land owner and hardware dealer.
- 2- Q. Mr. Callahan, you formerly resided in Wye Mills, did you not?  
A. Yes sir.
- 3- Q. Do you own any property in Wye Mills now?  
A. I own the house right across the road from the Abbott property.
- 4- Q. You are familiar with the valuation of real estate in Wye Mills, in Queen Anne's County and in your opinion what is the worth of this house at this time, that formerly belonging to Wm. H. Abbott?  
A. Well, I would say \$500.00 would be a plenty for it.
- 5- Q. In what sort of condition is it now?  
A. Well, just fair.
- 6- Q. Did you know Mr. Wm. H. Abbott and his wife who formerly lived in this property?  
A. I knew them both.
- 7- Q. Mrs. Abbott died before her husband, did she not?  
A. Yes sir, she did.
- 8- Q. And they had no children?  
A. No living children.
- 9- Q. Did Mr. Wm. H. Abbott leave any relatives and heirs at law?  
A. He left a sister, Mrs. Carrie Miles, who predeceased him leaving some nieces and nephews.
- 10- Q. Do you know the names of any of the nieces and nephew of Mr. Wm. H. Abbott, deceased?  
A. Frank, Walter, Lum, Bertha and Hattie Lloyd. Lillian Miles Wagenfer who is deceased. I understand had some children.
- 11- Q. Do you know of any personal property belonging to Wm. H. Abbott?  
A. No, he had nothing.

"EXAMINER'S SPECIAL".

I do not.

HENRY FRANCIS CALLAHAN

There being not further witnesses to be examined and further time for the production of evidence not being desired your Examiner herewith respectfully makes his return together with Plaintiff's Exhibit No. 1 filed with Examiner as a part of this Cause, and verified that he was engaged as such Examiner, two days and examined three witnesses making cost chargeable to Plaintiff as follows:

Charles E. Tucker, Examiner, .....	\$8.00
Frank G. Miles, Defendant witness, .....	.75
William Marvin Barton, Plaintiff witness.....	.75
Edward Earle Coursey, Sheriff, witness,.....	.75
Henry Francis Callahan, witness, .....	.75
Hilda T. Seward, stenographer, .....	5.00

Total: 16.00

Respectfully submitted,

CHAS E. TUCKER,  
EXAMINER.

.....  
AFFIDAVIT AS TO MILITARY SERVICE  
Filed Feb. 25, 1942

William Marvin Barton, et al.,           ;       In the Circuit Court for  
  ;       Queen Anne's County, in Equity.  
vs   ;         
  ;         
Frank G. Miles, et al.                   ;       Cause No. 3262.

AFFIDAVIT AS TO MILITARY SERVICE

STATE OF MARYLAND ,           :         
  :       TO WIT:  
QUEEN ANNE'S COUNTY,           :       

I HEREBY CERTIFY that on this 25th day of February, 1942, before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared W. Marvin Barton, one of the co-partners of Barton Brothers, the Plaintiff in this cause, and made oath in due form of law, that the following defendants; Frank G. Miles and Hattie H. Miles, his wife, Walter Miles and Katie Miles, his wife, Charles Lloyd, husband of Hattie M. Lloyd, Lum Miles and Dorothy Miles, his wife, Bertha M. Butler and Charles Butler, her husband, and Florence Elizabeth Wagenfer Packer and John Packer, her husband, against whom a decree pro confesso has been secured, or anyone of them were not engaged in the military service of the United States at the time of the filing of the bill, now, or three months prior to the filing of said bill.

Filed Feb. 25, 1942.

A. SYDNEY GADD JR.  
Clerk

.....  
FINAL DECREE  
Filed Feb. 26th, 1942.

William Marvin Barton, et al.,           ;       In the Circuit Court for  
  ;       Queen Anne's County, in Equity  
vs   ;         
  ;         
Frank G. Miles, et al.                   ;       Cause No. 3262.

FINAL DECREE

This cause standing ready for hearing and being submitted without court argument, and the proceedings having been read and considered.

It is thereupon, this 26th day of February, 1942, by the Circuit Court for Queen Anne's County in Equity, and by the authority of said Court, ADJUDGED, ORDERED and DECREED that the real estate of William H. Abbott, deceased, in these proceedings mentioned, or so much thereof as may be necessary, for the payment of his funeral expenses and debts, be sold, that Richard T. Earle and Edward Turner of Queen Anne's County, Maryland, be and he is hereby appointed trustee to make said sale, and that course and manner of his proceedings shall be as follows: he shall first file with the Clerk of this Court a bond to the State of Maryland, executed by himself, and a surety or sureties, to be approved by this Court, in the penalty of One Thousand Dollars (\$1000.00), if corporate surety be given, and in double that amount if personal sureties be given, conditioned for the faithful performance of the trust reposed in him by this decree or to be reposed in him by any future decree or order in the premises; he shall then proceed to make the sale, having given at least three weeks notice by advertisement, inserted such weekly newspaper or newspapers printed and published in Queen Anne's County aforesaid as he shall think proper, of the time, place, manner and terms of sale, which terms shall be one-third cash, one-third in six months and one-third in twelve months, or all cash, at the option of the purchaser or purchasers, the credit portions to bear interest and to be secured to the satisfaction of the trustee, and, as soon as may be convenient after such sale, the said trustee shall return to this Court a full and particular account of his proceedings relative to such sale, with an annexed affidavit of the truth thereof and of the fairness of said sale; and, on obtaining the Court's ratification of the sale, and on the payment of the whole purchase money (and not before), the said trustee shall, by a good and sufficient deed, to be executed, acknowledged and recorded according to law, convey to the purchaser or purchasers, his, her or their heirs, the property and estate to him, her or them sold, free, clear and discharged from all claim of the parties thereto, plaintiff and defendant, and those claiming by, from or under them, or either of them, and the said trustee shall bring into this Court the money arising from said sale, to be distributed under the direction of this Court, after deducting the costs of this suit and such commissions to the said trustee as this Court shall think proper to allow in consideration of the skill, attention and fidelity wherewith he shall appear to have discharged his trust.

Filed Feb. 26th, 1942.

STEPHEN R. COLLINS.

.....  
CERTIFIED COPY OF BOND OF TRUSTEE  
Filed Mar 18, 1942.

Queen Anne's County, to wit: Be it remembered that on the eighteenth day of March, nineteen hundred and forty two, the following Bond was filed for record, to wit:

KNOW ALL MEN BY THESE PRESENTS, That we, Richard T. Earle and Edward Turner, of Queen Anne's County, State of Maryland, as principals, and The United States Fidelity and Guaranty Company, a body corporate, authorized by its charter, to become sole surety on bonds, as surety, are held and firmly bound unto The State of Maryland in the full and just sum of One Thousand Dollars (\$1,000.00) current money to be paid to the said State of Maryland or its certain attorney, to which payment well and truly to be made and done, we bind ourselves, our and each of our heirs, personal representatives, successors, and assigns, jointly and severally by these presents, sealed with our seals and dated this 2nd day of March, in the year nineteen hundred and forty two.

WHEREAS, the above bounden Richard T. Earle and Edward Turner by virtue of a decree of the Circuit Court for Queen Anne's County in Equity have been appointed trustees to sell the property mentioned in the proceedings wherein Barton Bros, are plaintiffs and Frank G. Miles, et al, are defendants, being cause No. 3262, in said Court now pending.

Now the condition of the above obligation is such that if the above bounden Richard T. Earle and Edward Turner do and shall well and faithfully perform the trust reposed in them by said decree or that may be reposed in them by any future decree or order in the premises, then the above obligation shall be void, otherwise to be and remain in full force and virtue in law.

Signed, sealed and delivered in the presence of

Hilda T. Seward  
Hilda T. Seward

RICHARD T. EARLE (SEAL)  
Richard T. Earle

EDWARD TURNER (SEAL)  
Edward Turner

Seals Place.

THE UNITED STATES FIDELITY AND GUARANTY COMPANY.

By William McK. Gibson  
William McKenney Gibson,  
Attorney in Fact.

Filed March 18th, 1942.

And on the back of the foregoing Bond was thus endorsed, towit:

Bond filed March 18th, 1942 and Security approved.

A. SYDNEY GADD JR. Clerk

STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

I hereby certify that the foregoing is truly taken and copied from Liber W. H. C. No.1, folio 201 A Bond Record Book for Queen Anne's County.

(Seals Place.)

In Testimony Whereof I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County on this 18th day of March in the year nineteen hundred and forty two.

A. SYDNEY GADD JR. Clerk

.....  
NOTICE TO CREDITORS  
Filed March 21st 1942.

And the trustee shall cause the following notice to creditors to be published, that is to say;

NOTICE TO CREDITORS

ORDERED, this 19th day of March, 1942, by the Circuit Court for Queen Anne's County in Equity, and by the authority of said court, that the creditors of William H. Abbott, deceased, file their claims, properly authenticated, with the Clerk of said Court, on or before the 28th day of May, 1942, or be excluded from participation in the distribution of the proceeds of the sale of the real estate mentioned in this proceeding; provided a copy of this order be inserted in a newspaper printed and published in Queen Anne's County, Maryland, once a week for four successive weeks before the 20th day of April, 1942.

STEPHEN R. COLLINS  
Judge.

Filed March 21st 1942.

.....  
REPORT OF SALE  
Filed Nov. 6, 1942.

William Marvin Barton, et al. , : In the Circuit Court for Queen  
 :  
 vs : Anne's County, in Equity.  
 :  
 Frank G. Miles, et al. : Cause No. 3262.

REPORT OF SALE

The Report of sale of Richard T. Earle, one of the Trustees in this cause, to your honors, respectfully shows:

That Richard T. Earle and Edward Turner were by a decree of this Court, dated the 26th, of February, 1942, appointed by this Court to make sale of the real estate described in these proceedings, that your trustees after filing an approved bond as provided by said decree, advertised said property for sale, giving more than three weeks previous notice thereof in The Queen Anne's Record Observer, a newspaper published in Queen Anne's County, as shown by a certificate of publication thereof, hereto attached as a part hereof, and then on April, 28th., 1942, in front of the Court House at Centreville, Maryland, between the hours of one and two P.M. offered at public sale all that tract of land situate in the village of Wye Mills, with a frontage on the State Road from Wye Mills to Centreville of 50 feet depth of one hundred feet, adjoining the property of Herman Orrell and others, and being the same property and all the property of which William H. Abbott, died seized and possessed, and after the auctioneer had creid the sale for considerable time, the same was withdrawn, on account of receiving no bid for same.

That your trustees on several occassions consulted together and endeavored to run down and make sale of said property at every opening therefore, but were unsuccessful in securing any bona fide bid for same; that several months past the said Edward Turner, one of the trustees in this cause, enlisted in the military services of the United States and is still therein and your trustee is advised that he is now station in the Hawaiiin Island, but before being inducted into service, he agreed to leave the sale of the said property in the discretion of Richard T. Earle, and advised him that whatever sale he could make thereof would be agreeable to the said Edward Turner.

That your trustee has on numerous occassions endeavord to make sale of said property but on account of the delapidated condition of the dwelling house and the small lot of land involved has been unable until a few days ago to secure any offer of same.

That the said Richard T. Earle, Trustee, has sold the real estate mentioned in these proceedings anddescribed in said advertisement to Willy M. Horn and Alice L. Horn, his wife, at and for the sum of Two Hundred and Forty Dollars (\$240.00), and they have paid thereon the sum of \$100.00 and have further agreed to pay the taxes on said property for the year 1942, and to pay the balance of said purchase money, to wit: the sum of One Hundred and Forty Dollars upon the ratification of this sale.

Your trustee believes that the price offered for said property is a very fair price and in fact is the only bona fide offer that has been made to either of said trustees, that Richard T. Earle has been authorized to accept for said property, as far as his aut ority, goes, whatever in his judgment is a fair price, by Edward Turner, the other trustee, who is now in the Hawaiiin Island.

Respecffully submitted,

EDWARD TURNER

RICHARD T. EARLE  
One of the Trustee

STATE OF MARYLAND, QUEEN ANNES COUNTY, TO WIT:

I hereby certify that on this Sixth day of November, 1942, personally appeared before me, the subscriber, The Clerk of the Circuit Court for Queen Anne's County, Richard T. Earle, one of the trustees in this cause, and made oath in due form of law that the matters and facts setforth in said report of sale are true as therein stated and that said sale was fairly made.

A. SYDNEY GADD JR.  
 Clerk of the Circuit Court for Queen Anne's County.

Filed Nov. 6, 1942.

.....  
 CERTIFICATE ADVERTISEMENT OF SALE  
 Filed Nov. 6, 1942.

PUBLIC SALE OF VALUABLE  
 REAL ESTATE.

The undersigned Trustees, under and by virtue of a Decree of the Circuit Court for Queen Anne's County in Equity, dated February 26th, 1942, passed in a Cause in said Court, wherein Barton Brothers are plaintiffs and Frank G. Miles et al. are defendant, being Cause No! 3262 in said Court, will offer at Public sale to the highest bidder on TUESDAY APRIL 28, 1942. between the hours of 1 and 2 P. M. in front of the Court House at Centreville, Maryland, all that lot or tract of land, situate in the village of Wye Mills, Queen Anne's County, Maryland, with a frontage on the State Road of fifty feet, and with a depth of One Hundred Feet, adjoining the property of Herman Orrell and others, being the same

property and all the property of which William H. Abbott died seized and possessed and which was conveyed to the said William H. Abbott and Harriett Josephine Abbott his wife, by Zabulon H. Stafford by deed dated September 17, th, 1912, and recorded in Liber W. F. W. No. 2, folio 122 etc., a Land Record Book for Queen Anne's County.

TERMS OF SALE: One third of the purchaser money in cash on day of sale, the balance in two equal installments due in six and twelve months respectively from the day of sale to be secured by notes satisfactory to the undersigned, with interest from day of sale, or all cash at the option of the purchaser.

Title papers and stamps to be at the expense of the purchaser, other terms to be made known on day of sale.

RICHARD T. EARLE  
EDWARD TURNER  
Trustees

J. Elmer Anthony, Auctioneer.

QUEEN ANNE'S RECORD - OBSERVER

CENTREVILLE, Md. November 6, 1942.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO. hereby certified that the Public Sale of Real Estate in the case of William Marvin Barton, et al, vs. Frank G. Miles, et al being cause no . 3262 in the Circuit Court for Queen Anne's County in equity, a true copy of which is hereto annexed, was inserted in the QUEEN ANNE'S RECORD \* OBSERVER, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week for four (4) successive weeks the first publication thereof having been made in said newspaper on the 2nd day of April, 1942, being more than three weeks before the 28th day of April 1942.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO.

By Myrtle M. Lewis

Filed Nov. 6, 1942.

\*\*\*\*\*  
N I S I S A L E  
Filed Nov. 6, 1942.

N I S I

William Marvin Barton and : In the Circuit Court for  
William Edward Barton, co-partners :  
trading as Barton Brothers : Queen Anne's County, in Equity.  
vs :  
Frank G. Miles, et al. : Chancery No. 3262.

ORDERED, this 6th day of November A. D., 1942, that the sale of real estate made and reported in this cause by Richard T. Earle, one of the trustees, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 11th day of January next, provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 11th day of December next.

The Report states the amount of sales to be \$240.00

A. SYDNEY GADD JR. Clerk

Filed Nov. 6, 1942.

\*\*\*\*\*  
ORDER TO STRIKE APPEARANCE OF  
WM. R. HORNEY, FOR PLAINTIFF  
Filed Nov, 9, 1942.

William Marvin Barton, et al. : In the Circuit Court for Queen  
Plaintiffs, :  
vs : Anne's County, in Equity.  
Frank G. Miles, et al., :  
Defendants. : Cause No. 3262.

Mr. A. S. Gadd. Jr., Clerk of said Court:

Kindly strike out my appearance for the plaintiffs in above entitled cause, and note my disqualification.

WM. R. HORNEY

Filed Nov. 9th, 1942.

ORDER TO ENTER APPEARANCE  
FOR PLAINTIFF  
Filed Nov. 9th, 1942.

William Marvin Barton et al.,  
Plaintiffs,  
vs  
Frank G. Miles, et al.,  
Defendants.

In the Circuit Court for  
Queen Anne's County, in Equity.  
Cause No. 3262.

Mr. A. S. Gadd, Jr., Clerk of said Court:

Kindly enter our appearance for the plaintiffs in the  
above entitled cause.

EDWARD TURNER  
RICHARD T. EARLE

Filed Nov. 9th, 1942.

CERTIFICATE OF PUBLICATION  
NISI SALE  
Filed Jan 11th, 1943.

N I S I

William Marvin Barton and  
William Edward Barton, co-  
partners, trading as Barton  
Brothers,  
vs  
Frank G. Miles, et al.

In the Circuit Court for  
Queen Anne's County,  
in Equity.  
Chancery No . 3262.

ORDERED, This 6th day of November, A. D. ., 1942, that the  
sale of real estate made and reported in this cause by Richard T. Earle, one  
of the trustees, be ratified and confirmed, unless cause to the contrary thereof  
be shown on or before the 11th day of January next; provided a copy of this order  
be inserted in some newspaper printed and published in Queen Anne's County,  
Maryland, once in each of four successive weeks before the 11th day of December  
next.

The Report states the amount of sale to be \$240.00 .

A. SYDNEY GADD JR.  
Clerk

True Copy  
Test:

A. SYDNEY GADD JR. Clerk

Filed Nov. 6, 1942.

QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. Jan 11, 1943.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corp-  
orate, does hereby certify that the Order Nisi in the case of William Marvin  
Barton and William Edward Barton vs, Frank G. Miles, et al. a true copy of  
which is annexed hereto, was published in the QUEEN ANNE'S RECORD OBSERVER, a  
weekly newspaper printed and published at Centreville, in Queen Anne's  
County, Maryland, once a week for four successive weeks before the 11th day  
of December 1942, and that the first insertion of said advertisement in  
said QUEEN ANNE'S RECORD - OBSERVER was on the 12th day of November 1942 and  
the last insertion on the 3rd day of December 1942.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING  
COMPANY.

By Myrtle Lewis

Filed Jan 11th, 1943.

REPORT OF SALE  
Filed March 16th, 1943.

This Report of Sale was refiled as to Edward Turner, Trustee  
and same recorded in this same proceedings on folio 437.

ORDER OF COURT  
Filed March 19th, 1943.

ORDER OF COURT

ORDERED, this 18th day of March 1943, by the Circuit Court for Queen Anne's County, in Equity, that the sale made and report as shown by the report of sale, be and it is hereby finally ratified and confirmed, no cause to the contrary having been shown, although notice appears to have been given in accordance with the certificate of publication of the previous Order Nisi passed in this Causes. The Trustees are allowed the usual commission and expenses, not personal, upon the production of proper vouchers therefor and the papers are hereby directed to the auditor of this Court to state an audit between said Trust Estate and the said Trustees.

STEPHEN R. COLLINS  
Judge.

Filed March 19th, 1943.

A U D I T  
Filed March 24th, 1943.

In the Circuit Court for Queen Anne's County, in Equity.

William Marvin Barton, William Edward Barton, co-partners trading as Barton Brothers, versus Frank G. Miles, et al. : : : : : Chancery Docket Cause No. 3262

To the Honorable, the Judges of said Court:

The Report of Madison Brown, your auditor, unto Your Honors respectfully sets forth:-

The the proceedings of this cause were instituted as a creditor's proceedings for the sale of the real estate of William H. Abbott, deceased, for the payment of the debts due and owing by him at the time of his death and were instituted by Barton Brothers for the payment of their claim out of said sale arising out of their under-taking as undertakers of the burial of the remains of the said deceased.

It appears that notice to the creditors of the said deceased was duly given by the trustees and it appears from an examination of the Claims Docket in the Clerk's Office of this Court and from the proceedings of this Cause that only one claim against said deceased has been filed and this is the claim of the plaintiffs of this Cause for funeral expenses filed with the Bill of Complaint as Exhibit A.

In the within account stated by the auditor he has charged the two trustees appointed by the decree of this Cause to sell said real estate with the gross amount of the sale made and reported by them and has thereout allowed as follows: to wit:

Unto said trustees their commission for making the sale, the Court costs of this suit, the cots of advertising the sale and the several orders nisis of the cause, taxes paid by them on the land sold and the fee of the auditor. Unto Barton Brothers, the plaintiffs, the amount of the sale so charged remaining after deduction therefrom of the aforesaid allowances and this balance consitutes the net proceeds of the sale applicable to the payment of the creditors.

Which is respectfully submitted,

MADISON BROWN

AUDITOR.

Filed Mar. 24th, 1943.

CAUSE NUMBER 3262.

The proceeds of the sale of the Real Estate of Which William H. Abbot, late of Queen Anne's County died seised and possessed on April 29, 1940, in account with Richard T. Earle and Edward Turner, trustees appointed to sell real estate by the decree of the Court passed in this Cause and vendors thereunder making said sale.

1942  
Nov.

6 By gross amount of said sale per the report of said trustees filed in this Cause on this date, to wit: the sum of .....\$240.00

DR.

1942  
Nov.

6 To Richard T. Earle and Edward Turner, said trustees for their commissions for making said sale, per rule of Court, the sum of , .....\$16.80

To the same trustees, for the Court costs of



These proceedings as taxed by the Clerk of the Court, as follows, to wit:  
 costs of A. S. Gadd jr., Clerk, .....\$33.10  
 costs of Sheriff, Talbot County, 1..... 1.80  
 costs of sheriff, Queen Anne's Co.,.... 4.50  
 costs of sheriff, Balto. City, ..... 5.35  
 fee of guardian ad litem,..... 4.00

This amount paid to clerk, ..... \$48.75  
 appearance fee, attorneys of  
 complainants, the sum of ..... \$10.00  
 total costs allowed, ..... \$58.75      \$58.75

To the same trustees for the cost of their bond filed by them in this Cause paid to the corporate surety on the bond, per receipted account exhibited, the sum of .....\$10.00

To the same trustees for amount paid by them for cost of avertising in Centreville newspaper notice to creditors of Cause, \$ 5.00  
 notices of the sale advertised, ..... \$31.50  
 order nisi on sale, ..... 5.00  
 \$41.50

per receipted account for same exhibited, total of ..... \$41.50

To the same trustees for the cost of advertising the order nisi to be passed as to this account,.. \$ 3.50

amounts carried forward, .....130.55      240.00

CAUSE NUMBER 3262.

Amounts brought forward, ..... \$130.55      \$240.00

DR.

To the same trustees for amount of State & County taxes on the real estate sold for years 1940 and 1941, paid by them to J. E. Bryan, Tax Collector per tax statement of same exhibited, to wit: .....\$12.20

To the same trustees for amount paid J. E. Anthony for his services as auctioneer at the time the property sold was offered at public sale at April 28, 1942, (see report of sale filed, per his receipt for same exhibited,) the sum of ..... \$5.00

To Madison Brown, auditor, for stating this account the sum of .....\$9.00

To balance, net proceeds of sale carried below, ...\$ 83.25  
 \$ 156.75  
 \$ 240.00      \$ 240.00

CR.

By balance, net proceeds of sale brought down, .....\$ 83.25

DR.

To William Marvin Barton & William Edward Barton, co-partners, trading as Barton Brothers, on account of their claim for burial expenses of William H. Abbott, filed in this Cause, with bill of complaint as exhibit A, the sum of said balance, to wit: the sum of ..... \$83.25

83.25      83.25

March 23, 1943.

MADISON BROWN  
 AUDITOR.

Filed Mar, 24th, 1943.

.....  
N I S I A U D I T  
Filed Mar 23rd, 1943.

NISI RATIFICATION OF AUDIT

William Marvin Barton and : In the Circuit Court for  
William Edward Barton, co-partners, :  
trading as Barton Brothers, : Queen Anne's County, in Equity.  
vs :  
Frank G. Miles, et al. : Cause No.3262.

ORDERED, This 24th day of March, in the year nineteen hundred and forty three, that the Report and Account filed in these proceedings by Madison Brown, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 16th day of April, 1943; provided a copy of this order be published once a week in each of two successive weeks before the 9th day of April, 1943, in some newspaper printed and published in Queen Anne's County.

A. SYDNEY GADD JR.  
CLERK

Filed March 24th, 1943.

.....  
N I S I A U D I T  
Filed March 29th, 1943.

NISI RATIFICATION OF AUDIT

William Marvin Barton and : In the Circuit Court for  
William Edward Barton, co-Partners, :  
trading as Barton Brothers. : Queen Anne's County, in Equity.  
vs :  
Frank G. Miles, et al. : Cause No. 3262.

ORDERED, This 27th day of March in the year nineteen hundred and forty three, that the Report and Account filed in these proceedings by Madison Brown, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown or on before the published once a week in each of two successive weeks before the 16th day of April, 1943, in some newspaper printed and published in Queen Anne's County.

A. SYDNEY GADD JR.  
Clerk

Filed March 27, 1943.

.....  
NISI RATIFICATION OF AUDIT  
Filed May 3rd, 1943.

NISI RATIFICATION OF AUDIT

William Marvin Barton and William : In the Circuit Court for  
Edward Barton, co-partners, trading :  
as Barton Brothers. : Queen Anne's County, in Equity.  
vs :  
Frank G. Miles, et al. : Case No. 3262.

ORDERED, This 27th day of March in the year nineteen hundred and forty three, that the Report and Account filed in these proceedings by Madison Brown, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 23rd day of April, 1943; provided a copy of this order be published once a week in each of two successive weeks before the 16th day of April, 1943, in some newspaper printed and published in Queen Anne's County.

A. SYDNEY GADD JR.  
Clerk

Filed March 24, 1943.  
True Copy

QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. May 3rd, 1943.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, A body corporate, does hereby certify that the Nisi Ratification of Audit in the case estate of William Marvin Barton and William Edward Barton co-partners, trading as Barton Bros. vs. Frank G. Miles, et al. a true copy of which is

annexed hereto, was published in the QUEEN ANNE'S RECORD OBSERVER, a weekly newspaper printed and published at Centreville, in Queen Anne's County, Maryland, once a week for two successive weeks before the 16th day of April, 1943, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD -OBSERVER was on the 1st day of April 1943, and the last insertion on the 8th day of April 1943.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY.

By John H. Price

Filed May 3, 1943.

ORDER OF COURT  
Filed May 4th, 1943.

William Marvin Barton and William  
Edward Barton, Co-partners, trading  
as Barton Brothers,

vs

Frank G. Miles, et al.

: In the Circuit Court for  
:  
: Queen Anne's County, in Equity.  
:  
: Cause No. 3262.  
:

ORDERED, this 3rd day of May, in the year nineteen hundred and forty three by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court that the audit filed in this cause, dated March 24th, 1943, by Madison Brown, Auditor, be and same is hereby finally ratified and confirmed, no cause to the contrary having been shown, although notice appears to have been given in accordance with the certificate of publication of ratification nisi to said audit filed herein, and Edward Turner and Richard T. Earle, Trustees in this cause, are hereby directed to make disbursements in accordance with said audit, together with a due proportion of the interest received by them.

ALBERT CONSTABLE  
Judge.

Filed May 4th, 1943.

C A U S E N O. 3329

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Sixth day of August in the year nineteen hundred and forty two, the following Order to Docket suit was brought to be recorded, to wit:

In the Circuit Court for Queen Anne's County, in Equity.

William Clayton Jones , As Attorney for collection and forec-closure, versus Bradford H. Eaton : Chancery Docket, : Cause No. 3329.

To A. S. Gadd, junior, Clerk of said Court:

Docket suit forthwith in accordance with above titling.

File in the papers of said suit a certified copy of the mortgage from Bradford H. Eaton to Richard R. Kennedy dated October 11, 1938 and recorded in Liber W. H. C. No. 7-A, folio 260, land record of your office, and of the assignments of said mortgage. File in the papers of said suit a certified copy of the mortgage from Bradford H. Eaton, to Richard R. Kennedy, dated November 23, 1938 and recorded in the land record book above mentioned at folio 373 and of the assignment of said mortgage.

Enter my appearance for William Clayton Jones, attorney, plaintiff above named.

MADISON BROWN Attorney for above named plaintiff.

Filed August 6th 1942.

CERTIFIED COPY OF MORTGAGE Filed Aug. 6th, 1942.

#19,097 QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Twentieth day of October, in the year nineteen hundred and thirty eight, the following Mortgage was brought to be recorded, to wit:-

One- One Dollar and One- Fifty Cent Recordaion Tax Stamp, Endorsed 10/20/38.

THIS MORTGAGE made the eleventh day of October, in the year of our Lord one thousand nine hundred and thirty eight (1938) by BRADFORD H. EATON, of Wye Point, Queen Anne's County, State of Maryland.

WHEREAS, the said Bradford H. Eaton is justly indebted to Richard R. Kennedy, of Drexel Park, Penna., in the full sum of FIFTEEN HUNDRED DOLLARS (\$1500) for money this day loaned to the said Bradford H. Eaton by the said Richard R. Kennedy.

WHEREAS, it is hereby agreed by and between the parties to this mortgage that the aforesaid principal sum of Fifteen Hundred Dollars (\$1500) shall be repaid unto the said Richard R. Kennedy at the expiration of Three Years from the date hereof, with interest thereon in the meantime at the rate of five per centum (5%) per annum, payable semi-annually from the daid eleventh day of October, 1938.

WHEREAS, it is hereby agreed by and between the parties to this mortgage that the said Bradford H. Eaton shall have the privilege of making partial payments on account of the principal mortgage debt secured by this mortgage, provided that said partial payment shall in each case be not less than the sum of Two Hundred and Fifty Dollars (\$250.00), or some multiple thereof, and provided further that such partial payments shall in each case be made only at the time and on the date when the semi-annual interest payment shall become due, and in the event and such partial payment shall be made as aforesaid, interest on the amount of such partial payment shall cease on the date of such payment.

AND WHEREAS, it was an expressed precedent agreement to the said loan that the aforesaid principal sum of Fifteen Hundred Dollars (\$1500.00) and the interest to accure thereon as aforesaid, and the prompt payment of the same at the times hereinbefore set forth, were to be secured and assured by this mortgage.

NOW, THEREFORE, THIS MORTGAGE WITNESSETH, that for and in consideration of the premises and of the sum of One Dollar, the receipt of which is hereby acknowledged, the said pradford H. Eaton does hereby grant and convey

unto the said Richard R. Kennedy, his heirs and assigne, in fee simple, the following described real estate, to wit:

ALL THAT CERTAIN, tract of land, situate in the Fifth Election District of Queen Anne's County, in the State of Maryland, and described as follows, that is to say:

BEGINNING at a stone set in the northeast corner of the land hereby conveyed and bordering along the public road or lane leading from School House No. 4 to the farm of John K. and Estella Bryan (Formerly George L. Bryan Farm): thence south twenty-two degrees west thirteen and eight one-hundredths chains to the shore line of cove bordering on Wye River; thence north fifty-five and one-half degrees west to a point in said shore line; thence north seventeen and one-half degrees east six and twelve one-hundredths chains to a point; thence north nine degrees west two chains to a point; thence north twenty-seven degrees west nine and thirty-two one hundredths chains to a point corner to the School House Lot; thence North fifty-six and one-half degrees east two and fifteen one-hundredths chains to a point in said road; thence south forty-one degrees east six and sixty one-hundredths chains to a point in the bed of said road; thence south seventy-two and one half degree east two and forty-five one-hundredths chains to the place of begining.

ACCORDING to a plan and survey made by W. T. Henry, Surveyor, dated September, 5, 1936, and being the same land and premises granted and conveyed, to the said Bradford H. Eaton by Joseph A. Smith and Verna E. Smith, his wife, by deed dated the fifth day of October, A. D. 1936, and recorded on the seventh day of October A. D. 1936, in Liber W. H. C. No. 3A, folio 535, &c., one of the Land Records of Queen Anne's County, Maryland.

TOGETHER with the buildings and improvements thereupon erected, made or being, and all and every the rights, roads, ways, water, privileges, appurtenances and advantages to the same belonging or in any way appertaining.

AND it is hereby agreed that, in the event of a sale of the above described property under the power of sale hereinafter expressed, all annual crops, pitched, planted or growing upon said property at the time of sale shall pass to the purchaser of said property.

PROVIDED, that if the said Bradford H. Eaton, his heirs, executors, administrators or assigns, shall well and truly pay to the said Richard R. Kennedy, his executors, administrators or assigns, the aforesaid sum of Fifteen Hundred Dollars (\$1500) when and as the same shall become due and payable as above set forth, and the interest to accure thereon when and as the same shall become due and payable, and shall perform all the covenants, conditions and agreements herein on his and their part to be performed; then this mortgage shall be void; and until default be made in the premises the said Bradford H. Eaton, his heirs and assigns, shall possess said property.

AND the said Bradford H. Eaton, for himself, his heirs, executors, administrators and assigns, hereby covenant to pay, as they severally fall due, the debt and interest hereby intended to be secured, all taxes, assessments, public dues and charges levied or that may be levied thereon and on the property hereby conveyed, all costs and attorney's commissions and charges incurred in the collection of said debt and interest or any part of either, and to insure, and pending this mortgage to keep insured, the improvements on said premises, to the amount of at least the insurable value thereof, in some Company or Companies approved by the said Richard R. Kennedy, his executors, administrators or assigns, and to have the said policy or policies so framed or endorsed that the proceeds arising from said policy or policies, in case of loss, shall be applied to the payment of this mortgage, and to deliver, upon demand, to the mortgagee, his executors, administrators or assigns, said policy or policies, and that no act or thing shall be done whereby said mortgage premises may be depreciated or lessened in value.

But, in case of default in payment of said debt, or the interest to accure thereon, or any part of either, as they severally fall due, or in any covenant, condition or agreement in this mortgage, then the whole debt intended hereby to be secured and all money owing hereunder or secured hereby shall be due and demanable and the said Richard R. Kennedy, his executors, administrators or assigns, or any attorney at law, of Queen Anne's County, State of Maryland, his duly constituted attorney for the purpose, are hereby authorized and empowered to sell said premises upon giving twenty days previous notice of the time, place, manner and terms of sale by advertisement in a newspaper printed and published in Queen Anne's County aforesaid, and such other notice as the party or parties selling may deem expedient, for cash, or for cash and credit, at the option of the person making the sale, the credit payments, if any, to bear interest from day of sale, and to be secured by the note or notes of the purchaser or purchasers, with security to be approved by the person or persons making the sale, and to apply the proceeds of sale to the payments of, first, all expenses incident to such sale, including compensation to the person or persons making sale the same as allowed to Trustees selling real estate under decree of the Circuit Court for Queen Anne's County, in Equity, second, all moneys owing hereunder or secured hereby, whether the same shall have then matured or not; and third, the balance to the said Bradford H. Eaton, or whoever may be entitled to the same.

AND, it is hereby agreed that when default be made in any covenant or condition contained in this mortgage and when suit has been docketed in the proper Court for the purpose of the foreclosure of this mortgage under the power of sale above granted the said Richard R. Kennedy, his executors, administrators, or assigns, or his said attorney, shall not be required to receive and accept the principal and interest of said mortgage indebtedness by accompanied by the payment of all expenses incurred under said foreclosure proceedings, including, all costs of advertisement, Court costs and all expenses incurred to the time of said tender and a commission on the total amount of the mortgage indebtedness, principal and interest, equal to one-half the commission allowed Trustee

for making sale of real estate under the decree of the Circuit Court for Queen Anne's County, in Equity, and which said costs, expenses and commissions the said Bradford H. Eaton, for himself, his heirs, executors, administrators, and assigns, hereby covenants to pay.

WITNESS the hands and seal of the said Mortgagor:

Test: ( as to Mortgagor).

BRADFORD H. EATON (SEAL)

Katherine C. Morris

STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

I HEREBY CERTIFY that on this 20th day of October, 1938 , before me, the subscriber, a Notary Public of the State of Maryland in and for Queen Anne's County aforesaid, personally appeared BRADFORD H. EATON, and acknowledged the foregoing MORTGAGE to be his act;

AND, at the same time, also before me, the subscriber, personally appeared Richard R. Kennedy, the within named Mortgagee, and made oath, in due form of law that the consideration stated in the foregoing MORTGAGE is true and bona fide as therein set forth.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal, the day and year last above written.

KATHERINE C. MORRIS  
Notary Public

My Commission expires: May 1- 1939.

Notary Public  
Seal.

QUEEN ANNE'S COUNTY, TO WIT: be it remembered that on the Sixth day of August, in the year nineteen hundred and forty two, the following Assignment were brought to be recorded, to wit:

I hereby assign the within Mortgage to Anna K. Eaton.

WITNESS my hand and seal this 30th day of July, in the year nineteen hundred and forty two.

Test: JOSEPH B. ORRELL

RICHARD R. KENNEDY (SEAL)  
(Richard R. Kennedy)

I hereby assign the within Mortgage unto William Clayton Jones Attorney at Law, for the purpose of collection by foreclosure or otherwise.

Witness my hand and seal this 30th day of July, in the year nineteen hundred and forty two.

Test: RUTH E. RAUMAN

ANNA K. EATON (SEAL)  
(Anna K. Eaton)

STATE OF MARYLAND,

QUEEN ANNE'S COUNTY, TO WIT:

I HEREBY Certify that the foregoing is truly taken and copied from Liber W. H. C. 7-A Folio 260 A Land Record Book for Queen Anne's County:

In Testimony Whereof I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County this 6th day of August in the year nineteen hundred and forty two.

Seals Place.

A. SYDNEY GADD JR. Clerk

\*\*\*\*\*  
CERTIFIED COPY OF MORTGAGE  
Filed Aug 6, 1942.

#19,160 QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Twenty-ninth day of November, in the year nineteen hundred and thirty eight, the following Mortgage was brought to be recorded, to wit:

One-Fifty Cent Recordation Tax Stamp  
Endorsed R. R. K. 11/29/38.

THIS MORTGAGE made the 23rd day of November, in the year of our Lord one thousand nine hundred and thirty -eight (1938) by BRADFORD H. EATON, of Wye Point, Queen Anne's County, State of Maryland.

WHEREAS, the said Bradford H. Eaton is justly indebted to RICHARD R. KENNEDY, Of Drexel Park, Pennsylvania, in the full sum of FIVE HUNDRED DOLLARS (\$500) for money this day loaned to the said Bradford H. Eaton by the said Richard R. Kennedy.

WHEREAS, it is hereby agreed by and between the parties to this mortgage that the aforesaid principal sum of Five Hundred Dollars (\$500) shall be repaid unto the said Richard R. Kennedy at the expiration of three years from the date hereof, with interest thereon in the meantime at the rate of five per centum (5%) per annum, payable semi-annually from the said day of November, 1938.

WHEREAS, it is hereby agreed by and between the parties to this mortgage that the said Bradford H. Eaton shall have the privilege of making partial payments on account of the principal mortgage debt secured by this mortgage, provided that said partial payments shall in each case be not less than the sum of Two Hundred and Fifty Dollars (\$250.00), or some multiple thereof, and provided further that such partial payments shall in each case be made only at the time and on the date when the semi-annual interest payment shall become due, and in the event any such partial payment shall be made as aforesaid, interest on the amount of such partial payment shall be made as aforesaid, interest on the amount of such partial payment shall cease on the date of such payment.

AND WHEREAS, it was an expressed precedent agreement to the said loan that the aforesaid principal sum of Five Hundred Dollars (\$500) and the interest to accrue thereon as aforesaid, and the prompt payment of the same at the times hereinbefore set forth, were to be secured and assured by this mortgage.

NOWHEREFORE, THIS MORTGAGE WITNESSETH, that for and in consideration of the premises and of the sum of One Dollars, the receipt of which is hereby acknowledged, the said Bradford H. Eaton does hereby grant and convey unto the said Richard R. Kennedy, his heirs and assigns, in fee simple, the following described real estate, to wit:

ALL THAT CERTAIN tract of land, situate in the Fifth Election District of Queen Anne's County, in the State of Maryland, and described as follows, that is to say:

BEGINNING at a stone set in the northeast corner of the land hereby conveyed and bordering along the public road or lane leading from School House No. 4 to the farm of John K. and Estella Bryan (formerly George L. Bryan Farm); thence south twenty -two- degrees west thirteen and eight one-hundredths chains to the shore line of cove borderine on Wye River, thence north fifty -five and one-half degrees west to a point in said shore line; thence north seven and one-half degrees east six and twelve one-hundredths chains to a point; thence north nine degrees west two chains to a point, thence north twenty-seven degrees west nine and thirty-two one hundredths chains to a point corner to the School House lot; thence north fifty-six and one-half degrees east two and fifteen one-hundredths chains to a point in said road; thence south forty-one degrees east six and sixty one-hundred chains to a point in the bed of said road; thence south seventy-two and one-half degrees east two and forty-five one-hundredths chains to the place of beginning.

ACCORDING TO a plan and survey made by W. T. Henry, Surveyor, dated September, 5, 1936, and being the same land and premises granted and conveyed to the said Bradford H. Eaton by Joseph A. Smith and Verna E. Smith, his wife, by deed dated the fifth day of October, A. D. 1936, and recorded on the seventh day of October, A. D. 1936, in Liber W. H. C. No. 3A, Folio 535, &c., one of the Land Records of Queen Anne's County, Maryland.

TOGETHER with the buildings and improvements thereupon erected, made or being, and all and every the rights, roads, ways, waters, privileges, appurtenances and advantages to the same belonging or in any way appertaining.

AND it is hereby agreed that, in the event of a sale of the above described property under the power of sale hereinafter expressed, all annual crops, pitched, planted or growing upon said property at the time of sale shall pass to the purchaser of said property.

PROVIDED, that if the said Bradford H. Eaton, his heirs, executors, administrators or assigns, shall well and truly pay to the said Richard R. Kennedy, his executors, administrators or assigns, the aforesaid sum of Five Hundred Dollars (\$500) when and as the same shall become due and payable as above set forth, and the interest to accrue thereon when and as the same shall become due and payable, and shall perform all the covenants, conditions and agreements herein on his and their part to be performed, then this mortgage shall be void; and until default be made in the premises the said Bradford H. Eaton, his heirs and assigns, shall possess said property.

AND the said Bradford H. Eaton, for himself, his heirs, executors, administrators and assigns, hereby covenant to pay, as they severally fall due, the debt and interest hereby intended to be secured, all taxes, assessments, public dues and charges levied or that may be levied thereon and on the property hereby conveyed, all costs and attorney's commissions and charges incurred in the collection of said debt and interest or any part of either, and to insure, and pending this mortgage to keep insured, the improvements on said premises, to the amount of at least the insurable value thereof, in some Company or Companies approved by the said Richard R. Kennedy, his executors, administrators or assigns, and to have the said policy or policies so framed or endorsed that the proceeds arising from said policy or policies, in case of loss, shall be applied to the payment of this mortgage, and

and to deliver, upon demand, to the mortgagee, his executors, administrators or assigns, said policy or policies, and that no act or thing shall be done whereby said mortgaged premises may be depreciated or lessened in value.

BUT, in case of default in payment of said debt, or the interest to accrue thereon, or any part of either, as they severally fall due, or in any covenant, condition or agreement in this mortgage, then the whole debt intended hereby to be secured and all moneys owing hereunder or secured hereby shall be due and demandable and the said Richard R. Kennedy, his executors, administrators or assigns, or any attorney at law, of Queen Anne's County, State of Maryland, his duly constituted attorney for the purpose, are hereby authorized and empowered to sell said premises upon giving twenty days previous notice of the time, place, manner and terms of sale by advertisement in a newspaper printed and published in Queen Anne's County aforesaid, and such other notice as the party or parties selling may deem expedient, for cash, or for cash and credit, at the option of the person or persons making the sale, the credit payments, if any, to bear interest from day of sale, and to be secured by the note or notes of the purchaser or purchasers, with security to be approved by the person or persons making the sale, and to apply the proceeds of sale to the payment of, first, all expenses incident to such sale, including compensation to the person or persons making sale the same as allowed to Trustees selling real estate under decree of the Circuit Court for Queen Anne's County, in Equity; second, all moneys owing or secured under mortgage given and executed by Bradford H. Eaton to Richard R. Kennedy, bearing date the eleventh day of October, A. D. 1938, and recorded on the twentieth day of October A. D. 1938, in Liber W. H. C. No. 7A, Folio 260, a Land Record Book for Queen Anne's County, in the principal sum of Fifteen Hundred Dollars (\$1500); third, all moneys owing hereunder or secured hereby, whether the same shall have then matured or not; and fourth, the balance to the said Bradford H. Eaton, or whoever may be entitled to the same.

AND it is hereby agreed that when default be made in any covenant or condition contained in this mortgage and when suit has been docketed in the proper Court for the purpose of the foreclosure of this mortgage under the power of sale above granted the said Richard R. Kennedy, his executors, administrators or assigns, or his said attorneys, shall not be required to receive and accept the principal and interest of said mortgage indebtedness in satisfaction thereof, unless the tender of said mortgage indebtedness be accompanied by the payment of all expenses incurred under said foreclosure proceedings, including all costs of advertisement, Court costs and all expenses incurred to the time of said tender and a commission on the total amount of the mortgage indebtedness, principal and interest, equal to one-half the commission allowed Trustees for making sale of real estate under the decree of the Circuit Court for Queen Anne's County, in Equity, and which said costs, expenses and commissions the said Bradford H. Eaton, for himself, his heirs, executors, administrators and assigns hereby covenants to pay,

WITNESS the hand and seal of the said Mortgagor:

TEST: (as to Mortgagor).

BRADFORD H. EATON (SEAL)

BELLA FOX

STATE OF PENNSYLVANIA :  
: TO WIT:  
PHILADELPHIA COUNTY :

I HEREBY CERTIFY that on this twenty-third day of November, 1938, before me, the subscriber, a Notary Public of the State of Penna, in and for Philadelphia County aforesaid, personally appeared BRADFORD H. EATON, and acknowledged the foregoing MORTGAGE to be his act;

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal, the day and year last above written.

Notary Public  
Seal.

BELLA FOX  
Notary Public

My commission expires: March 6, 1939.

IN THE COURTS OF COMMON PLEAS OF PHILADELPHIA COUNTY

STATE OF PENNSYLVANIA : I, John M. Scott, Prothonotary of the Courts  
: of the Courts of Common Pleas of said County,  
County of Philadelphia, ss. : which are Courts of Record having a common  
: seal, being the officer authorized by the laws  
: of the State of Pennsylvania to make the follow-  
Seal's Place. : ing Certificate, acting by my Principal Deputy,  
: Meredith Hanna, or my Second Deputy, John J.  
: Hoerr, do certify, That Bella Fox Esquire,

whose name is subscribed to the certificate of the acknowledgment of the annexed instrument and thereon written, was at the time of such acknowledgment a NOTARY PUBLIC for the Commonwealth of Pennsylvania, residing in the County aforesaid, duly commissioned and qualified to administer oaths and affirmations and to take acknowledgments and proffs of Deeds or Conveyances for lands, tenements and hereditaments to be recorded in said State of Pennsylvania, and to all whose acts, as such full faith and credit are and ought to be given, as well in Courts of Judicature as elsewhere; and that I am well acquainted with the handwriting of the said Notary Public and verily believe the signature thereto is genuine, and I further certify that the said Instrument is executed and acknowledged in conformity with the laws of the State of Pennsylvania.

The impression of the seal of the Notary Public is not required by law to be filed in this office.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court, this 6th day of November in the year of our Lord one thousand nine hundred thirty-eight (1938)

JOHN M. SCOTT Prothonotary  
By John J. Hoerr Second Deputy Prothonotary

Durante Absentia, Secundum Legem.  
QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Sixth day of August, in the year nineteen hundred and forty two, the following Assignments were brought to be recorded, to wit:-

I hereby assign the within Mortgage to Anna K. Eaton.

WITNESS my hand and seal this 30th day of July, in the year nineteen hundred and forty two.

TEST: Ruth E. Rauman RICHARD R. KENNEDY (SEAL)  
(Richard R. Kennedy)

I hereby assign the within Mortgage unto William Clayton Jones, Attorney at Law, for the purpose of collection by foreclosure.

Witness my hand and seal this 30th day of July, in the year nineteen hundred and forty two.

TEST: Joseph B. Orrell ANNA K. EATON (SEAL)  
(Anna K. Eaton)

STATE OF MARYLAND,

QUEEN ANNE'S COUNTY, to wit:

I HEREBY CERTIFY that the foregoing is truly taken and copied from Liber W. H. C. No. 7A, folios 373, etc., a Land Record Book for Queen Anne's County.

IN TESTIMONY WHEREOF I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County this 6th day of August, in the year nineteen hundred and forty two.  
(Seals Place.)

A. SYDNEY GADD JR. Clerk

.....  
AFFIDAVIT AS TO MILITARY SERVICE  
Filed August 11th 1942.

William Clayton Jones : In the Circuit Court for  
Assignee of Mortgage : Queen Anne's County in Equity.  
vs : Cause No. 3329  
Bradford H. Eaton :

AFFIDAVIT AS TO MILITARY SERVICE

State of Pennsylvania ) To wit:  
County of Philadelphia )

I hereby certify that on this Tenth day of August, 1942, before me, the subscriber, a Notary Public of the State of Pennsylvania, in and for the County of Philadelphia, duly qualified and commissioned according to law, personally appeared William Clayton Jones, a person of lawful age, who, being duly sworn, did depose and say:

"My name is William Clayton Jones.

" I am an attorney at law and have an office at 705 Commercial Trust Bldg. Philada Pa."

" I am the plaintiff as assignee of mortgages in a cause of the Circuit Court for Queen Anne's County, State of Maryland, in Equity, entitled

William Clayton Jones : In the Circuit Court for  
Assignee of Mortgage : Queen Anne's County, in Equity.  
vs : Cause No. 3329.  
Bradford H. Eaton :

I know of my knowledge that Bradford H. Eaton, the defendant named in the above cause as the maker of the mortgages mentioned in said cause is dead and that he died on the Twenty Seventh day of October 1941, and that therefore, he is not now in the Military Service of the United States as defined by the Soldiers' and Sailors' Civil Relief Act of 1940 and Chapter 710 of the Laws of the State of Maryland of the year 1941.

This affidavit is made pursuant to the acts of herebefore referred to.

WILLIAM CLAYTON JONES  
William Clayton Jones

Subscribed and sworn to before me. In witness whereof I hereunto subscribe my name and affix my seal notarial, day and year above written.

Notary Public  
Seal.

BELLA FOX  
Notary Public

Notary Public  
My commission Expires Mar. 6, 1943.

Filed August 11, 1942.

.....  
CERTIFIED COPY OF BOND  
Filed Aug 12, 1942.

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this twelfth day of August in the year nineteen hundred and forty two the following Bond was brought to be recorded, to wit:

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

KNOW ALL MEN BY THESE PRESENTS: that we, William Clayton John of City of Philadelphia, State of Pennsylvania, as principal and the AMERICAN SURETY COMPANY OF NEW YORK, a corporation created by and existing under the laws of the State of New York with due authority in law and under its charter to become sole surety on the bonds of trustee, as surety, are held and firmly bound unto the State of Maryland in the full sum of Three Thousand Dollars, lawful money of the United States of America, to be paid to the said State of Maryland or to its certain attorney, to which payment well and truly to be made and done we bind ourselves and every of us, our and every of our heirs, executors, administrators, successors and assigns, in the whole and for the whole, jointly and severally, firmly by these presents.

SEALED with our seals and dated this eleventh day of August, in the year nineteen hundred and forty two.

WHEREAS, by a mortgage bearing date October 11, 1938, and recorded in Liber W. H. C. No. 7-A, a land record book for Queen Anne's County aforesaid, at folio 260, made to secure the payment of the debt therein specified, one Bradford H. Eaton, as mortgagor, conveyed certain land therein described unto Richard R. Kennedy who by an assignment duly made and recorded did assign said mortgage unto Anna K. Eaton who by an assignment duly made and recorded did assign said mortgage unto the said William Clayton Jones.

WHEREAS, by a mortgage dated November 23, 1938, and recorded in the same land record book mentioned above at folio 272, made to secure the payment of the debt therein specified, the said Bradford H. Eaton, as mortgagor conveyed the same land described in and conveyed by the mortgage first mentioned above unto the said Richard R. Kennedy who by an assignment duly made and recorded did assign said last mentioned mortgage unto said Anna K. Eaton, who by an assignment duly made and recorded did assign said mortgage unto the said William Clayton Jones.

WHEREAS, the said Bradford H. Eaton has made default in the covenants of both of said mortgages by reason of the non-payment when due of the principal debts specified in and secured by said mortgages as well as by reason of the non-payment when due of the interest on said mortgage debts, and the said William Clayton Jones has elected to avail himself of the rights given unto him by said mortgages as the assignee thereof is about to sell the mortgaged property by making sale of said mortgaged property at one sale in execution of the power of sale conferred upon him as said assignee by each mortgage by the terms thereof because of said defaults.

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH that if the above bound William Clayton Jones shall and faithfully abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of such mortgaged property or the proceeds thereof, then the above obligation is to be void; it is otherwise to be and remain in full force and virtue in law.

Signed, sealed and delivered in the presence of

WILLIAM CLAYTON JONES (SEAL)  
William Clayton Jones

Bella Fox

AMERICAN SURETY COMPANY OF NEW YORK

Delha Dancy Brown Rolph

By Madison Brown  
Madison Brown  
Its Attorney in Fact

Corporate  
Seals  
Place.

Filed Aug. 12th, 1942.

And on the back of the foregoing Bond was thus endorsed, to wit ;  
Bond filed and Security approved Aug. 1942.

A. SYDNEY GADD JR. Clerk

STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

I hereby certify that the foregoing is truly taken and copied from Liber W. H. C. No. 1, Folio 214 A Bond Record Book for Queen Anne's County.

In Testimony Whereof I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County this 12th day of August in the year nineteen hundred and forty two.

A. Sydney Gadd Jr. Clerk

STATEMENT OF MORTGAGE DEBT Filed Sept. 15th, 1942.

In the Circuit Court for Queen Anne's County, in Equity.

William Clayton Jones, attorney for collection, Plaintiff,

versus

CAUSE NO. 3329

Bradford H. Eaton, mortgagor, defendant.

The first mortgage mentioned in this cause is that given by Bradford H. Eaton to Richard R. Kennedy, bearing date October 11 1938 and recorded in Liber W. H. S. No. 7-A, a land record book of said county at folio 260 and made to secure payment of \$1500.00 within three years from its date with interest on said sum at rate of 5 per cent per annum.

This mortgage is now held by said William Clayton Jones, the plaintiff and vendor, to whom it has been assigned so that he can collect both the principal debt and the interest thereof.

This mortgage will hereinafter be called

"Mortgage No. 1".

The second mortgage mentioned in this cause is that given by Bradford H. Eaton to Richard R. Kennedy bearing date November 23- 1938 and recorded in same land record book mentioned above at folio 373 and made to secure the payment of \$500.00 within three years from its date with interest at rate of 5 per cent per annum.

This mortgage is now held by said William Clayton Jones, plaintiff and vendor to whom it has been assigned so that he can collect both the principal debt and the interest thereof.

This mortgage will hereinafter be called

"Mortgage No. 2".

Statement of Debts due under said mortgages as of September 15- 1942: Mortgage No. 1.

Bradford H. Eaton to William Clayton Jones, assignee DR.

1942 September 15- To amount of principal debt now due (on this date) under Mortgage No. 1. for no part of said principal debt has been paid, to wit: .....\$1500.00

1942 September 15 - To amount of interest now due on this date under Mortgage No. 1, to wit: interest from October 11-1938 to September 15, 1942, at 5 per cent per annum, for no part of the interest has been paid, the sum of ..... 293.83

To total amount of principal and interest due on Sept. 15-1942 on Mortgage No. 1 1793.83

To this total amount of principal and interest must be added a sum of money equal to 5 per cent thereof for Commissions of collection due to William Clayton Jones under terms of the mortgage.

Mortgage No. 2:

Bradford H. Eaton to William Clayton Jones, assignee, DR.

1942: Sept. 15- To amount of principal debt now due on this date, under Mortgage No. 2, for no part of said mortgage debt has been paid,

to wit: .....\$500.00

1942  
Sept. 15-

To amount of interest now due on this date,  
to wit: interest from Nov. 29, 1938 to  
Sept. 15, 1942, at rate of 5 per cent per annum,  
for no part, of this interest has been paid,  
to-wit: sum of ..... 94.85

Total amount of principal and interest due on  
September 15, 1942 on Mortgage-No. 2877..... 594.85

To this total amount of principal and interest must be added a sum of money equal  
to 5 per cent thereof for commissions of collection due to William Clayton Jones  
under terms of the mortgage.....

WM. CLAYTON JONES

Filed Sept. 15th, 1942.

State of Maryland, Queen Anne's County, to wit:

I hereby certify that on this 15th day of September, 1942,  
before me, the subscriber, a Clerk of the Circuit Court for Queen Anne's County,  
personally appeared William Clayton Jones, the party making the above "Statement  
of Mortgage Debt", and he did make oath in due form of law that the foregoing  
Statements are true Statements of the Debts due under the Mortgages therein  
described to the best of his knowledge and belief.

A. SYDNEY GADD JR.  
Clerk

Filed Sept. 15th, 1942.

.....  
N I S I S A L E  
Filed Sept. 16th, 1942.

N I S I

William Clayton Jones : In the Circuit Court for  
Assignee, :  
vs : Queen Anne's County, in Equity.  
Bradford H. Eaton :  
Mortgagor : Chancery No. 3329.

ORDERED, This 15th day of September A. D. , 1942,  
that the sale of real estate made and reported in this cause by William Clayton  
Jones- Assignee, be ratified and confirmed, unless cause to the contrary thereof  
be shown on or before the 20th day of November next; provided a copy of this  
order be inserted in some newspaper printed and published in Queen Anne's County,  
Maryland, once in each of four successive weeks before the 20th day of October  
next.

The Report states the amount of sale to be \$2600.00

A. SYDNEY GADD JR. CLERK

Filed September 15, 1942.

Nisi Sale should follow the Report of Sale.

.....  
REPORT OF SALE  
Filed Sept. 15th, 1942.

In the Circuit Court for Queen Anne's County, in Equity.

William Clayton Jones, assignee :  
versus : Cause No. 3329  
Bradford H. Eaton, mortgagor, :

The report of William Clayton Jones, assignee and attorney for collection, the  
plaintiff of this cause, hereinafter called "Vendor", unto Your Honors respect-  
fully setsforth:-

(1) That one Bradford H. Eaton, by a mortgage bearing date the 11th day of October,  
1938, made to secure the payment of the sum of \$1500.00 and certain interest there-  
on, conveyed the land hereinafter described as sold unto one Richard R. Kennedy  
who duly assigned said mortgage unto Anna K. Eaton, who duly assigned said mortgage  
unto your vendor, who is an attorney-at-law for the purpose of collection of fore-  
closure.

This mortgage and several assignments thereof were duly recorded in Liber W. H. C. No. 7-A, a land record book of said county, at folio 260.

All of which will appear from a certified copy of said mortgage and assignments now on file in this cause marked "Exhibit No. 1".

(2) The said Bradford H. Eaton by a second mortgage bearing the date of 23rd of November, 1938, made to secure the payment of \$500.00 and certain interest thereon conveyed the same land mentioned above, to wit: the land hereinafter described as sold unto the said Richard R. Kennedy who duly assigned the said mortgage unto the said Anna K. Eaton, who duly assigned the same unto your vendor for purpose of collection by foreclosure.

This mortgage and the assignments thereof were duly recorded in the land record book above mentioned at folio 373.

All of which will appear from a certified copy of said mortgage and assignments now on file in this cause marked "Exhibit No. 2" .

(3) That prior to the day of sale hereinafter mentioned the said Bradford H. Eaton (or his heirs ) made default in the covenants of the first described mortgage by reason of the non-payment of the principal mortgage debt named therein and by reason of the non-payment of certain interest thereon when due according to the terms of said mortgage.

(4) That prior to the day of sale hereinafter mentioned the said Bradford H. Eaton (or his heirs) made default in the covenants of the mortgage secondly described by reason of the non-payment of the principal mortgage debt named therein and by reason of the non-payment of certain interest thereon when due according to the terms of said mortgage.

(5) That prior to the day of sale hereinafter mentioned, to wit: on the 12th day of August of the present year your vendor filed with the clerk of this court (the Circuit Court for Queen Anne's County, in Equity) his bond given to the State of Maryland in the penalty of \$3000.00, dated August 11, 1942 and with the American Surety Company of New York (a corporation) as security thereon to abide by and fulfill any order or decree which might be made by any court of equity in relation to the sale of said mortgaged property made under the mortgages described above as one mortgage or the proceeds thereof, and this bond was accepted by said clerk and the security thereof was approved by him.

As will appear from a certified copy of said bond made by said clerk and now on file in this cause.

(6) That prior to the day of sale hereinafter mentioned your vendor gave more than twenty days previous notice of the time, place manner and terms of said sale by advertisement in the Queenstown News, a newspaper printed and published at Queenstown in Queen Anne's County aforesaid each week or weekly.

This notice of sale appeared as an advertisement in those editions of said newspaper issued to the public on following days, to wit:

(7) That a copy of said advertisement of sale bearing the certificate of the publishers of said newspaper as to publication is filed with this report of sale as part hereof.

(8) That your vendor pursuant to said notice of sale did attend in front of the court house door in the town of Centreville in Queen Anne's County State of Maryland at the hour of one o'clock P.M., on Tuesday, September 15th, 1942 and then and there proceeded to sell said real estate in following manner, to wit:

Your vendor offered at public sale the mortgaged property to the highest bidder and in simultaneous execution of the power of sale conferred upon him by each mortgage, as the assignee thereof sold at one sale the said property unto Anna K. Eaton being then and there the highest bidder therefore at and for the sum of Twenty six hundred dollars

(9) That the property sold as above setforth is the same land described in each mortgage is the same property called or known as "Wye Point" and is situate in the Fifth Election District of Queen Anne's County aforesaid between the Wye Farm of Walter Schiffer and the farm of Leon Bryan and is on the road which branches from the Bryantown-Bennett's Point Road to lead to farm of Herman Keim.

Wm. Clayton Jones

State of Maryland, Queen Anne's County, to wit:

I hereby certify that on this 15th day of September in the year nineteen hundred and forty two before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County personally appeared William Clayton Jones, the vendor named above and party making the report of sale above set forth and he did make oath in due form of law that the matters and things setforth in said report of sale are true as therein stated to the best of his knowledge and belief and that the sale therein mentioned was fairly made.

WITNESS my hand and the seal of my office.

A. SYDNEY GADD JR.

Filed Sept. 15th, 1942.  
Corporate  
Seals Place.

.....  
 NISI SALE recorded before the Report of Sale.

.....  
 CERTIFICATE OF ADVERTISEMENT OF SALE  
 Filed Sept. 15th 1942.

PUBLIC SALE OF WATER FRONT HOME

By two mortgages, one dated October 11, 1938, and recorded in Liber W. H. C. 7-A at folio 260 and the other one dated November 23, 1938 and recorded in the same Liber at folio 373, each made to secure the debt in same specified, Bradford H. Eaton (now dead) conveyed unto Richard R. Kennedy the property herein-after described.

Default has occurred in each mortgage and each mortgage has been assigned for collection and fore-closure unto the undersigned William Clayton Jones who, in execution of the power of sale in each mortgage contained, hereby gives notice that he will sell at public sale in front of the Court House door in the town of Centreville, Queen Anne's County, Maryland, at the hour of one o'clock P.M. on TUESDAY, SEPTEMBER 15, 1942 said mortgage property consisting of ALL that lot of land called "Wye Point" situated in the Fifth Election District of Queen Anne's County aforesaid between the Wye Farm of Walter Schiffer and the Valentine Clements Farm of Leon Bryah and on the road which branches from the Bennett's Point Road to lead to the farm of Herman Kehm. This land also adjoins the property of Charles C. Higdon and is described by metes and bounds, courses and distances in above named Libers which are land record books of said county.

The land is improved by a two story frame dwelling house in excellent condition, partly new and recently rebuilt, located in beautiful grounds containing shade, fruit and English walnut trees. The house has 5 rooms, bath room, garage and two porches (one screened) and is wired for electricity and has telephone connection with main telephone line, and is supplied with water from an artesian well, 315 feet deep.

This property is located on a pretty cove of Wye River containing water deep enough for a harbor for yachts and boats and Wye River furnishes fishing crabbing and bathing.

Possession can be taken when purchasers has complied with terms of sale.

Terms of Sale: One-fourth of the purchase money will be required of the purchaser at time and place of sale and the balance on ratification of the sale by the Circuit Court for Queen Anne's County.

Title papers and Revenue Stamps for the same will be at cost of the purchaser.

For further information apply to either of the persons named below.

WILLIAM CLAYTON JONES,  
 Attorney at Law,  
 Assignee and Vendor,  
 705 Commercial Trust  
 Building,  
 Philadelphia, Pa.

MADISON BROWN  
 Attorney for Assignee  
 Centreville, Maryland

J. E. Anthony, Auctioneer.

QUEENSTOWN NEWS

At Queenstown in Queen Anne's County, Maryland. We, the undersigned, do hereby certify that we are the publishers of the newspaper called "THE QUEENSTOWN NEWS" which we publish at Queenstown in Queen Anne's County in the State of Maryland on Friday of each week and we do further certify that the advertisement of the mortgage sale to be made on Tuesday, September 15th, 1942 by William Clayton Jones, assignee and vendor, of the real estate of Bradford H. Eaton in execution of the powers of sale contained in two mortgages given by Bradford H. Eaton aforesaid to Richard R. Kennedy and duly assigned to the said William Clayton Jones, a true copy of which advertisement is hereunto annexed, was inserted in those editions of said Queenstown News which were issued to the public on the following dates, to wit:

August 21, 1942,  
 September 4, 1942,

August 28, 1942.  
 September 11, 1942.

and that the first publication of said advertisement was made August 21, 1942 in the edition of said paper issued on that date more than twenty days prior to September the 15th, 1942.

WITNESS OUR HANDS this 12th day of September, 1942.

M. W. AKER

George Steinfeld  
 Publishers.

Filed Sept. 15th, 1942.

.....P.....  
COPY OF ADVERTISEMENT OF ORDER  
OF NISI ON SALE.  
Filed Nov. 30th, 1942.

N I S I

WILLIAM CLAYTON JONES, : IN THE CIRCUIT COURT FOR  
Assignee, :  
VS : QUEEN ANNE'S COUNTY, IN EQUITY.  
BRADFORD H. EATON :  
Mortgagor. : CHANCERY No. 3329

ORDERED, This 15th day of September A.D., 1942, that the sale of real estate made and reported in this cause by William Clayton Jones, Assignee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 20th day of November, next, provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 20th day of October next.

The Report states the amount of sales to be \$2600.00.

A. SYDNEY GADD JR. Clerk

True Copy  
Test:

A. SYDNEY GADD JR. Clerk

Filed September 15, 1942.

Queenstown, Queen Anne's County, Maryland.  
November 28, 1942.

We, the undersigned M. W. Aker, and and George Steinfeld do hereby certify that we are the publishers of a newspaper called The Queenstown News which we issue to the public each week on Friday and that the order nisi passed by the Clerk of the Circuit Court for Queen Anne's County in the case of William Clayton Jones versus Bradford H. Eaton in a cause in said court bearing the number 3329 Chancery a copy of which is hereunto annexed was published as an advertisement in said Queenstown News once in each of four successive weeks before the twentieth day of October, 1942 and that said advertisement appeared in the issues of said newspaper published on the following dates.

September 18, 1942  
September 25, 1942.  
October 2, 1942  
October 9, 1942

Witness our names set to this paper at Queenstown in Queen Anne's County, State of Maryland.

MICHAEL WALKER

George Steinfeld  
Publishers.

Filed Nov. 30th 1942.

.....P.....  
AFFIDAVIT AS TO MILITARY SERVICE  
Filed Dec. 19, 1942.

William Clayton Jones : In the Circuit Court for  
Assignee of Mortgage :  
vs : Queen Anne's County, in Equity.  
Bradford H. Eaton. : Cause No. 3329

AFFIDAVIT AS TO MILITARY SERVICE

State of Pennsylvania, :  
County of Philadelphia, : to wit:

I hereby certify that on this 16th day of December, 1942 before me, the subscriber, a Notary Public of the State of Pennsylvania, in and for the County of Philadelphia, duly qualified and commissioned according to law, personally appeared William Clayton Jones, a person of lawful age, who, being duly sworn, did depose and say:

"My name is William Clayton Jones".

" I am an attorney at law and have an office at 705 Commercial Trust Building, Philadelphia, Pa."

I am the plaintiff as assignee of the above entitled cause and as such assignee hold the mortgages described in said cause.

I know of my own knowledge that Bradford H. Eaton, the defendant, named in the above entitled cause as the maker of the mortgages described therein died on October 27, 1941, and that he died intestate. I know of my own knowledge whom Bradford H. Eaton left surviving him at the time of his death as his only heirs at law and the names of these persons, their relationship to him, their ages and

places of residence are as follows:

One is named Anna K. Eaton , who is the widow of Bradford H. Eaton and who resides at 3724 Huey Avenue, Drexel Hill, Delaware County, Pennsylvania and who is about 64 years of age.

One is named Margaret E. Newnam, and she is a sister of Bradford H. Eaton and she resides at Price, Maryland and she is about 70 years of age.

The third and remaining one is named Virginia E. Armstrong, and she is a sister of Bradford H. Eaton and she resides at Baltimore Maryland and she is about 65 years of age.

None of these persons named above as heirs at law of Bradford H. Eaton were on August 12, 1942, the date the bond was filed in the above case, nor on September 15, 1942, the day the sale made in the proceedings of said cause was had, were, nor are they on this date engaged in the Military Service of the United States as defined by the Soldiers' and Sailors' Civil Relief Act of Congress of 1940 and Chapter 710 of the Laws of the State of Maryland of the year 1941.

This Act is made pursuant to the acts above referred to .

WILLIAM CLAYTON JONES  
William Clayton Jones

Subscribed and sworn to before me.

IN WITNESS WHEREOF I hereunto subscribed my name and affix my seal Notarial the day and year above written.

Seals Place. BELLA FOX  
Notary Public

My Commission expires March 6, 1943,

Filed Dec. 19, 1942.

IN THE COURTS OF COMMON PLEAS OF PHILADELPHIA COUNTY.

STATE OF PENNSYLVANIA : I, JOHN M. SCOTT, Prothonotary of  
: the Courts of Common Pleas of said county,  
COUNTY OF PHILADELPHIA, ss. : which are Courts of Record having a common  
: seal, being the officer authorized by the  
: laws of the State of Pennsylvania to make  
: the following Certificate, acting by my  
Principal Deputy, Meredith Hanna, or my Second Deputy , John J. Hoerr do Certify  
That Bella Fox Esquire, before whom the annexed affidavit was made, was at the  
time of so doing a NOTARY PUBLIC for the Commonwealth of Pennsylvania, residing  
in the County of Philadelphia, duly commissioned and qualified to administer oaths  
and affirmations and to take acknowledgements and proofs of Deeds or Conveyances  
for lands, tenements and hereditaments to be recorded in said State of Pennsylvania,  
and to all whose acts, as such, full faith and credit are and ought to be given,  
as well in Courts of Judicature as elsewhere; and that I am well acquainted with  
the handwriting of the said NOTARY PUBLIC and verily believe the signature thereto  
is genuine, and that said oath or affirmation purports to be taken in all respects  
as required by the laws of the State of Pennsylvania.

The impression of the seal of the Notary Public is not required by law to be filed in this office.

In TESIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the said Court, this 16th day of December in the year of our Lord one thousand nine hundred forty-two (1942) JOHN M. SCOTT, Prothonotary .

Corporate. By Meredith Hanna Principal Deputy  
Seals Place. Prothonotary  
Durante Absentia, Secundum Legem.

ORDER OF COURT  
Filed Jan 5th 1943.

In the Circuit Court for Queen Anne's County, in Equity.

William Clayton Jones :  
: versus : Chancery Docket ,  
: Bradford H. Eaton : Cause No. 3329

ORDER OF COURT

It is on this 4th day of January 1943, by the Circuit Court for Queen Anne's County sitting as a court of equity ORDERED that the sale of the real estate made and reported in this casue by William Clayton Jones, assignee described and set forth in the within and aforegoing report of sale be and the same is hereby finally ratified and confirmed no cause to the contrary thereof having been shown although it appears that notice has been given in relation to said sale by the order nisi passed in this cause on the 15th day of September, 1942.

AS Madison Brown the auditor of this court is the attorney for the said William Clayton Jones, the vendor as aforesaid it is further ORDERED by this court that the appers and proceedings of this cause be and they are hereby referred to Charles E. Tucker as special auditor with instructions unto him to state and return to this court an account between the proceeds of the sale made and reported as above set forth and William Clayton Jones vendor as aforesaid.



J. OWEN KNOTTS  
Judge.

Filed Jan 5th 1943.

.....  
A U D I T  
Filed Feb. 26th 1943

In the Circuit Court for Queen Anne's County, in Equity.

William Clayton Jones, assignee, :  
: Chancery Docket,  
versus :  
: Cause No. 3329  
Bradford H. Eaton, Mortgagor. :

To the Honorable, the Judges of said Court:-

The Report of Charles E. Tucker, special auditor, appointed by the Order of the Court, passed in this Cause to state the within account, unto Your Honors respectfully sets forth:-

That before stating the within account he took before the clerk of this court that oath required by law of him as special auditor appointed to state said audit.

It appears from these proceedings that one Anna K. Eaton was the holder by assignments of two several mortgages, each conveying the same land, given by Bradford H. Eaton, the defendant named above and that she assigned both mortgages unto William Clayton Jones, the plaintiff, an attorney at law, for collection by foreclosure.

It appears that said William Clayton Jones as assignee and the plaintiff of this cause sold the mortgaged land under the powers of sale contained in these mortgages at one sale as if there had been but one mortgage and that the proceeds of the sale so made by him are sufficient to pay the commissions and costs incident to the sale in full and one mortgage, the first mortgage given, in full, but not enough to pay the full amount due under the second mortgage.

In the within account, stated by this auditor, he has charged William Clayton Jones with the full amount of the sale made and reported by him and then the auditor has allowed thereout as follows:  
Unto said William Clayton Jones his commissions for making the sale, the court costs of this Cause, costs of advertising sale and the several orders nisi of the sale, the fee paid by him to his auctioneer, the cost of his bond and the fee of the auditor.

Unto said Anna K. Eaton, the full amount due under her first mortgage.  
Unto said Anna K. Eaton, on account of her claim under the second mortgage the proceeds of the sale so charged unto said Vendor remaining after the allowances above set forth.

The auditor has made and attached herewith a statement showing the amount due under the second mortgage after the application thereto of the sum mentioned above.

The distributions made to Anna K. Eaton have been made to her by the direction of said William Clayton Jones instead of to himself as attorney for collection.

Which is respectfully submitted,

February 15, 1943.

CHAS. E. TUCKER  
SPECIAL AUDITOR

CAUSE NO. 3329

The proceeds of the sale of the mortgaged real estate of Bradford H. Eaton, the mortgagor making the two mortgages mentioned in this Cause, IN ACCOUNT WITH William Clayton Jones, assignee of both of said mortgages and the vendor under the powers of sale in same contained of the mortgaged property.

1942  
Sept.  
15

CR.

By amount of the gross sale made on this date by said vendor of the mortgaged property, per his Report of Sale filed in this cause, the sum of .....\$2,600.00

DR.

1942  
Sept.  
15

To William Clayton Jones, said vendor for his commissions for making the sale mentioned above per terms of the mortgages, to wit:  
the sum of .....\$146.00  
To the same vendor for the Court costs of these proceedings, per statement of same made by clerk of the court exhibited to the auditor, as follows:

Costs of said clerk, paid per receipt on said statement, .....\$22.75  
 appearance fee of Madison Brown, vendor's attorney, paid per receipt on said statement, .....\$10.00  
 total costs allowed, ..... 32.75 \$32.75

To the same vendor for cost of advertising in Queenstown News, Notices of the sale, .....\$30.00  
 order nisi on sale, ..... 5.00  
 order nisi on this audit, ..... 3.50  
 total costs .....\$38.50 \$38.50  
 Paid per receipted account of publishers of said newspapers exhibited to the auditor.

To the same vendor for the amount paid by him to J. E. Anthony, auctioneer, for crying the sale made, per receipt of the auctioneer, exhibited to the auditor, the sum of ..... \$15.00

To the same vendor for the cost of his bond filed in this cause paid corporate surety thereon, per receipt exhibited to the auditor, the sum of ... \$12.00

To Charles E. Tucker, special auditor, appointed to state this account for stating the same, the sum of ..... \$ 12.00

Total costs, ..... \$259.25  
 Balance carried forward, .....2,340.75

CAUSE NO. 3329

CR.  
 By balance brought from preceding page, to wit: .....\$2,340.75

DR.

To Anna K. Eaton, assignee of the mortgage from Bradford H. Eaton called in these proceedings Exhibit No. 1 and party assigning said mortgage to the vendor of this Cause, for collection, in fullpayment of the debt, principal and interest, due under said mortgage on the day of sale mentioned in this cause, per statement of mortgage debt filed in this cause, to wit: the sum of .....\$1,793.83  
 This mortgage bears date October 11, 1938.

To Anna K. Eaton, assignee of the mortgage from Bradford H. Eaton called in these proceedings Exhibit No. 2 and party assigning said mortgage unto the vendor of this cause for collection in party payment of the debt, principal and interest due under said mortgage on the day of sale mentioned in this cause, to wit: the sum of ..... \$546.92

2,340.75 \$2,340.75

Statement of the balance now due under mortgage called Exhibit No. 2

Bradford H. Eaton, mortgager to Anna K. Eaton, assignee  
 1942  
 Sept.  
 15

To amount of the mortgage debt due on this date, day of sale, principal and interest, per statement of mortgage debt filed in this cause, to wit:..... \$594.85  
 This mortgage bears date November 23, 1938 and stands recorded with the assignments thereof in Liber W.H.C.No. 7-A, a land record book of Queen Anne's County at folio 373.

CR. By amount distributed unto said Anna K. Eaton, by the above account on account of this mortgage the sum of ..... \$ 546.92

DR. To balance due Anna K. Eaton which balance bears interest from September 15, 1942, to wit: sum of..... \$ 47.93

February 15, 1943.

CHAS. E. TUCKER  
 SPECIAL AUDITOR

Filed Feb. 26th 1943.

.....  
NISI AUDIT  
FILED Feb. 26th 1943.

NISI RATIFICATION OF AUDIT

William Clayton Jones, : In the Circuit Court for Queen  
Assignee, :  
vs : Anne's County, in Equity.  
Bradford H. Eaton, :  
Mortgagor. : Cause No. 3329.

ORDERED, This 26th day of February in the year nineteen hundred and forty three, that the Report and Account filed in these proceedings by Charles E. Tucker, Special, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 27th day of March, 1943, provided a copy of this order be published once a week in each of two successive weeks before the 20th day of March, 1943, in some newspaper printed and published in Queen Anne's County.

Filed February 27, 1943. A. SYDNEY GADD JR. Clerk

.....  
CERTIFICATE OF ADVERTISEMENT OF  
ORDER NISIS PASSED ON THE AUDIT  
Filed April 1st 1943.

NISI RATIFICATION OF AUDIT

In the Circuit Court for Queen Anne's County, in Equity.

William Clayton Jones, :  
Assignee, :  
vs : CAUSE NO. 3329.  
Bradford H. Eaton, :  
Mortgagor. :

ORDERED, This 26th day of February in the year nineteen hundred and forty three, that the Report and Account filed in these proceedings by Charles E. Tucker, Special, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 27th day of March, 1943, provided a copy of this order be published once a week in each of two successive weeks before the 20th day of March, 1943, in some newspaper printed and published in Queen Anne's County.

Filed February 2, 1943. A. SYDNEY GADD JR. Clerk  
True Copy  
Test: A. SYDNEY GADD JR. Clerk

March 22, 1943.  
Queenstown, Queen Anne's County, Maryland, to wit:

We, Michael W. Aker, and George W. Steinfelt, the under-signed do hereby certify that we are the publishers of a newspaper called the Queenstown News which we issue to the public and publish on Friday of each week at Queenstown, Queen Anne's County, Maryland and we further certify that the NISI RATIFICATION OF AUDIT passed in the Circuit Court for Queen Anne's County, in Equity, cause No. 3329 between William Clayton Jones, Assignee and Bradford H. Eaton, Mortgagor, a true copy of which is hereunto annexed, was published as an advertisement in the newspaper called the Queenstown News as aforesaid once a week in each of two successive weeks before the 20th day of March, 1943, and that said advertisement appeared in those issues of the paper which were published on the following dates, to wit:

- Friday March 5, 1943.
- Friday March 12, 1943

MICHAEL W. AKER  
Michael W. Aker  
GEORGE J. STEINFELT  
George W. Steinfelt

Publishers of the Queenstown News.

Filed Apr. 1st 1943.

.....  
ORDER OF COURT  
Filed April 3, 1943.

ORDER OF COURT:

ORDERED on this 3rd day of April, 1943, by the Circuit Court for Queen Anne's County sitting as a Court of Equity that the within and afore-  
goind audit consisting of the report and account filed in these proceedings by  
Charles E. Tucker as special auditor be and the same is hereby finally ratified and  
confirmed, no cause to the contrary thereof having been shown although it appears  
that notice has been given in accordance with the order nisi passed in this cause  
February 26, 1943 in relation to said report and account and William Clayton  
Jones, the party making the sale of this cause be and he is hereby directed to  
apply the proceeds of the sale made by him in accordance with said report and  
account with a due proportion of the interest received and/or to be received on  
the credit sale s to his commissions and to the claims of Anna K. Eaton, holder of  
the mortgages filed herein.

WM. R. HORNEY  
Judge.

Filed April 3, 1943.

C A U S E N O . 3318

Q U E E N A N N E ' S C O U N T Y , T O W I T : Be it remembered that on this Nine-  
teenth day of May in the year nineteen hundred and forty three, the following  
Bill of Complaint was brought to berecorded, to wit:

Frank P. Morris,	:	In the Circuit Court for
Plaintiff,	:	
vs	:	Queen Anne's County, in Equity.
	:	
Watson Clough	:	Chancery No. 3318
and Ella Cough, his wife,	:	
Defendants.	:	

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Bill of Complaint of Frank P. Morris, residing in Queen Anne's County, Maryland, respectfully re presents:

1. That Amanda Morris, late of Queen Anne's County, Maryland, deceased, was, in her lifetime, and at the time of her death, seized and possessed of the following described land, towit:-

All that farm or tract of land formerly called or known as "The Amanda Morris Property or Farm", and situate, lying and being in the First Election District of Queen Anne's County, Maryland, on the north side of the public road leading from Busick's Church to Schenk's Corner, adjoining the land formerly of William J. Comegys, now of one Wesrode, and the land formerly of William Harrington and known as "The William Harrington Land", and also the Felton Land, once of John E. George, now of Joseph M. George, and containing Fifty Acres of land, more or less.

Being the same land conveyed unto the said Amanda Morris by Rutha A. Clough and Stephen N. Clough, her husband, by deed dated December 13th, 1908, and recorded among the land records of Queen Anne's County, in Liber S. S. #4, folio 456, etc., certified copy of which said deed is filed herewith and marked "Plaintiff's Exhibit A", and prayed to be taken as a part hereof.

2. That being so seized and possessed as aforesaid, the said Amanda Morris departed this life sometimes in the month of September, 1916, intestate, and leaving surviving her, a widower, the said Frank P. Morris, the Plaintiff, and the following children: Bertha Ransome, nee Morris: Beulah Steele, nee Morris; Emma Walls, nee Morris; Lida Carey, nee Morris; Ethel Kenney, nee Morris; Helen Callas, nee Morris; Charles Morris; Dudley Clough; and the said Watson Clough, the Defendant named herein.

3. That the said Frank P. Morris, subsequent to the death of the said Amanda Morris, acquired in said real estate by three deeds of conveyance all the undivided right, title, interest and estate of eight of the heirs of the said Amanda Morris, namely, the interests of Bertha Ransome, Beulah Steele, Emma Walls, Lida Carey, Ethel Kenney, Helen Collas, Charles Morris and Dudley Clough, leaving the interest and estate of the said Watson Clough unacquired by your Plaintiff, the interest of the Watson Clough being an one-ninth interest subject to the Plaintiff's dower interest in and to the real estate above described; certified copies of which said deeds are filed herewith and marked "Plaintiff's Exhibits B, C and d, and prayed to be taken as a part hereof.

4. That the said land as aforesaid of which the said Amanda Morris died seized and possessed, intestate, is now owned by the said Frank P. Morris, the Plaintiff, to the extent of eight-ninths interest and his dower right therein, and Watson Clough, to the extent of an one-ninth interest, subject to the dower right of the Plaintiff, as tenants in common.

5. That the said Watson Clough intermarried with the said Ella Clough, both adults, and who live at or near Willow Grove, Kent County, Delaware.

6. That the said Real estate is not suseptible of partition without material loss and injury to the parties entitled to interests therein as above stated, and that, in order to make division of said interest, it wi1l be necessary that the said real estate be sold, and the proceeds of sale divided amongst the parties entitled thereto according to their several interests.

TO THE END THEREFORE:

1. That a Decree may be passed for the sale of the said real estate hereinbefore described.

2. That the proceeds of said sale may be distributed between the complaintant and the defendant according to their respective rights and interests.

3. That your Orator may have such other and further relief as his case may require.

MAY IT PLEASE your Honors to grant unto the complain-  
 tant the Order of Publication giving notice to the said Watson Clough and Ella  
 Clough, his wife, adults, both of whom are resident of Kent County, State of  
 Delaware, and non-residents of the State of Maryland, warning them and each of  
 them to be and appear in this Court, in person or by solicitor, on or before a  
 certain day, to be named therein, to show cause, if any they have, why a decree  
 ough not/be passed as prayed.

And as in duty bound, etc.,

JOHN PALMER SMITH

RICHARD T. EARLE

Solicitors for Complainant.

Filed May 19th 1942.

\*\*\*\*\*  
 "PLAINTIFF'S EXHIBIT A"  
 Filed May 19th 1942.

Queen Anne's County to wit: Be it remembered that on the Fourth day of May in the  
 year Nineteen Hundred and Eight the following Deed was brought to be recorded,  
 to wit:

This Deed, made this Thirtieth day of April nineteen  
 hundred and eight by Rutha Clough and Stephen H. Clough, her husband, to Amanda  
 Morris, all of the First Election District of Queen Anne's County, State of Mary-  
 land, Witnesseth, that for and in consideration of the sum of Three hundred and  
 seventy five dollars, receipts of which is hereby acknowledged, the said Rutha  
 Clough and Stephen H. Clough, her husband do bargain and sell, grant and convey  
 unto the said Amanda Morris her heirs and assigns, in fee simple.

All that farm or tract of land lying and being in the  
 First Election District of Queen Anne's County State of Maryland, on the North  
 side of the public road leading from Busick's Church to Shank's Corner, adjoining  
 the lands of W. J. Comegys, William Harrington and the land known as the "Felton  
 Lands" and which may be further described as follows, beginning at a white oak  
 tree near the aforesaid public road, the corner for the land formerly belonging to  
 John Tingle and now owned by W. J. Comegys and running with said Tingle or Comegys  
 land North to the "Felton Lands", now onwed by Joseph E. George, thence with said  
 Felton Lands easterly to the land of William Harrington, thence with said Harring-  
 ton land southerly to aforesaid public road, thence with said public road West  
 to the said place of beginning and containing fifty acres of land more. or less.  
 And being the same tract of land which is described in a deed from Mary E. Taylor  
 to Rutha Clough, dated June 30th 1905 and recorded in Liber J. E. G. #7, Folio #563  
 A Land Record Book for Queen Anne's County aforesaid. Together with the rights and  
 appurtenances thereto belonging. To have and to hold the said farm or tract of  
 land together with the rights and appurtenances thereto belonging, unto the use  
 and benefit of the said Amanda Morris, in fee simple. And the said Rutha Clough  
 and Steven H. Clough, her husband, do hereby covenant that they will warrant  
 generally the property hereby conveyed and that they will execute such further ass-  
 urances of the same as may be requisite.

Witness the hand and seal of the said grantors,  
 her

Test: S. C. Faulkner

Rutha x Clough (Seal)  
 markhis  
 Stephen H x Clough (SEal)  
 mark

State of Maryland, Queen Anne's County, to wit:

I hereby certify, that on tis Thirtieth day of Apri,  
 nineteen hundred and eight, before me, the subscriber, a Justice of the Peace,  
 of the State of Maryland, in and for Queen Anne's County aforesaid, personally  
 appeared Rutha Clough and Steven H. Clough her husband, and did each acknowledge  
 the foregoing deed to be their respective act.

Samuel C. Faulkner seal  
 Justice of the Peace.

STATE OF MARYLAND,

QUEEN ANNE'S COUNTY, to wit:

I HEREBY CERTIFY that the foregoing is truly taken  
 and copied from Liber S. S. No. 4, folio 456, a Land Record Book for Queen Anne's  
 County.

Seals Place.

IN TESTIMONY WHEREOF I have hereunto subscribed  
 my name and affixed the Seal of the Circuit  
 Court for Queen Anne's County this 19th day of  
 May, in the year nineteen hundred and forty two.

A. SYDNEY GADD JR. Clerk

Filed May 19th 1942.

.....P.....  
 PLAINTIFF'S EXHIBIT B.  
 Filed May 19th, 1942.

#7823                    Q U E E N   A N N E ' S   C O U N T Y ,   T O   W I T :   Be it remembered that on the ninth day of June, in the year nineteen hundred and twenty, the following Deed was brought to be recorded, to wit:-

THIS DEED, made this seventh day of April, in the year nineteen hundred and twenty, by Bertha Ransome and William Ransome, her husband, of New castle County, State of Delaware, Beulah Steel and William O. Steele, her husband of Kent County, State of Delaware, Emma Walls and Herbert Walls, her husband, of Queen Anne's County, State of Maryland, Lida Carey and Louis Carey, her husband, of Kent County, State of Delaware, and Ethel Kenney and Frank Kenney, her husband, of Kent County, State of Delaware, WITNESSETH:

That for and in consideration of the sum of five dollars and other valuable and good consideration them thereunto moving, the payment of which is hereby acknowledged, the said Bertha Ransome and William Ransome, her husband, Beulah Steele and William O. Steele, her husband, Emma Walls and Herbert Walls, her husband, Lida Carey and Louis Carey, her husband, Ethel Kenney and Frank Kenney, her husband, do hereby grant and convey unto Frank P. Morris, of Queen Anne's County, State of Maryland, his heirs and assigns forever, all the undivided right, title, interest and estate of them, the said Bertha Ransome, Beulah Steele, Emma Walls, Lida Carey and Ethel Kenney, as heirs at law of Amanda Morris hereinafter mentioned, in, to and of all that lot or tract of land situate, lying and being in the First Election District of Queen Anne's County, State of Maryland, on the north side of the public road leading from Busick's Church to Schneck's Corner, adjoining the lands formerly of William J. Comegys but now of one Wesrode, those of William Harrington and also the Felton lands of the heirs of John E. George, and containing fifty acres of land, more or less; being the same land granted unto said Amanda Morris by Rutha Clough and Stephen Clough, by deed dated December 13, 1908, and recorded in Liber S. S. No. 4, fols. 456 etc. a land record book of Queen Anne's County aforesaid; being the same land of which the said Amanda Morris died seized and possessed, intestate, in September, nineteen hundred and sixteen, leaving the said Frank P. Morris, her husband, and said Bertha Ransome, Beulah Steele, Emma Walls, Lida Carey and Ethel Kenney, children with two other children, Helen Morris and Charles Morris, her only heirs at law.

AND the said Bertha Ransome and William Ransome, her husband, Beulah Steele and William O. Steele, her husband, Emma Walls and Herbert Walls, her husband, Lida Carey and Louis Carey, her husband, Ethel Kenney and Frank Kenney, her husband, covenant that they will warrant specially the property hereby granted and conveyed and that they will execute such further assurances of said land as may be requisite.

Witness their hands and seals.

Test as to Bertha Ransome and William Ransome:	Bertha Ransome	(SEAL)
Lawrence J. Broman	William Ransome	(SEAL)
Test as to Beulah Steele and William O. Steele:	Beulah Steele	(SEAL)
F. E. Postles	Wm. O. Steel	(SEAL)
Test as to Emma Walls and Herbert Walls:	Emma Walls	(SEAL)
Wm. Harrington	Herbert Walls	(SEAL)
Test as to Lida Carey and Louis Carey:	Lida Carey	(SEAL)
Lawrence J. Broman.	Louis Carey	(SEAL)
Test as to Ethel Kenney and Frank Kenney:	Ethel Kinney	(SEAL)
F. E. Postles.	Frank Kinney	(SEAL)

State of Delaware, New Castle County, to wit:-

I hereby certify that on this seventh day of April, in the year nineteen hundred and twenty, before me, the subscriber, a Notary Public of the State of Delaware in and for New castle County aforesaid, personally appeared Bertha Ransome and William Ransome, her husband, and they did each acknowledge the foregoing deed to be their respective act.

In testimony whereof I hereunto subscribe my name and affix my seal Notarial, the day and year first herein written.

Notary Public Seal.	Lawrence J. Broman	Notary Public
------------------------	--------------------	------------------

State of Delaware, Kent County, to wit:-

I hereby certify that on this seventh day of April, in the year nineteen hundred and twenty, before me, the subscriber, a Notary Public of the State of Delaware in and for Kent County aforesaid, personally appeared

Beulah Steele and William O. Steele, her husband, and did each acknowledge the foregoing deed to be their respective act.

In testimony whereof I hereunto subscribe my name and affix my seal Notarial the day and year first above written.

Notary Public  
Seal.

Frank E. Postles. Notary  
Public

State of Maryland, Queen Anne's County, SCT:

I hereby certify that on this third day of April, in the year nineteen hundred and twenty, before me, the subscriber, a Justice of the Peace of the State of Maryland, in and for Queen Anne's County aforesaid, personally appeared Emma Walls and Herbert Walls, her husband, and did each acknowledge the foregoing deed to be their act.

Wm Harrington  
Justice of the Peace.

State of Delaware, Kent County, Sct.

I hereby certify that on this seventh day of April, in the year nineteen hundred and twenty, before me, the subscriber, a Notary Public of the State of Delaware in and for Kent County aforesaid, personally appeared Lida Carey and Louis Carey, her husband, and did each acknowledge the foregoing deed to be their respective act.

In testimony whereof I hereunto subscribe my name and affix my seal Notarial the day and year first above written.

Notary Public  
Seal.

Francis E. Postles  
Notary Public

State of Delaware, Kent County, SCT:

I hereby certify that on this seventh day of April, in the year nineteen hundred and twenty before me, the subscriber, a Notary Public of the State of Delaware in and for Kent County aforesaid, personally appeared Ethel Kenney and Frank Kenney, her husband, and did each acknowledge the foregoing deed to be their respective act. In testimony Whereof I hereunto subscribe my name and affix my seal Notarial the day and year first above written.

Notary Public  
Seal.

Francis E. Postles,  
Notary Public

Two Fifty Cent  
Internal Revenue Stamps  
endorsed: B.P. April 7, 1920.

STATE OF MARYLAND,

QUEEN ANNE'S COUNTY, to wit:

I HEREBY CERTIFY, that the foregoing is truly taken and copied from Liber J. F. R. No. 4, folios 560, etc., a Land Record Book for Queen Anne's County aforesaid.

Seals Place.

IN TESTIMONY WHEREOF I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County this 19th day of May, in the year nineteen hundred and forty two.

A. Sydney Gadd Jr. Clerk

Filed May 19th 1942.

PLAINTIFF'S EXHIBIT C"  
Filed May 19th 1942.

#13,818 QUEEN ANNE'S COUNTY, to wit: Be it remembered that on the 20th day of August, in the year nineteen hundred and twenty-nine, the following Deed was brought to be recorded, to wit:

THIS DEED, made this third day of August, in the year nineteen hundred and twenty nine, between Helen Collas and Thomas Collas, her husband, of Delaware County in the State of Pennsylvania, but at the time of the execution of these presents temporarily residing in Queen Anne's County, State of Maryland, and Charles Morris and Wilmina Morris, his wife, of Queen Anne's County aforesaid, parties of the first part, and Frank P. Morris, of Queen Anne's County aforesaid, party of the second part.

WITNESSETH: that the said Helen Collas and Thomas Collas, her husband, and Charles Morris and Wilmina Morris, his wife, for and in consideration of the sum of five dollars and of divers other good and valuable considerations them thereunto moving, the receipts of which are hereby acknowledged, do hereby grant and convey unto the said Frank P. Morris, his heirs, and assigns forever, in fee simple, all the two undivided seventh parts of them, the said Helen Collison and Charles Morris, in and to and of all that farm of tract of land formerly called



or known as "The Amanda Morris Property or Farm", and more recently called or known as "The Frank P. Morris Property or Farm", situate, lying and being in the First Election District of Queen Anne's County in the State of Maryland, on the north side of the public road leading from Busick's Church to Schenk's Corner, adjoining the land formerly of William J. Comegys, now of one Wesrode, and the land formerly of William Harrington and known as "The William Harrington Land", and also the Felton land, once of John E. George, now of Joseph M. George, and containing fifty acres of land, more or less, being the same land which Rutha F. Clough and Stephen Clough, her husband, by their deed dated December 13, 1908, and recorded in Liber S. S. No. 4, a land record book of Queen Anne's County aforesaid, on folio 456, unto Amanda Morris, who died seized and possessed thereof sometimes in the month of September, nineteen hundred and sixteen, intestate, and leaving as her only heirs at law, the said Frank P. Morris, her husband, and seven children, two of whom are the said Helen Collas and Charles Morris.

AND the said Helen Collas and Charles Morris hereby severally covenant that they will warrant specially the property hereby granted and conveyed and that they will execute such further assurances of said land as may be requisite.

IN WITNESS WHEREOF the parties of the first part do hereunto subscribed their names and affix their seals, the day and year first above written.

Test: James N. White

HELEN COLLAS (SEAL)

Test James N. White

THOMAS W. COLLAS (SEAL)

Test: Geo. T. Hobby

CHARLES F. MORRIS (SEAL)

Test: Geo. T. Hobby

WILMINA MORRIS (SEAL)

State of Maryland, Queen Anne's County, SCT:

I hereby certify that on this 7th day of June in the year nineteen hundred and twenty nine, before me, the subscriber, a Notary Public of the State of Maryland in and for Queen Anne's County aforesaid, personally appeared Helen Collas and Thomas Collas, her husband, above named, and did each acknowledge the foregoing deed to be their respective act.

IN WITNESS WHEREOF I hereunto subscribe my name and affix my notarial seal, the day and year above written.

Notary Public  
Seal.

Geo. T. Hobby  
Notary Public

State of Pennsylvania, Delaware County, SCT:

I hereby certify that on this 3rd day of August, in the year nineteen hundred and twenty nine, before me, the subscriber, a Notary Public of the State of Pennsylvania in and for Delaware County aforesaid, personally appeared Hellen Collas and Thomas Collas, her husband, above named, and did each acknowledge the foregoing deed to be their respective act.

IN WITNESS WHEREOF I hereunto subscribe my name and affix my Notarial seal, the day and year above written.

Notary  
Public  
Seal

James N. White  
Notary Public  
1930 My Commission expires December 31st 1930

State of Maryland, Queen Anne's County, Sct:

I hereby certify that on this 7th day of June, in the year nineteen hundred and twenty nine, before me, the subscriber, a Notary Public of the State of Maryland in and for Queen Anne's County aforesaid, personally appeared Charles Morris and Wilmina Morris, his wife, above named, and did each acknowledge the foregoing deed to be their respective act.

IN WITNESS WHEREOF I hereunto subscribe my name and affix my Notarial seal, the day and year above written.

Notary Public  
Seal.

Geo. T. Hobby  
Notary Public

STATE OF MARYLAND,  
QUEEN ANNE'S COUNTY, TO WIT:

I HEREBY CERTIFY that the foregoing is truly taken and copied from Liber B. H. T. No. 10, folios 85, etc., a Land Record Book for Queen Anne's County aforesaid.

Seals Place.

IN TESTIMONY WHEREOF I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County this 19th day of May, in the year nineteen hundred and forty two.

A. Sydney Gadd Jr. Clerk

Filed May 19th 1942.

.....  
"PLAINTIFFS EXHIBIT D"  
Filed May 19th 1942.

THIS DEED , made this twenty-third day of April, in the year nineteen hundred and forty two, by Dudley Clough and Jane L. Clough, his wife, of the County of Cecil, State of Maryland.

WITNESSETH: That, the said Dudley Clough and Jane L. Clough, his wife, in consideration of the sum of Ten Dollars, do hereby grant and convey unto Frank P. Morris, his heirs and assigns, in fee simple, all their rights, title, interest and estate in and to the following described real estate, to wit:-

ALL that farm or tract of land situate in the First Election District of Queen Anne's County, Maryland, on the north side of the public road leading from Carson's Corner to Busick Church, and adjoining the lands of or formerly of Walter Walls, Joseph E. George, W. Fields and James C. Comegys, and is contained within the following metes and bounds, courses and distances, to wit: BEGINNING at the southeast corner of the farm and in the middle of the public road and in the middle of a bridge which spans the Unicorn Ditch, and runs with the Unicorn Ditch North 28 deg. 45 min, west, 4 rods; thence North 18 deg. 45 min. west, 6 rods; thence North 10 deg. west, 6 rods; thence North 5 deg, west, 31 rods; thence North 46 deg. west, 17 rods to Wm. Fields land; thence with Wm. Fields land North 85 deg. 15 min, west, 46 rods to a stake where a stone is to be planted; thence with Fields land North 4 deg. west, 49.8 rods to a Red Oak Tree; thence South 53 deg. east, 81 rods to a stone, a corner for Wm. Jackson and Benj. Moffett; thence South 27 deg. east, 73 rods to the middle of the said public road; thence with the middle of the public road North 89 deg. 30 min. east, 100 rods to the place of beginning, containing FIFTY AND NINE-Tenths (50.9) ACRES OF LAND, more or less.

Being the same land of which Amanda Morris died seized and possessed, intestate, and which descended unto her heirs at law, two of whom are Watson Clough and Dudley Clough; and being the same land conveyed unto the said Amanda Morris by Rutha Clough and Stephen N. Clough by deed dated Dec. 13, 1908, and recorded in Liber S. S. \$4, folio 456, etc., and being the same land surveyed by S. Chester Coursey, surveyor, on August 6th, 1913, as shown by the Certificate of Survey recorded in Liber W.F.W. #3, folio 512.

TOGETHER with the buildings and improvements thereon, and all and singular the rights, roads, ways, waters, privileges, and advantages thereto belonging or in anywise appertaining.

AND the said Dudley Clough does hereby covenant that he will warrant specially the property above described, and that he will execute such further assurance to said land as may be requisite.

WITNESS the hands and seals of the Grantors.

Test:- as to Dudley Clough and wife: My X DUDLEY CLOUGH (SEAL)  
Mark Dudley Clough  
RUTH E. HALEY JANE L. CLOUGH (SEAL)  
Ruth E. Haley Jane L. Clough

STATE OF MARYLAND,  
COUNTY OF CECIL, SS.

I hereby certify, that on this 23rd day of April, 1942, before the Subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Dudley Clough and Jane L. Clough, his wife, and each acknowledged the foregoing DEED to be their respective act.

Witness my hand and Notarial Seal.

RUTH E. HALEY  
Ruth E. Haley  
Notary Public

My Commission expires: May 5, 1943.

Notary Public  
Seal.

STATE OF MARYLAND  
QUEEN ANNE'S COUNTY, TO WIT:

I HEREBY CERTIFY that the foregoing is truly taken and copied from the Original Deed filed May 19, 1942, for record in this Office.

IN TESTIMONY WHEREOF I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County this 19th day of May, in the year nineteen hundred and forty two.  
Seals Place.

Filed May 19th 1942.

A. SYDNEY GADD JR. Clerk

ORDER OF PUBLICATION  
 Filed May 19th 1942.

## ORDER OF PUBLICATION

Frank Morris : In the Circuit Court for Queen  
 vs : Anne's County in Equity.  
 Watson Clough and : Cause No. 3318  
 Ella Clough, his wife. :

The object of this suit is to procure a decree for the sale of certain real estate on the north side of public road from Busick's Church to Schneck's Corner, adjoining the lands formerly owned by W. J. Comegys et al, in the First Election District of Queen Anne's County, Maryland, of which Amanda Morris died seized and possessed, containing 50 acres of land, more or less.

The bill of complaint states that Amanda Morris died seized and possessed of the aforesaid real estate, intestate in the year 1916,.

That the plaintiff, Frank Morris widower of the said Amanda Morris, is seized and possessed in fee of an undivided eight ninths interest in said real estate and has a dower right in the other ninth interest.

That the defendant, Watson Clough, one of the heirs of Amanda Morris, is seized and possessed of an undivided one ninth interest in said real estate subject to the dower interest of the said Frank Morris.

That the said Watson Clough is an adult and is married to the defendant, Ella Clough, and that they reside in Kent County the state of Delaware.

That the aforesaid tract of land is not susceptible of partition among the parties in interest agreeable to their respective interest therein without material loss or injury and prays for a decree to make sale thereof and a division of the proceeds derived from said sale among the parties entitled.

IT IS THEREUPON, this 19th day of May, 1942, ORDERED by the Circuit Court for Queen Anne's County in Equity, and by the authority of said Court, that the complainant by causing a copy of this order to be inserted in some newspaper printed and published in Queen Anne's County, once in each of four successive weeks before the 20th day of June, 1942, give notice to Watson Clough and Ella Clough, his wife, residents of the State of Delaware and non-residents of the State of Maryland, of the object and substance of this bill, warning them and each of them to be and appear in this Court, in person or by solicitor, on or before the 6th day of July, 1942, next, to show cause if any they have, why a decree should not be passed as prayed.

A. SYDNEY GADD JR. Clerk

Filed May 19th 1942.

CERTIFICATE OF PUBLICATION OF  
 ORDER OF PUBLICATION  
 Filed Aug. 4th 1942.

## ORDER OF PUBLICATION

Frank Morris : IN THE CIRCUIT COURT FOR  
 versus : QUEEN ANNE'S COUNTY IN EQUITY  
 Watson Clough and :  
 Ella Clough, his wife. : CAUSE No. 3318

The object of this suit is procure a decree for the sale of certain real estate on the north side of public road from Busick's Church to Scheneck's Corner, adjoining the lands formerly owned by W. J. Comegys et al, in the First Election District of Queen Anne's County, Maryland, of which Amanda Morris died seize and possessed, containing 50 acres of land more or less.

The bill of complaint states that Amanda Morris died seized and possessed of the aforesaid real estate interstate in the year 1916.

That the plaintiff, Frank Morris, widower of the said Amanda Morris is seized and possessed in fee of an undivided eight-ninths interest in said real estate and has a dower right in the other ninth interest.

That the defendant, Watson Clough, one of the heirs of Amanda Morris, is seized and possessed of an undivided one ninth interest in said real estate subject to the dower interest of the said Frank Morris.

That the said Watson Clough is an adult and is married to the defendant, Ella Clough and that they reside in Kent County the state of Delaware.

That the aforesaid tract of land is not susceptible of partition among the parties in interest agreeable to their respective interest therein without our material loss or injury and prays for a decree to make sale thereof and a division of the proceeds derived from said sale among the parties entitled.

IT IS THEREUPON, this 19th day of May, 1942, ORDERED by the Circuit Court for Queen Anne's County in Equity and by the authority of said Court

that the complainant by causing a copy of this order to be inserted in some newspaper printed and published in Queen Anne's County, once in each of four successive weeks before the 20th day of June, 1942, give notice to Watson Clough and Ella Clough, his wife, residents of the State of Delaware and non-residents of the State of Maryland, of the object and substance of this Bill, warning them and each of them to be and appear in this Court, in person or by solicitor, on or before the 6th day of July 1942, next to show cause if any they have, why a decree should not be passed as prayed.

True Copy  
Test: A. SYDNEY GADD JR. Clerk  
A. SYDNEY GADD JR. Clerk

Queenstown, Md., July 11th 1942.

The Queenstown News hereby certified that the attached Order of Publication in the case of Frank Morris vs. Watson Clough and Ella Clough, his wife, a true copy of which is hereto annexed, was inserted in the Queenstown News, a weekly newspaper printed and published at Queenstown, Queen Anne's County, Maryland, for four successive weeks before the 20th day of June, the first publication thereof having been made on the 22nd day of May, 1942, the second, third, and fourth publication thereof having been made on 29 day of May and the 5th day of June, and the 12 day of June respectively.

The Queenstown News

By Michael W. Aker  
Michael W. Aker  
MICHAEL W. AKER

George Steinfeld  
George Steinfeld  
Publishers.

Filed Aug 4, 1942.

.....  
AFFIDAVIT AS TO MILITARY SERVICE  
Filed Aug. 4th 1942.

FRANK MORRIS : In the Circuit Court for Queen  
VS : Anne's County, in Equity.  
WATSON CLOUGH AND :  
ELLA CLOUGH, his wife. : Cause No. 3318

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I hereby certify that on this 31st day of July, 1942, before me, the subscriber, a Notary Public, of the State of Maryland in and for Queen Anne's County, personally appeared Frank Morris, the Plaintiff in the above cause, and made oath in due form of law that he knows of his own knowledge that the defendants Watson Clough and Ella Clough, his wife, are not in the military service of the United States nor has either of them been so engaged three months prior to the making of this affidavit. In witness whereof I have hereunto subscribed my name and affixed my notarial seal.

Notary Public  
Seal.

ANNA H. RHODES  
Notary Public  
Filed Aug. 4th 1942.

.....  
PETITION  
Filed Aug. 4th 1942.

FRANK MORRIS : In the Circuit Court for Queen  
VS : Anne's County, in Equity.  
WATSON CLOUGH AND :  
ELLA CLOUGH, his wife. : Cause No. 3318

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Petition of Frank Morris by John Palmer Smith and Richard T. Earle, his attorneys, to your Honors, respectfully shows:

1. That the defendants Watson Clough and Ella Clough, his wife, are non-residents of the State of Maryland and residents of the State of Delaware, that services has been duly served by the Order of Publication in this cause, a certificate of publication being filed herewith.

2. That although by said Order of Publication the defendants were warned to be and appear in this Court either in person or by solicitor on or before the 6th day of July, 1942, to show cause if any they have, why a decree should not

be passed as prayed, yet the defendants have not appeared either in person or by solicitor nor filed an answer in this cause.

3. Your petitioner alleges that he is entitled to a Decree Pro Confesso against said defendants for their failure to enter their appearance and to have said papers transmitted to one of the examiners of this Court for the purpose of taking testimony to support the allegations of the Bill of Complaint.

To the end therefore:

1. That a decree pro confession may be granted by this Honorable Court against the said adults defendants, Watson Clough and Ella Clough, his wife.

2. That the papers in this cause be transmitted to one of the examiners of this Court so that Plaintiff may take testimony in support of the allegations of the Bill of Complaint.

3. That your petitioner may have such other and further relief as his case may require.

And as in duty bound & etc.

JOHN PALMER SMITH

RICHARD T. EARLE  
Attys. for Plaintiff

Filed Aug. 4th 1942.

.....  
ORDER OF COURT  
Filed Aug. 4th 1942.

ORDER OR COURT

The foregoing petition having been read and considered, and it appearing that the adult defendants Watson Clough and Ella Clough, his wife, have been duly summoned by the due advertisement of the Order of Publication in this Cause and failed to appear, either in person or by solicitor, to the Bill of Complaint filed herein, IT IS THEREUPON this 4th day of August, 1942, by the Circuit court for Queen Anne's County, in Equity, and by the authority of said Court, adjudged, ordered and decreed that the plaintiff is entitled to relief in the premises, and that the Bill of Complaint be and it is hereby taken Pro Confesso against the adult defendants, Watson Clough and Ella Clough, his wife,; but because it does not certainly appear to what relief the Plaintiff is entitled, it is further adjudged and ordered that leave be granted to the Plaintiff to take testimony before any one of the standing examiners of this Court, to support the allegation of the Bill of Complaint.

WM. R. HORNEY  
Judge.

Filed Aug. 4, 1942.

.....  
INTERROGATORIES AND DEPOSITIONS  
Filed Aug 13th 1942.

FRANK P. MORRIS : In the Circuit Court for  
VS : Queen Anne's County, in Equity.  
WATSON CLOUGH AND : Cause No. 3318  
ELLA CLOUGH, his wife. :

Report of Examiner.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Thereport of your examiner to your Honors, respectfully shows:

That your examiner at the request of Jom Palmer Smith and Richard T. Earle, attorney for complaint did set august 12, Wednesday, at 2 o'clock P.M. for the taking of testimony in the above entitled cause, a decree pro confesson being secured against the defendants, no notice of same was given: Your examiner did on Wednesday the 12th day of August, 1942, at the office of John Palmer Smith in the town of Centreville, Maryland, at 2 o'clock P.M., present were John Palmer Smith and Richard T. Earle, attys. for plaintiff, the plaintiff, Frank P. Morris and Lewis M. Holden, proceeded to take the following testimony.  
Frank P. Morris the first witness called on the part of the plaintiff and being the plaintiff himself, being of lawful age, having first been sworn, deposes and states as follows, to wit:

1st Int. State your name, age, residence and occupation?  
Ans. My name is Frank P. Morris, I reside at Barclay, Queen Anne's County, Maryland, and my occupation is retail salesman for EDG, and I am 70 years of age.

- 2nd Int. Do you know the parties to this cause or either of them?  
 Ans. Yes, I know both of them very well. I have known them for 30 years.
- 3rd. Int. Did you know Amanda Morris? Is she living or dead? If dead, when and where did she die, and did she leave a will or not?  
 And. Yes, she was my wife, She is dead. She died in the month of September, 1916, while we were living on the farm near Barclay. She did not leave any will.
- 4th Int. State if you know, the heirs of Amanda Morris?  
 Ans. I am the surviving husband. Amanda Morris, my wife, and I had seven children of our marriage, they being Bertha Ransome, Beulah Steele, Emma Walls, Lida Carey, Ethel Kenney, Helen Collison, and Charles Morris. Prior to our marriage Amanda Morris, my wife, had two children, two boys, Watson Clough, who now resides near Willow Grove, Delaware, and who married Ella Clough, who resides with him, and Dudley Clough, who lives near Cecilton, Cecil County, Maryland, and who married Jane L. Clough. All of Amanda Morris's children are grown, all being adults.
- 5th Int. Do you know of any real estate the said Amanda Morris owned at the time of her death? If you do, who owns same now, and give its location.  
 Ans. Yes, she owned a small farm lying in the First Election District of Queen Anne's County, Maryland, about 3 miles east of Barclay, on the north side of the public road leading from Busick's Church to Shank's Corner, adjoining the lands formerly of W. J. Comegys, William Harrington and the land known as the "Felton Lands", containing 50 acres, more or less, and improved by a frame farm house and outbuildings. This is the farm my wife died on. We had lived on the farm about 4 years altogether. This farm interest I secured by deeds, certified copies of which are filed herein from all of the heirs with the exception of Watson Clough, said copies being marked "B", "C" and "D". My wife secured title to the farm from Rutha Clough and Stephen H. Clough by deed dated Apr. 30th, 1908, as will appear by certified copy of deed filed herein marked "exhibit A". As I bought the interest of my 7 children out, and also the interest of Dudley Clough, I therefore own 8/9 interest; and the outstanding 1/9 interest of Watson Clough is still in Watson Clough, subject to my dower right.
- 6th Int. What is the present value of this small farm?  
 Ans. I would say \$750.00.
- 7th Int. Is this property susceptible of division among the parties in interest in accordance with their respective interest therein without loss or injury, and if not, why not?  
 And. This property is not susceptible to division among or between Watson Clough and me, who now own this farm, because to try to do so would be of great injury and loss to us and to the value of the property. It would just leave a small part to Watson Clough with maybe no buildings on it, and it would just grow up in weeds, and to cut an 1/9 interest off the farm would leave it too small for any person to want, and the buildings so located as they are, could not be divided.

## EXAMINERS SPECIAL;-

- Ans. Nothing that I know of.

FRANK. P. MORRIS  
 Frank P. Morris

The second witness called upon the plaintiff to testify, was Lewis M. Holden, a witness of lawful age, who being sworn, deposes and states, to wit:

- 1st Int. State your name, age, residence and occupation?  
 Ans. My name is Lewis W. Holden, I am 62 years old, I reside near Barclay, Maryland, and I am a farmer.
- 2nd Int. Do you know the parties to this Cause or any of them?  
 And. I have known Mr. Frank P. Morris all my life. I have known Watson Clough for 35 years. I have known Ella Clough for 20 years.
- 3rd Int. Did you know Amanda Morris? Is she living or dead. If dead, when and where did she die, and did she leave a will or not, and and did you know her children?  
 And. Yes. She was Frank Morris's wife. She is dead. She has been dead for at least 25 years. I don't know whether she left a will or not. Yes, I knew all of her children?
- 4th Int. State if you know, the heirs of Amanda Morris?  
 Ans. Yes, I know her heirs, Frank P. Morris is her surviving husband. Amanda Morris, who was Amanda Clough, has two children before her marriage to Frank Morris. They were Dudley Clough and Watson Clough, Amanda had 7 children by her marriage to Frank Morris, and they were Bertha Morris Ransome, Beulah Morris Steele, Emma Morris Walls, Lida Morris Carey, Ethel Morris Kenney, Helen Morris Collison and Charles Morris. I knew all of them as I lived on the farm right in front of their place. They are all grown men and women.
- 5th Int. Do you know of any real estate the said Amanda Morris owned at the time of her death? If so, who owns same now, and give its location?  
 And. Yes, she owned a 50 acre farm about 3 miles east of Barclay on the road leading from Busick's Church to Shank's Corner.
- 6th Int. What is the present value of this farm?  
 Ans. I would say \$600.00.
- 7th Int. The bill of complaint filed by Mr. Morris in this case alleges that he is the owner of 8/9 interest, and that Watson Clough is the owner of an 1/9 interest, and that the property is not susceptible to division without loss and injury to the property and to the parties owning it? Is this property susceptible of division between the parties in interest in

accordance with their respective rights and interest therein without loss or injury, and if not, why not?

Ans. I don't think this property is susceptible to division into an 8/9 part, and into a 1/9 part without loss and injury, because the property is not valuable enough to divide like that, and because there is only one set of buildings on the farm and they could not be divided, and because it is not feasible to divide such a small tract up into such parts.

EXAMINER'S SPECIAL.

Ans. No.

LEWIS M. HOLDEN  
Lewis W. Holden

The said Attorney s advised your examiner that they did not desire to take any further testimony therefore your examiners submits this his report, to wit:

Lewis M. Holden, witness, waives his fee

Harry C. Butler, examiner ----- \$8.00

Respectfully submitted.

HARRY C. BUTLER  
Examiner.

Filed Aug. 13th 1942.

::::::::::::::::::::::::::  
FINAL DECREE OF SALE  
Filed Sept. 5, 1942.

Frank P. Morris, : In the Circuit Court for Queen  
vs : Anne's County in Equity.  
Watson Morris : Cause No.3318.  
Ella Morris, his wife. :

FINAL DECREE FOR SALE

This cause standing ready for hearing and being submitted without argument; all the proceedings were read and considered.

It is thereupon this 5th day of September, in the year nineteen hundred and forty two, by the Circuit Court for Queen Anne's County in Equity, and by the authority of said Court, Adjudged, ordered and decreed that the property mentioned in these proceedings be sold; that John Palmer Smith, of Queen Anne's County, Maryland, be and he is hereby appointed Trustee to make said sale, and that the course and manner of his proceedings shall be as follows: He shall first file with the Clerk of this Court a bond to the State of Maryland, executed by himself and a surety or sureties, to be approved by this Court or the Clerk thereof, in the penalty of One Thousand Dollars, if corporate surety be given, otherwise in double said amount, conditioned for the for the faithful performance of the trust reposed in him by this decree, or to be reposed in him by any future decree or order in the premises, he shall then proceed to make sale, having given at least three weeks previous notice by advertisement, inserted in a newspaper or newspapers published in Queen Anne's County, Maryland, and such other notice as he shall think proper, of the time, place, manner and terms of sale, which terms shall be one third of the purchase money in cash on day of sale, balance upon ratification of sale or all cash at the option of the purchaser, the credit payments to bear interest from the day of sale and to be secured to the satisfaction of the trustee, The said Trustee shall return to this Court a full and particular account of his proceedings relative to said sale, with an annexed affidavit of the truth thereof and of the fairness of said sale; and on obtaining the Court's ratification of the sale and the payment of the while purchase price (and not before), the said trustee shall by a good and sufficient deed to be executed, acknowledged and recorded according to law, convey to the purchaser or purchasers, his, her or their heirs, the property and estate to him, her or them sold, free, clear and discharged from all claims of the parties thereto, plaintiffs and defendants, and those claiming by, from or under them or any of them; and the said trustees shall bring into this Court the money arising from said sale and after deducting the costs of this suit and such commissions to the said trustee as this Court shall think proper to allow in consideration of the skill, attention and fidelity wherewith he shall appear to have discharged his trust, distribute the balance under a future order of this Court.

WM. R. HORNEY  
Judge.

Filed Sept. 5, 1942.

::::::::::::::::::::::::::  
CERTIFIED COPY OF BOND  
Filed Sept. 9th 1942.

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this ninth day of September in the year nineteen hundred and forty two, the following Bond was brought to be recorded, to wit:





husband, which deed is recorded in Liber S. S. #4, folio 496, a land record book for Queen Anne's Co.

And your Trustee sold the above described property to Frank P. Morris at and for the sum of Five Hundred Dollars (\$500.00), he being at that sum the highest bidder therefor.

The terms of sale have been complied with

RESPECTFULLY SUBMITTED,

JOHN PALMER SMITH  
John Palmer Smith,  
Trustee.

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:-

I HEREBY CERTIFY, that on this 12th day of October, 1942, before the Subscriber, Clerk of the Circuit Court for Queen Anne's County, personally appeared John Palmer Smith, Trustee in the above entitled cause, and made oath in due form of law that the matters and things stated in the foregoing Report of Sale are true to the best of his knowledge and belief, and that the sale therein reported was fairly made.

And further made oath as aforesaid that there has been no change in the matters and facts set forth in the affidavit as to military service filed in this cause, and that the status of the parties mentioned in said affidavit is the same as it was on the date of the filing of said affidavit.

A. SYDNEY GADD JR.  
Clerk

Filed Oct. 12, 1942.

.....  
CERTIFICATE OF ADVERTISEMENT OF SALE  
Filed Oct. 12, 1942.

TRUSTEE'S SALE OF REAL ESTATE

The undersigned Trustee in pursuance and by virtue of a decree of the Circuit Court for Queen Anne's County, in Equity, dated September 5th, 1942, passed in a cause therein entitled "Frank Morris vs. Watson Clough and Ella Clough, his wife, being No. 3318, will offer at public sale to the highest bidder in front of the Court House, in the town of Centreville, Queen Anne's County, Maryland, on TUESDAY, OCTOBER 6th, 1942, between the hours of 1 and 2 o'clock P.M. the following property:

All that farm or tract of land improved by dwelling house and other out buildings, situate in the First Election District of Queen Anne's County, Maryland, on the north side of the public road from Busick's Church to Shank's Corner, adjoining the lands now formerly owned by W. J. Comegys, William Harrington the land known as "Felton Lands", and contains Fifty Acres of Land, more or less, being the same land of which Amanda Morris died seized and possessed and which was granted and conveyed to her by Ruth Clough and Stephen Clough, her husband, which deed is recorded in Liber S. S. No. 4, folio 498, a Land Record Book for Queen Anne's County.

TERMS OF SALE:- One third of the purchase money at day of sale balance upon ratification of said sale, said balance to bear interest from day of sale and to be secured to the satisfaction of the Trustee, or all cash at the option of the purchaser, possession to be given on January 1st., 1943, taxes and insurance to be adjusted to day of sale, title papers and revenue stamps to be at the expense of the purchaser.

JOHN PALMER SMITH Trustee.

J. Elmer Anthony, Auct.

THE QUEENSTOWN NEWS  
Queenstown, Md., October 11, 1942.

The Queenstown News hereby certified that the Trustees Sale of the real estate in the case of Frank P. Morris vs. Watson Clough and Ella Clough his wife, being Cause No. 3318 in the Circuit Court for Queen Anne's County in equity, a true copy of which is hereto annexed was inserted in the Queenstown News, a weekly news paper printed and published in Queenstown, Maryland, once four successive weeks, the first publication thereof having been made in said newspaper on the 11th day of September 1942, being more than three weeks previous to October 6th, 1942.

THE QUEENSTOWN NEWS,

M. W. AKER  
M. W. Aker, 1/2 Owner

Filed Oct. 12, 1942.

.....  
N I S I O F S A L E  
Filed Octo. 12, 1942.

N I S I

Frank P. Morris, Complainant, : In the Circuit Court for  
 vs : Queen Anne's County  
 : in Equity.  
 Watson Clough, :  
 Ella Clough, his wife, : Chancery No. 3318  
 Defendants. :

ORDERED, This 12th day of October A. D., 1942, that the same of the real estate made and reported in this cause by John Palmer Smith, Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 16th day of December next, provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 16th day of November next.

The Report states the amount of sales to be \$500.00

A. SYDNEY GADD JR. Clerk

Filed October 12, 1942.

\*\*\*\*\*  
 CERTIFICATE OF PUBLICATION NISI SALE  
 Filed Dec. 17, 1942.

Frank P. Morris, Complainant, : In the Circuit Court for Queen  
 vs : Anne's County, in Equity,  
 : Chancery No. 3318  
 Watson Clough, Ella :  
 Clough, his wife. :  
 Defendants. :

ORDERED, This 12th day of October A. D., 1942, that the sale of the real estate made and reported in this cause by John Palmer Smith, Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 16th day of December next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 16th day of November next,

The Report states the amount of sales to be \$500.00.

A. SYDNEY GADD JR. Clerk.

True Copy  
 Test:

A. SYDNEY GADD JR. Clerk

Filed October 12, 1942.

THE QUEENSTOWN NEWS

Queenstown, Maryland. Nov. 19th, 1942.

THE QUEENSTOWN NEWS hereby certifies that the ORDER NISI in the case of FRANK P. MORRIS, Complainant, vs. WATSON CLOUGH, ELLA CLOUGH, his wife, Defendants, a true copy of which is hereto annexed, was inserted in The Queenstown News, a weekly newspaper printed and published at Queenstown, Queen Anne's County, Maryland, once a week for four successive weeks, the first publication thereof having been made in said newspaper on the 16th day of October, 1942, being more than four weeks before the 16th day of November, 1942.

THE QUEENSTOWN NEWS,

BY M. W. AKER  
 Editor and Publisher.

Filed Dec. 17th, 1942.

\*\*\*\*\*  
 FINAL ORDER OF RATIFICATION  
 Filed Dec. 17, 1942.

FRANK P. MORRIS, Complainant, : IN THE CIRCUIT COURT FOR  
 vs : QUEEN ANNE'S COUNTY,  
 : IN EQUITY.  
 WATSON CLOUGH, :  
 ELLA CLOUGH, HIS WIFE. :  
 Defendants. : CHANCERY NO. 3318.

FINAL ORDER OF RATIFICATION

ORDERED, on this 17th day of December, 1942, by the Circuit Court for Queen Anne's County, in Equity, that the sale of the real estate made and reported by John Palmer Smith, Trustees in the within and foregoing Cause, be, and the same is hereby finally ratified and confirmed, no cause to the contrary thereof having been shown, although notice appears to have been given in accordance with the Order Nisi passed in this Cause on October 12, 1942, in relation to the sale of said real estate.

And it is further Ordered, that the papers in this Cause, be and the same are hereby referred to the Auditor of said Court, with instructions to him to state and return to this Court an Audit and Account between the proceeds of the sale in this Cause and the said Trustee. The said Trustee shall be allowed in the Audit the usual commissions and all expenses incident to the sale not personal for which he shall produce the proper vouchers.

WM. R. HORNEY  
Judge.

Filed Dec. 17, 1942.

.....  
AUDIT  
Filed Aug. 10th 1943.

In the Circuit Court for Queen Anne's County, in Equity.

Frank P. Morris, plaintiff, :  
 : Chancery Docket,  
 versus :  
 : Cause No. 3318  
 Watson Clough, :  
 Ella Clough, defendants. :

To the Honorable, the judge of said Court:-

The report of Madison Brown, your auditor, unto Your Honors respectfully sets forth:-

The bill of complaint filed in this cause sets forth:

- (1) That Amanda Morris died in the month of September, 1916, intestate, seised and possessed of a tract of land described in said bill; that she left surviving her husband, Frank P. Morris and nine children who are named in said bill; that she left as her heirs at law these nine children who acquired the land on her death subject to the dower right in the same of Frank P. Morris, her husband; that said Frank P. Morris subsequent to the death of Amanda Morris and prior to the filing of the bill acquired by deed all the undivided estates in said land of the heirs of Amanda Morris with the exception of the undivided part of one heir named Watson Clough; that said land when the bill was filed was owned by Frank Morris to the extent of eight undivided ninth parts and by Watson Clough to the extent of one undivided ninth part and that the part so owned by Watson Clough was subject to the dower right therein of Frank P. Morris; That the bill prays for a sale of the land for a division of the proceeds of sale between the parties entitled thereto according to their several rights as stated in the bill.
- (2) That John Palmer Smith esquire was appointed by the decree filed in this cause to sell said land and he made the sale of the same according to his report and he has directed the auditor to state with within account in accordance with the allegations of ownership set forth in the bill of complaint.
- (3) That in the within account the said trustee is charged with the gross amount of the sale made by him and has been therein allowed his commissions, the Court costs of the cause, the cost of bond, the cost of advertisements of the cause, the auctioneer's fee for crying the sale and the fee of the auditor and the balance of the amount so charged unto him remaining after these allowances is distributed as follows: unto Frank P. Morris to extent of eight ninths thereof and the remaining one ninth is distributed unto Watson Clough except one tenth part thereon which is allowed unto Frank P. Morris for his dower right therein set forth in the bill of complaint, for the said Frank P. Morris filed with the auditor a certificate and affidavit which state his age and his agreement to take the value of his dower right in lieu of a life estate in said one ninth part. This paper is returned with this audit as part of the same.
- (4) That as Frank P. Morris, the husband, is the plaintiff owner of the land the auditor has stated the audit in accordance with the bill of complaint for thereby Watson Clough receives more money than if the bill had been filed upon the principle that Frank P. Morris took as heir of his wife one third part of the land instead of a dower interest, as set forth in the bill.

Which is respectfully submitted,

MADISON BROWN  
Auditor.

August 9th, 1943.

CAUSE NUMBER 3318

The proceeds of the sale of the real estate of Frank P. Morris and Watson Clough, co-owners, IN ACCOUNT WITH John Palmer Smith as the trustee appointed by the decree filed in this cause to make the sale of said real estate.

CR.

1942.  
Oct.

6 By amount of the gross sale made by said trustee per his report filed in this cause, the sum of .....\$ 500.00

DR.

1942  
Oct.

6 To John Palmer Smith, trustee for his commission for making the sale per rule of the Court, .....\$35.00..

To the same trustee for the court costs of this cause, per bill of costs made by the clerk of the Court, exhibited, as follows:  
 Cost of said clerk .....\$29.95  
 cost of examiner to take testimony ..... 8.00  
 appearance fee of Smith & Earle..... 10.00  
 total of these costs allowed ..... 47.95                      47.95

To the same trustee for the cost of his bond filed paid the corporate surety thereon per receipted account for same exhibited, the sum of .....10.00

To the same trustee for the cost of advertising the order of publication passed in this cause, and notices of said sale in Queenstown News, per receipted account for same exhibited, the sum of..... 30.00

To the same trustee for the costs of advertising order nisi on sale in Queenstown News, per receipted account for same exhibited, ..... 5.00

To the same trustee for the amount paid J. E. Anthony for crying the sale made per his receipt for same exhibited, the sum of ..... 5.00

To the same trustee for the cost of advertising the order nisi to be passed as to this report and account, the sum of ..... 3.50

To Madison Brown, auditor, for stating this account, the sum of ..... 9.00

145.45

To balance, net sale for distribution, sum of ..... 354.55

\$500.00                      \$500.00

CAUSE NUMBER 3318

DISTRIBUTION.

CR.

By balance brought forward, to wit: the sum of ..... 354.55

DR.

To Frank P. Morris as assignee  
 of Bertha Ransome                      1/9 of said balance,                      \$39.40  
 of Beulah Steele                      1/9 of said balance,                      39.39  
 of Emma Walls                      1/9 of said balance,                      39.39  
 of Lida Carey                      1/9 of said balance,                      39.39  
 of Ethal Kinney                      1/9 of said balance,                      39.39  
 under deed from them filed as Exhibit B.

To Frank P. Morris as assignee  
 of Helen Collas                      1/9 of said balance,                      39.39  
 of Charles Morris                      1/9 of said balance,                      39.40  
 under deed from them filed as Exhibit C.

To Frank P. Morris as assignee  
 of Dudley Clough                      1/9 of said balance,                      39.40  
 under deed from him filed as Exhibit D.

To Frank P. Morris for the value of his dower as surviving husband of Amanda Morris in the 1/9 th share of Watson Clough in said balance, \$39.40 less this sum, to wit: ..... 3.94

To Watson Clough as heir of Amanda Morris 1/9 of said balance, \$39.40 less the dower therein above mentioned of Frank Morris, \$3.94, to wit: 35.46

\$ 354.55 \$ 354.55

August 9th, 1943.

MADISON BROWN AUDITOR

Filed Aug. 10th 1943.

CERTIFICATE AND RELEASE OF DOWER OF Frank P. MORRIS Filed August 10th 1943.

In the Circuit Court for Queen Anne's County, in Equity.

Frank P. Morris : Chancery Docket, versus : Cause No. 3318 Watson Clough, Ella Clough and others. :

To Madison Brown, auditor of the above named Court:

I hereby certify to you that I was born on October 20th, 1871 and that therefore was on October 6th, 1942, seventy one years of age.

I hereby released my dower right as the husband of Amanda Morris in to and of the one-ninth part of the money to be distributed in the above entitled cause unto Watson Clough and I agree to take in lieu thereof the money value of my said dower right based upon my age.

FRANK P. MORRIS

Sworn and subscribed to before Frank P. Morris on this 7th day of August, 1943.

MADISON BROWN Auditor.

Filed August 10th 1943.

NISI AUDIT Filed August 10, 1943.

NISI RATIFICATION OF AUDIT

Frank P. Morris, plaintiff : In the Circuit Court for vs : Queen Anne's County in Equity. Watson Clough : Ella Clough, defendants. : Cause No. 3318

ORDERED, This tenth day of August in the year nineteen hundred and forty three that the Report and Account filed in these proceedings by Madison Brown, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the third day of September, 1943; provided a copy of this order be published once a week in each of two successive weeks before the twenty seventh day of August, 1943, in some newspaper printed and published in Queen Anne's County.

A. SYDNEY GADD JR. Clerk

Filed August, tenth, 1943.

CERTIFICATE AS TO PUBLICATION OF NISI AUDIT Filed Sept. 13th 1943.

NISI RATIFICATION OF AUDIT

Frank P. Morris, plaintiff : In the Circuit Court for vs : Queen Anne's County, in Equity. Watson Clough : Ella Clough, Defendants. : Cause No. 3318

ORDERED, This tenth day of August in the year nineteen hundred and forty three that the Report and Account filed in these proceedings by Madison Brown, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the third day of September 1943; provided a copy of this order be published once a week in each of two successive weeks before the twenty seventh day of August, 1943, in some newspaper printed and published in Queen Anne's County.

Filed August, tenth, 1943.

A. SYDNEY GADD JR. CLERK

True Copy  
Test:

A. SYDNEY GADD JR. Clerk

QUEEN ANNE'S RECORD \* OBSERVER

Centreville, Md. September 11, 1943.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Nisi Ratification of Audit in the case estate of Frank P. Morris, plaintiff vs Watson Clough, Ella Clough, defendants a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD OBSERVER, a weekly newspaper printed and published at Centreville, in Queen Anne's County, Maryland, once a week for 2 successive weeks before the 27 day of August 1943, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD - OBSERVER was on the 12 day of August 1943, and the last insertion on the 19 day of August 1943.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY

By Glenn T. James

Filed Sept. 13th, 1943.

.....  
O R D E R O F C O U R T  
Filed Sept. 14, 1943.

FRANK. P. MORRIS

VS

WATSON CLOUGH  
ELLA CLOUGH

: IN THE CIRCUIT COURT FOR  
:  
: QUEEN ANNE'S COUNTY,  
:  
: IN EQUITY.  
: Chancery No. 3318

ORDERED, on this 14th day of September, 1943, by the Circuit Court for Queen Anne's County, in Equity, and by the authority thereof, that the within and foregoing Report and Account of Madison Brown as the Auditor of this Court, be and the same is hereby ratified and confirmed, no cause to the contrary thereof having been shown, although it appears that notice has been given in accordance with the Order Nisi heretofore passed in this cause in relation to said Report and Account, and John Palmer Smith, the party making the sale described in the cause, be and he is hereby authorized and directed to apply the proceeds of sale in accordance with the account.

WM. R. HORNEY  
Judge.

Filed Sept. 14, 1943.

C A U S E N O . 3367

Q U E E N A N N E ' S C O U N T Y , T O W I T : Be it remembered that on this Third day of June in the year nineteen hundred and forty three, the following Order to docket suit was brought to be recorded, to wit:

JOHN PALMER SMITH, IN THE CIRCUIT COURT FOR
ASSIGNEE OF MORTGAGE, QUEEN ANNE'S COUNTY,
VS IN EQUITY.
WILLIAM R. REDDEN, CHANCERY No. 3367
MORTGAGOR.

To the Clerk of said Court:

Docket suit forthwith on the Chancery Docket of said Court as per the above titling and file in said cause a certified copy of the mortgage from William R. Redden to Joseph M. George, bearing date July 19th, 1940, and recorded among the land records of Queen Anne's County in Liber A. S. G. Jr., No. 3, folio 150, etc., and of the assignment thereof from said Joseph M. George to said John Palmer Smith for the purpose of foreclosure and collection, said assignment bearing date June 2nd, 1943, and recorded or to be recorded at the foot of said mortgage.

And also file in said cause the accompanying affidavit as to military service required under the Soldiers' and Sailors' Civil Relief Act of 1940, and as amended.

This suit is filed for the foreclosure of the above described mortgage under the power of sale contained therein, default having occurred in the terms, conditions and covenants of said mortgage by reason of the non-payment of the principal indebtedness and interest when and as the same became due and payable.

Also file hterein the bond accompanying this order, in the penalty of \$2,000.00.

JOHN PALMER SMITH
Solicitor.

JOHN PALMER SMITH
Assignee of Mortgage.

AFFIDAVIT AS TO MILITARY SERVICE
Filed June 3rd 1943.

JOHN PALMER SMITH, : IN THE CIRCUIT COURT FOR
ASSIGNEE OF MORTGAGE, :
VS : QUEEN ANNE'S COUNTY,
WILLIAM R. REDDEN, : IN EQUITY.
MORTGAGOR. : CHANCERY NO. 3367

AFFIDAVIT AS TO MILITARY SERVICE

STATE OF MARYLAND,
QUEEN ANNE'S COUNTY, TO WIT:

I hereby certify, that on this 3rd day of June, 1943, before the Subscriber, Clerk of the Circuit Court for Queen Anne's County, personally appeared John Palmer Smith, who, being duly sworn, did depose and say:

My name is John Palmer Smith .

I am an attorney at law.

I am counsel for Joseph M. George and assignee of the mortgage and the plaintiff in the cause in the Circuit Court for Queen Anne's County, in Equity, entitled "John Palmer Smith, Assignee of Mortgage, vs, William R. Redden, mortgagor", being Cause No. 3367 on the chancery docket of said court.

As counsel for said Joseph M. George, and as assignee of said mortgage and as plaintiff in said cause I have made diligent inquiry and have ascertained, to the best of my ability the following facts, which I believe to be true:

That William R. Redden, the mortgagor, is dead. That he was a widower and left one child, Carylon Redden, an adult, who is now an inmate of the Eastern Shore State Hospital at Cambridge, Maryland, due to mental and physical deficiency.

JOHN PALMER SMITH
John Palmer Smith
Assignee of mortgage.

Subscribed and sworn to before me this 3rd day of June, 1943.

A. SYDNEY GADD JR.  
Clerk of the Court.

Filed June 3rd 1943.

.....  
CERTIFIED COPY OF BOND  
Filed June 3, 1943.

Queen Anne's County, to wit: Be it remembered that on this third day of June in the year nineteen hundred and forty three, the following Bond was brought to be recorded, to wit:

KNOW ALL MEN BY THESE PRESENTS: That we, John Palmer Smith, of Centreville, Queen Anne's County, Maryland, as Principal, and Glens Falls Indemity Company, a body corporate of the State of New York and duly authorized to transact business in the State of Maryland, as Surety, are held and firmly bound unto the State of Maryland, in the full and just sum of Two Thousand Dollars (\$2000.00) current money, to be paid to the said State or its certain attorney, to which payment well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs, executors, administrators, and successors, jointly and severally, firmly by these presents, sealed with our seals and dated this third day of June, in the year nineteen hundred and forty-three.

WHEREAS, by virtue of a power of sale contained in a mortgage from William R. Redden to Joseph M. George, bearing date July 19th, 1940, and recorded among the land records of Queen Anne's County in Liber A. S. G. Jr. No. 3, folio 150, etc., the said Joseph M. George or his assignee, is authorized and empowered to make sale of the property dewcribed in waid mortgage, in case default should be made in the payment of the principal debt secured by said mortgage or of the interest thereon in whole or in part, And whereas, default has been made in the payment of the principal debt and interest aforesaid, and the said Joseph M. George, by duly recorded assignment dated June 2nd, 1943, assigned said mortgage unto the said Principal for the purpose of foreclosure and collection, and the said Principal is about to execute said power of sale and make sale of the property described as aforesaid in said mortgage.

NOW, THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bounden, John Palmer Smith, do and shall well and faithfully abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of such mortgaged property or the proceeds thereof, then the above obligation to be void and of no effect, otherwise to be and remain in full force and virtue in law.

Witness:-  
VIRGIL R. FREENY

JOHN PALMER SMITH (SEAL)  
John Palmer Smith,

Attest:-  
VIRGIL R. FREENY

GLENS FALLS INDEMNITY COMPANY.  
By L. Herman Meredith  
L. Herman Meredith,  
Attorney.

Glens Falls Indemity Company.  
By \_\_\_\_\_  
Attorney.

Corporate  
Seal's

And on the back of the foregoing Bond is thus endorsed, to wit:

Bond filed and Security approved June 3rd, 1943.

A. SYDNEY GADD JR.  
Clerk

State of Maryland,

Queen Anne's County, to wit:

I HEREBY CERTIFY that the foregoing is truly taken and copied from Liber W. H. C. No. 1, folios 266, etc., a Bond Record Book for Queen Anne's County aforesaid.

(Seals Place.)

IN TESTIMONY WHEREOF I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County this third day of June, in the year nineteen hundred and forty three.

A. SYDNEY GADD JR.  
Clerk



\*\*\*\*\*  
CERTIFIED COPY OF MORTGAGE  
Filed June 3, 1943.

#20.075                    QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the  
Twenty Third day of July, in the year nineteen hundred and forty, the following  
Mortgage was brought to be recorded, to wit:

One- Fifty Cent Recordation Tax Stamp  
Endors'd 7-23-40 J.M.G.

THIS MORTGAGE, made this 19th day of July, 1940, by William R.  
Redden (widower) of Queen Anne's County, State of Maryland.

WHEREAS, said William R. Redden is justly indebted unto Joseph  
M. George, of Queen Anne's County aforesaid, in the full sum of Five Hundred Dollars  
(\$500.00), for money loaned by said Joseph M. George, to said William R. Redden, for  
which he has passed unto said Joseph M. George his promissory note for said sum  
of Five Hundred Dollars (\$500.00), bearing even date herewith and payable six months  
after date to said Joseph M. George, at The Sudlersville Bank of Maryland, in  
Sudlersville, Queen Anne's County, Maryland, with interest thereon from the date  
thereof at the rate of five per centum (5%) per annum if paid on the date of maturity  
or within thirty days thereafter, but at the rate of six per centum (6%) per annum  
should the payment of such interest be in default more than thirty days;

AND WHEREAS, at the time of the making of said loan, it was  
agreed, as a condition precedent thereto, that this mortgage should be executed  
to secure and assure the prompt payment of the aforesaid indebtedness and all  
interest to accrue thereon as evidenced by said promissory note and any and every  
renewal and part renewal thereof, including renewals or renewals, in whole or in  
part, that may hereafter be made, until the whole of the aforesaid indebtedness  
of Five Hundred Dollars (\$500.00) and all interest to accrue thereon is fully paid,  
provided, however, that the time for repayment of the whole of such indebtedness,  
and the interest to accrue thereon, shall not extend beyond the 19th day of July,  
1942;

NOW, THEREFORE, THIS MORTGAGE WITNESSETH, that for and in con-  
sideration of the premises and of the sum of One Dollar (\$1.00), the receipt of  
which is hereby acknowledged, said William R. Redden does hereby grant and convey  
unto said Joseph M. George, his heirs and assigns, in fee simple, the following  
described real estate, to wit:

ALL that lot or parcel of land situate, lying and being in the  
town of Sudlersville, in Queen Anne's County, State of Maryland, on the south side  
of the street leading into said town from Church Hill, bounden on the north by said  
street, on the west by the lot of the M. E. Church South, on the south by the lot  
of John W. Smith, and on the east by the lot of Mattie G. Roe, which said lot or  
parcel of land hereby granted and conveyed is about the west half of the lot formerly  
owned by G. W. Glanding, the fence line (as it stood on December 16th, 1916), between  
the lot or parcel of land hereby granted and conveyed and said lot of Mattie G.  
Roe being the division line between the two lots; being the same land which was  
granted and conveyed unto said William R. Redden (as W. R. Redden) and Fannie Roe  
Redden, now deceased, but then the wife of said William R. Redden, by Annie George  
Merrick and James Merrick, Jr., her husband, by deed bearing date the 23rd day of  
December, 1916, and recorded in Liber W. F. W. No. 11, folios 330, etc., a land  
record book for Queen Anne's County aforesaid; excepting therefrom, however, that  
part of said land which was demised by said William R. Redden and wife to Arthur  
J. Truitt and Lillian G. Truitt, his wife, by the Ninety Nine Year lease, bearing  
date the 6th day of December, 1929, and recorded in Liber B. H. T. No. 10, folios  
321, etc., a land record book for Queen Anne's County aforesaid, and that part of  
said land which was granted and conveyed by said William R. Redden, and wife to  
said Arthur J. Truitt and Lillian G. Truitt, his wife, by deed bearing date the  
31st day of July, 1933, and recorded in Liber B. H. T. No. 16, folios 334, etc.,  
a land record book for Queen Anne's County aforesaid.

TOGETHER with the buildings and improvements thereupon erected,  
made or being, and all and every the rights, roads, ways, waters privileges,  
appurtenances and advantages to the same belonging or in any way appertaining.

PROVIDED, that if the said William R. Redden, his heirs, execu-  
tors, administrators or assigns, shall well and truly pay to the said Joseph M.  
George, his executors, administrators or assigns, the aforesaid sum of Five Hundred  
Dollars (\$500.00) as evidence by the aforesaid promissory note when and as the same  
shall become due, and payable as above set forth, and any and every renewal of the  
same, including renewals of renewals, in whole or in part, that may hereafter be  
made, when and as the same shall become due and payable, and all interest to accrue  
thereon, and so shall fully pay and discharge the whole of the aforesaid indebtedness  
of Five Hundred Dollars (\$500.00) and all interest to accrue thereon as above set  
forth, and shall perform all the covenants, conditions and agreements herein on  
his and their part to be performed, then this mortgage shall be void; and until  
default be made in the premises the said William R. Redden, his heirs and assigns,  
shall possess said property.

AND the said William R. Redden, for himself, his heirs, executors,  
administrators, and assigns, hereby covenants to pay, as they severally fall due,  
the debt and interest hereby intended to be secured, all taxes, assessments, public  
dues and charges levied or that may be levied thereon and on the property hereby con-  
veyed, all costs and attorney's commissions and charges incurred in the collection  
of said debt and interest of any part of either, and to insure, and pending this mort-  
gage to keep insured, the improvements on said premises, to the amount of at least  
the insurable value thereof, in some Company or Companies approved by the said Joseph

M. George, his executors, administrators or assigns, and to have the said policy or policies so framed or endorsed that the proceeds arising from said policy or policies, in case of loss, shall be applied to the payment of this Mortgage, and to deliver, upon demand, to the mortgagee, his executors, administrators or assigns, said policy or policies, and that no act or thing shall be done whereby said mortgaged premises may be depreciated or lessened in value.

BUT, in case of default in payment of said debt, or the interest to accrue thereon, or any part of either, as they severally fall due, or in any covenant, condition or agreement in this mortgage, then the whole debt intended hereby to be secured and all moneys owing hereunder or secured hereby shall be due and demandable and the said Joseph M. George, his executors, administrators or assigns, or WILLIAM R. HORNEY, of Queen Anne's County, State of Maryland, his and their hereby duly constituted Attorney for the purpose, are hereby authorized and empowered to sell said premises upon giving twenty days previous notice of the time place, manner and terms of sale by advertisement in a newspaper printed and published in Queen Anne's County, State of Maryland, and such other notice as the party or parties selling may deem expedient, for cash, or for cash and credit, at the option of the person or persons making the sale, the credit payments, if any, to bear interest from day of sale, and to be secured by the note or notes of the purchaser or purchasers, with security to be approved by the person or persons making the sale, and to apply the proceeds of sale to the payment of, first, all expenses incident to such sale, including compensation to the person or persons making sale the same as allowed to Trustees selling real estate under decree of the Circuit Court for Queen Anne's County, in Equity, second, all moneys owing hereunder or secured hereby, whether the same shall have then matured or not; and third, the balance to said William R. Redden, or whoever may be entitled to the same.

AND it is hereby agreed that when default be made in any covenant or condition contained in this mortgage and when suit has been docketed in the proper Court for the purpose of the foreclosure of this mortgage under the power of sale above granted the said Joseph M. George, his executors, administrators or assigns, or the said WILLIAM R. HORNEY, his and their said Attorney, shall not be required to receive and accept the principal and interest of said mortgage indebtedness in satisfaction thereof, unless the tender of said mortgage indebtedness be accompanied by the payment of all expenses incurred under said foreclosure proceedings, including all costs of advertisement, Court costs and all expenses incurred to the time of said tender and a commission on the total amount of the mortgage indebtedness, principal and interest, equal to one-half the commission allowed Trustees for making sale of real estate under decree of the Circuit Court for Queen Anne's County, in Equity, and which said costs, expenses, and commissions the said William R. Redden, for himself, his heirs, executors, administrators and assigns, hereby covenants to pay.

WITNESS the hand and seal of said Mortgagor:

TEST: (as to mortgagor).  
LUCY C. GEORGE  
(Lucy C. George )

WILLIAM R. REDDEN (SEAL)  
William R. Redden

STATE OF MARYLAND, :  
QUEEN ANNE'S COUNTY, : TO WIT:

I HEREBY CERTIFY That on this 19th day of July, 1940, before me, the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County aforesaid, personally appeared William R. Redden and acknowledged the foregoing MORTGAGE To be his act.

AND at the same time, also before me, the subscriber, personally appeared Joseph M. George, the within named Mortgageem and made oath, in due form of law, that the consideration stated in the foregoing MORTGAGE is true and bona fide as therein set forth.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal the day and year last above written:

LUCY C. GEORGE  
(Lucy C. George)  
Notary Public

Notary  
Public  
Seal.

Queen Anne's County, to wit: Be it remembered that on the third day of June, 1943; the following Assignment was brought to be recorded, to wit:

I, Joseph M. George, hereby assign the within and foregoing mortgage unto John Palmer Smith for the purpose of foreclosure and collection.

As witness my hand and seal this 2nd day of June, 1943.

Witness: A. Elizabeth Nickerson

JOSEPH M. GEORGE (SEAL)

STATE OF MARYLAND

QUEEN ANNE'S, COUNTY, TO WIT:

I hereby certify that the foregoing is truly taken and copied

from Liber A. S. G. Jr. No. 3 folio 150 etc., a Land Record Book for Queen Anne's County.

Seals Place.

In Testimony Whereof I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County on this 3rd day of June, in the year nineteen hundred and forty three.

A. SYDNEY GADD JR.  
Clerk

.....  
REPORT OF SALE  
Filed June 28th 1943.

JOHN PALMER SMITH,  
ASSIGNEE OF MORTGAGE,

VS

WILLIAM R. REDDEN,  
MORTGAGOR.

IN THE CIRCUIT COURT FOR  
QUEEN ANNE'S COUNTY ,  
IN EQUITY.  
CHANCERY NO. 3367

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of John Palmer Smith, assignee of the mortgage from William R. Redden, widower, to Joseph M. George, bearing date July 19th, 1940, and recorded among the land records of Queen Anne's County in Liber A. S. G. Jr. No. 3, folio 150, etc., respectfully shows:

That said mortgage was duly assigned by the said Joseph M. George unto said John Palmer Smith for the purpose of foreclosure and collection, by assignment dated June 2nd, 1943, and recorded among said land records at the foot of said mortgage;

That default was made by the mortgagor by reason of the non-payment of the principal debt and interest covenanted to be paid by the terms of said mortgage at the times therein provided for the payment thereof;

That after giving bond to the State of Maryland with such security as the Clerk of the Court did approve conditioned to abide by and fulfill any order or decree which should be made by any Court of Equity in relation to the sale of the mortgaged property or the proceeds thereof as required by law, and after giving notice of the time, place, manner and terms of sale by advertisement inserted in the Queen Anne's Record-Observer, a newspaper printed and published in Queen Anne's County aforesaid, for more than twenty days before the day of sale, said assignee did, pursuant to said notice, attend in front of the banking house of The Sudlersville Bank of Maryland, in the town of Sudlersville, Queen Anne's County, Maryland, on Saturday, June 26th, 1943, beginning at the hour of 2:00 o'clock P.M. current war time, and then and there, by virtue and in execution of the power of sale contained in said mortgage to be exercised in case of default in the terms thereof, proceed to sell the mortgaged property in manner following, that is to say:

Said Assignee offered at public sale to the highest bidder the property granted and conveyed by said mortgage and described as follows, to wit:

All that lot or parcel of land situate, lying and being in the town of Sudlersville, in Queen Anne's County, State of Maryland, on the south side of the street leading into said town from Church Hill, bounded on the north by said street, on the west by the lot of the M.E. Church, South, on the south by the lot of John W. Smith, and on the east by the lot of Mattie G. Roe; and being the residence property of the late William R. Redden and Fannie Roe Redden.

And said assignee read the advertisement of sale and instructed the Auctioneer to proceed to sell the same to the highest bidder, and the said assignee sold the above described property to S. Olin Smith and Effie Smith, his wife, as tenants by the entireties, whose address is Sudlersville, Queen Anne's County, Maryland at and for the sum of Two Thousand Two Hundred and Fifty Dollars (\$2,250.00), they being at that sum the highest bidders therefor. The terms of sale, in addition to those advertised as will appear by reference to the certificate of the publication of said advertisement of sale in said newspaper filed herewith as a part hereof, being as follows, to wit:

All State, County and Town taxes for the year 1943 to be adjusted as of day of sale;

The property being vacant and untenanted, possession at once on day of sale;

All costs of title papers and other expenses incidental to the transfer of said property at the expense of purchasers.

The said purchasers have complied with the terms of sale by making full payment of the whole purchase money.

Respectfully submitted,  
JOHN PALMER SMITH  
John Palmer Smith  
Assignee of Mortgage.

State of Maryland, Queen Anne's County, to wit:

I hereby certify, that on this 28th day of June, 1943, before the Subscriber, The Clerk of the Circuit Court for Queen Anne's County, personally appeared John Palmer Smith, Assignee of the mortgage mentioned and described in the foregoing Report of Sale, and made oath in due form of law that the matter and things stated in said foregoing Report of Sale are true to the best of his knowledge and belied, and that the sale therein reported was fairly made.

And futrther made oath as aforesaid that there has been no change in the matters and facts set forth in the affidavit as to the military service filed in this cause on the 3rd day of June, 1943, and that the status of the parties mentioned in said affidavit is the same as it was on the date of the filing of said affidavit.

A. SYDNEY G ADD JR.  
Clerk

Filed June 28th 1943.

.....  
AUCTIONEER CERTIFICATE  
Filed June 28th 1943.

Sudlersville, Maryland  
June 26th, 1943.

I HEREBY CERTIFY, that I did sell a public auction all that lot or parcel of land, improved by a frame dwelling house and outbuildings, and known as the William R. Redden Property, situate in the Town of Sudlersville, Queen Anne's County, Maryland, on the south side of the street leading into said town from Church Hill, bounded on the north by said street, on the west by the lot of the M. E. Church, South, on the south by the lot of John W. Smith, and on the east by the lot of Mattie G. Roe, on June 26th, 1943, Sudlersville, Queen Anne's County, Maryland, in front of The Sudlersville Bank of Maryland, unto S. Olin Smith and Effie Smith, his wife, as tenants by the entireties, they being the highest bidders therefor, at and for the sum of Twenty-two hundred and Fifty Dollars (\$2250.00).

H. SCOTT STARKEY  
Auctioneer.

Filed June 28th 1943.

.....  
CERTIFICATE OF PUBLICATION OF  
ADVERTISEMENT OF SALE  
Filed June 28th 1943.

ASSIGNEE'S SALE OF A VALUABDE DWELLING  
AT SUDERSVILLE, MARYLAND

Default having occurred in the terms of the mortgage from William R. Redden to Joseph M. George, dated July 19th, 1940, and recorded among the land records of Queen Anne's County in Liber A.S. G. No. 3, fol 150, & the undersigned Assignee of said mortgage will sell at Public Sale to the highest bidder in front of The Sudlersville Bank of Maryland, in the town of Sudlersville, Queen Anne's County, Maryland, on SATURDAY, JUNE 26th, 1943 beginning at the hour of 2:00 o'clock p.m. the following property, to wit:

All that lot or parcel of land situate, lying and being in the Town of Sudlersville in Queen Anne's County, Maryland, on the south side of the street leading into said town from Church Hill, counded on the north by said street, on the west by the lot of the M.E. Church, South, on the south by the lot of John W. Smith, and on the east by thelot of Mattie G. Roe, and being the residence property of thelate William R. Redden and Fannie Roe Redden,

This property consists of a fine frame dwelling house and outbuildings and is splendidly located right in the heart of Sudlersville.

Possession at one.

TERMS OF SALE: One third cash day of sale, balance upon ratification of sale, unpaid balance to bear interest untið paid, or all cash at option of purchaser. Further particulars day of sale.

JOHN PALMER SMITH  
Assignee of Mortgage

John Palmer Smith, Atty.

QUEEN ANNE'S RECORD- OBSERVER

Centreville, Md. June 28th, 1943.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, A body corporate, does hereby certify that the Advertisement of Sale in the case/estate of John Palmer Smith, Assignee of Mortgage, Vs. William R. Redden, Mortgagor a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD OBSERVER, a weekly newspaper printed and published at Centreville, in Queen Anne's County, Maryland, once a week for four successive weeks before the 26th day of June, 1943, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD - OBSERVER, was on the 3rd day of June, 1943, and the last insertion on the 24th day of June, 1943.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

By Glenn L. James

Filed June 28th 1943.

.....  
N I S I S A L E  
Filed June 28th 1943.

N I S I

John Palmer Smith, Assignee : IN THE CIRCUIT COURT FOR  
of Mortgage. :  
vs : QUEEN ANNE'S COUNTY,  
William R. Redden, Mortgagor : IN EQUITY.  
: Chancery No. 3367

ORDERED, This 28th day of June, A. D. , 1943, that the sale of real estate made and reported in this cause by John Palmer Smith, Assignee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 31st day of August next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 31st day of July next.

The Report states the amount of sales to be \$2250.00

A. SYDNEY GADD JR. Clerk

Filed June 28th, 1943.

.....  
CREDITOR'S PETITION AND BILL  
Filed July 28, 1943.

JOHN PALMER SMITH, : IN THE CIRCUIT COURT FOR  
ASSIGNEE OF MORTGAGE, :  
VS : QUEEN ANNE'S COUNTY,  
WILLIAM R. REDDEN, : IN EQUITY.  
MORTGAGOR, : CHANCERY No. 3367.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The County Commissioners of Queen Anne's County, a municipal corporation, to the use of The Queen Anne's County Welfare Board, who file this petition as well for itself as for all other creditors of William R. Redden, late of Queen Anne's County, deceased, who will come in and contribute to the expenses of these proceedings, petitioning, says:

1. That the said William R. Redden departed this life sometime on or about the 13th day of February, 1943, intestate, being then a resident of Queen Anne's County, Maryland, and being at the time of his death indebted unto your Petitioner on an account of financial assistance rendered the said William R. Redden by the Queen Anne's County Welfare Board from March, 1942, to February 1st, 1943, in the sum of \$300.00 as will appear by the itemized statement of account files herewith and marked "Exhibit No. 1", and prayed to be taken as a part of this petition; and the said William R. Redden being indebted also unto sundry other persons in various amounts.

2. That the said William R. Redden, deceased, was at the time of his death aforesaid seized and possessed of certain real estate located in the town of Sudlersville, Queen Anne's County, Maryland, consisting of a lot of land on the south side of the road leading from Church Hill through Sudlersville, which lot is improved by a frame dwelling house and outbuildings, which said real estate is the same real estate described in and granted by the mortgage filed in the above proceedings and sold in these proceedings under the power of sale contained in said mortgage.

3. That the said William R. Redden being so seized and possessed of the aforesaid real estate, was seized of personal property of very little value, being total sum of about \$10.00, departed this life as aforesaid intestate leaving surviving him as his only heir at law a daughter, one Carylon B. Redden, and adult, age 35 years, who is now an inmate of the Eastern Shore State Hospital at Cambridge, Maryland, due to mental and physical deficiency.

4. That letters of administration upon all and singular the personal estate of the said William R. Redden, deceased, were duly granted and committed unto Joseph M. George, by the Orphans' Court for Queen Anne's County aforesaid, but said personal estate is practically nothing.

5. That the aforesaid real estate was, after the death of the said William R. Redden, deceased, sold under foreclosure proceedings in the above entitled cause by John Palmer Smith, Assignee of mortgage therein described, to pay the mortgage debt, interest, costs and commissions due and owing under the mortgage filed in this cause, and that the proceeds of the sale, to wit: the sum of \$2250.00, realized from the sale under the foreclosure proceedings in this cause are largely in excess of the amount necessary to make payment of the mortgage debt, interest, costs and commissions due under said mortgage and your Petitioner, and the other creditors of the said William R. Redden, deceased, are entitled to have the excess proceeds of sale applied to the payment and liquidation of their accounts due and owing by the said William R. Redden, deceased,

TO THE END, THEREFORE:

That the Defendant, Carylon B. Redden, of Cambridge, Dorchester County, State of Maryland, in care of the Eastern Shore State Hospital, may answer this Petition; that the indebtedness of the said William R. Redden, deceased, or any balance of indebtednesses, that may remain remain unsatisfied, may be paid from the surplus proceeds of sale remaining in the hands of John Palmer Smith, Assignee of Mortgage and Vendor in these proceedings; and that your Petitioner may have such other and further relief as its case may require.

And as in duty bound, etc.,

JOHN PALMER SMITH  
Attorney for Petitioner.

Filed July 28, 1943.

.....  
EXHIBIT NO. 1  
Filed July 28, 1943.

William R. Redden  
Sudlersville, Md.

To:  
Queen Anne's County Welfare Board, Dr.

The Queen Anne's County Welfare Board, upon the application of William R. Redden, rendered financial assistance to the said William R. Redden, in the amounts and at the times as herein stated, to wit:

1942		
	March to May, incl.- 3 months @ \$20.00	\$60.00
	June to December, incl. - 7 months @ 30.00	210.00
1943		
	January - 1 month @ \$30.00	30.00
	Total.....	<u>\$300.00</u>

State of Maryland, Queen Anne's County, to wit:

On this 28th day of July, 1943, before the subscriber, Clerk of the Circuit Court for Queen Anne's County, personally appeared Katherine L. Thomas, Acting Executive Secretary of the Queen Anne's County Welfare Board, and made oath in due form of law that the annexed account, as stated is just and true, and that the Queen Anne's County Welfare Board has not received any part of the money or any security or satisfaction given for the same.

A. SYDNEY GADD JRL  
Clerk

.....  
ORDER OF COURT  
Filed July 29, 1943.

ORDER OF COURT

ORDERED, this 29th day of July, 1943, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that Carylon B. Redden, adult, only heir at law of William R. Redden, late of Queen Anne's County,

deceased, of Cambridge, Dorchester County, Maryland, in care of the Eastern Shore State Hospital, be and she is hereby warned to appear and answer the Petition of The County Commissioners of Queen Anne's County, Maryland, a municipal corporation, to the use of the Queen Anne's County Welfare Board, on or before the 30th day of August, 1943, next, be service of the writ of subpoena upon her, on or before the 10th day of August, 1943.

WM. R. HORNEY  
Judge.

Filed July 29, 1943.

ORDER OF COURT  
Filed July 29, 1943.

JOHN PALMER SMITH,  
ASSIGNEE OF MORTGAGE,  
  
VS  
  
WILLIAM R. REDDEN,  
MORTGAGOR,

IN THE CIRCUIT COURT FOR  
QUEEN ANNE'S COUNTY,  
  
IN EQUITY.  
  
CHANCERY No. 3367

ORDERED this 29th day of July, 1943, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that the creditors of William R. Redden, late of Queen Anne's County, deceased, and all persons who may be entitled to participate in the distribution of the surplus proceeds of sale remaining after satisfying the mortgage under which the real estate of William R. Redden, deceased, was sold, be, and they are hereby notified to file their claims with the Clerk of Circuit Court for Queen Anne's County, on or before the 11th day of October, 1943, next, provided a copy of this order be published in some weekly newspaper printed and published in Queen Anne's County, Maryland, once in each of three successive weeks before the 30th day of August, 1943, next.

WM. R. HORNEY  
Judge.

Filed July 29, 1943.

SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
Filed Aug. 12th 1943.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Carolyn B. Redden, care of Eastern Shore State Hospital, Cambridge, Maryland

Seals Place.

OF DORCHESTER COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the Thirtieth day of August next, to answer the complaint of The County Commissioners of Queen Anne's County/against you in said court exhibited. Maryland, to the use of Queen Anne's County Welfare Board.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable, Stephen R. Collins, Chief Judge of our said Court, the First Monday of July 1943.  
Issued the Twenty ninth day of July 1943.

A. SYDNEY GADD JR. Clerk

John Palmer Smith

Solicitor for Petitioner.

TO THE DEFENDANT; You are required to file your answer or other defense in the office of the Clerk of this Court on or before the 30th day of August, next, being the Return Day.

A. SYDNEY GADD JR. Clerk

COPY OF ADVERTISEMENT OF ORDER NISI  
Filed Sept. 4, 1943.

N I S I

John Palmer Smith, Assignee  
of Mortgage.

In the Circuit Court for Queen  
Anne's County, in Equity.

vs

Chancery No. 3367

William R. Redden, Mortgagor

ORDERED, This 28th day of June A. D., 1943, that the sale of real estate made and reported in this cause by John Palmer Smith, Assignee, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 31st day of August, next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 31st day of July, next.

The Report states the amount of sales to be \$2250.00.

A. SYDNEY GADD JR.  
Clerk

Filed June 28, 1943.

True Copy  
Test:

A. SYDNEY GADD JR.  
Clerk

QUEEN ANNE'S RECORD -OBSERVER

Centreville, Md. September 4th, 1943.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Order Nisi in the case of John Palmer Smith, Assignee of Mortgage, vs, William R. Redden, Mortgagor & true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD OBSERVER, a weekly newspaper printed and published at Centreville, in Queen Anne's County, Maryland, once a week for four successive weeks before the 31st day of July 1943, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD OBSERVER, was on the first day of July, 1943, and the last insertion on the 22nd day of July, 1943.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

By J. H. PRICE

Filed Sept. 4th 1943.

STATEMENT OF MORTGAGE DEBT  
Filed Sept. 4th 1943.

JOHN PALMER SMITH,  
Assignee of Mortgage,

vs

William R. Redden,  
Mortgagor.

In the Circuit Court for  
Queen Anne's County,  
in Equity .  
Chancery No. 3367.

STATEMENT OF MORTGAGE DEBT.

Statement of the mortgage debt due and owing as of the day of sale : June 26th 1943.

Amount of mortgage debt		\$500.00
To interest due on mortgage debt to June 26th, 1943		89.16
To Sudlersville Town Taxes paid by mortgagor		7.35
To State and County taxes paid by mortgagor		<u>27.63</u>
		\$624.14
Less Credits:		
1942		
Jan. 21, Cash on acct. interest	\$16.19	
May 23, Cash on account Int.	1.31	
1943----- June 26th, Cr. by return prem. on insurance policy	<u>10.70</u>	\$ 28.20
Balance due June 26, 1943. ....		\$595.94
To 5 % attorney's commissions		<u>\$ 29.80</u>
		\$625.74

STATE OF MARYLAND  
QUEEN ANNE'S COUNTY, to wit:

I hereby Certify, that on this 4th day of September, 1943, before the Subscriber, Clerk of the Circuit Court for Queen Anne's County, personally appeared John Palmer Smith, Assignee of Mortgage, and made oath in due form of law that the foregoing statement of mortgage debt is true to the best of his knowledge and belief.

A. SYDNEY GADD JR.  
Clerk

Filed Sept. 4th 1943.



FINAL ORDER OF RATIFICATION  
Filed Sept. 8th 1943.

FINAL ORDER OF RATIFICATION

ORDERED by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, this 7th day of September, in the year nineteen hundred and forty-three, that the sale of the real estate made and reported by John Palmer Smith, Assignee, in the aforesaid Cause of John Palmer Smith, Assignee of Mortgage, vs. William R. Redden, Mortgager", be and the same is hereby FINALLY RATIFIED AND CONFIRMED, no cause to the contrary having been shown, although due notice appears to have been given as required by the preceding Order Nisi. The Assignee is allowed the usual commissions and all expenses, not personal, upon producing proper vouchers therefor before the Auditor.

STEPHEN R. COLLINS  
Judge.

Filed Sept. 8th 1943.

CERTIFICATE AS TO PUBLICATION  
NOTICE TO CREDITORS  
Filed Sept. 13, 1943.

LEGAL NOTICES

NOTICE TO CREDITORS

IN THE CIRCUIT COURT FOR QUEEN ANNES COUNTY, IN EQUITY. Chancery No. 3367

John Palmer Smith,  
Assignee of Mortgage.

vs

William R. Redden,  
Mortgage.

ORDERED, this 29th day of July, 1943, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that the creditors of William R. Redden, late of Queen Anne's County, deceased, and all persons who may be entitled to participate in the distribution of the surplus proceeds of sale remaining after satisfying the mortgage under which the real estate of William R. Redden, deceased, was sold, be and they are hereby notified to file their claims with the Clerk of Circuit Court for Queen Anne's County, on or before the 11th day of October, 1943, next, provided a copy of this order paper printed and published in be published in some weekly newspaper printed and published in Queen Anne's County, Maryland, once in each of three successive weeks before the 30th day of August, 1943, next.

WM.R . HORNEY  
Judge.

Filed July 29th 1943.

True Copy  
Test:

A. SYDNEY GADD JR.  
Clerk

QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. September 11 1943

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Notice to Creditors in the case/estate of John Palmer Smith, Assignee of Mortgage vs William R. Redden, Mortgagor a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD OBSERVER, a weekly newspaper printed and published at Centreville, in Queen Anne's County, Maryland, once a week for 3 successive weeks before the 30 day of August 1943, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD OBSERVER was on the 5 day of August 1943, and the last insertion on the 19 day of August 1943.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING  
COMPANY

By Glenn T. James

Filed Sept. 13th 1943.

PETITION FOR APPOINTMENT OF GUARDIAN  
AD LITEM FOR CAROLYN B. REDDEN,  
NON-SANE DEFENDANT.  
Filed Sept. 21st 1943.

John Palmer Smith,  
Assignee of Mortgage.

vs

William R. Redden,  
Mortgagor.

In the Circuit Court for  
Queen Anne's County, in Equity  
Chancery No. 3367

To the Honorable, the Judges of said Court:

The Petition of John Palmer Smith, Solicitor for The County Commissioners of Queen Anne's County, to the use of The Queen Anne's County Welfare Board, the Petitioners in this Cause, respectfully represents:

That the said Carolyn B. Redden, single, defendant in this Cause under said Petition, has been duly returned summoned, but being an adult non-sane person now confined in Eastern Shore State Hospital at Cambridge, Maryland, she cannot answer and defend this suit for herself.

Your Petitioner therefore prays your Honors to appoint a guardian ad litem to appear and answer for the said non-sane person.

And as in duty bound, etc.,

JOHN PALMER SMITH  
Solicitor for Petitioners.

State of Maryland, Queen Anne's County, to wit:-

I hereby certify that on this 21st day of September, 1943, before me, Clerk of the Circuit Court for Queen Anne's County, personally appeared John Palmer Smith, Solicitor for the Petitioner in this Cause, and made oath in due form of law that the matter and facts set forth in the foregoing Petition are true as therein set forth to the best of his knowledge, information and belief.

A. SYDNEY GADD JR.  
Clerk  
Filed Sept. 21st, 1943.

.....  
ORDER OF COURT  
Filed Sept. 24th, 1943.

ORDER OF COURT

ORDERED, this 23rd day of September, 1943, by the Circuit Court for Queen Anne's County, in Equity, upon the foregoing petition and affidavit, that Paul B. Smith, be and he is hereby appointed guardian ad litem to appear, answer and defend for Carolyn B. Redden, non-sane adult defendant.

STEPHEN R. COLLINS  
Judge.

Filed Sept. 24th, 1943.

.....  
ANSWER OF GUARDIAN AD LITEM  
Filed Oct. 7, 1943.

JOHN PALMER SMITH,  
Assignee of Mortgage.

vs

William R. Redden,  
Mortgagor.

IN THE CIRCUIT COURT FOR  
QUEEN ANNE'S COUNTY,  
IN EQUITY.  
Chy. No. 3367

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Answer of Carolyn B. Redden, non-sane person, by Paul B. Smith, Guardian Ad Litem, duly appointed by Order of this Court, to the Petition of The County Commissioners of Queen Anne's County in this Cause exhibited.

This defendant, Carolyn, being non-sane, cannot admit any of the matters and things in said petition alleged, and submits her rights thereunder to the protection of this Court.

And as in duty bound, etc.,

PAUL B. SMITH  
Guardian Ad. Litem.

Filed Oct. 7, 1943.

.....  
 PETITION ASKING FOR ALLOWANCE OF  
 ATTORNEY'S FEE FOR FILING CREDITORS'  
 BILL, CERTIFICATE, AND ORDER  
 Filed Oct. 7, 1943.

JOHN PALMER SMITH,  
 Assignee of Mortgage,

vs

WILLIAM R. REDDEN,  
 Mortgagor.

IN THE CIRCUIT COURT FOR  
 QUEEN ANNE'S COUNTY,  
 IN EQUITY.

Chy. # 3367

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of John Palmer Smith in his capacity as an attorney at law of this Court, unto your Honors respectfully sets forth:

1. That your Petitioner as solicitor for The County Commissioners of Queen Anne's County, to the use of The Queen Anne's County Welfare Board, one of the creditors of William R. Redden, deceased, filed a Petition in this Cause in the nature of a Creditors' Bill for the benefit of all the creditors of William R. Redden, deceased, in order to have the surplus proceeds of sale remaining in his hands as Assignee of mortgage, in this cause, applied to the claims of the creditors of said William R. Redden, which surplus proceeds of sale will approximate the sum of \$1200.00.

2. That your Petitioner after examining the law in such cases, prepared the Bill of Complaint and filed the same in this cause, and thereafter conducted the proceedings had under said Bill to the present time, including the preparation of a petition for a guardian ad litem and order thereon and the guardian's answer for the non-sane defendant, Carolyn B. Redden, and now this cause is ready for an audit distributing the surplus proceeds of sale to the payment and liquidation of the balance remaining due and owing.

3. That under the law of the Equity Courts of this State relating to cases of this kind and the practice of this Court, your Petitioner respectfully suggests to the Court that he is entitled to be paid out of the surplus proceeds of sale a reasonable fee for his legal services rendered to the creditors of William R. Redden, deceased, who will receive as a result of such services the benefit of the legal services rendered to them.

Your Petitioner therefore prays your Honors to pass an order allowing him a sum of money as a reasonable fee for his services so rendered out of the surplus proceeds of sale in this cause and the order directing the Auditor of this Court to allow in the audit this fee.

Respectfully submitted.

JOHN PALMER SMITH  
 Petitioner.

Filed Oct. 7, 1943.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

We, the undersigned attorneys at law of this Court, do hereby certify that we have examined the proceedings of this Cause with the view of ascertaining the amounts of labor and skill rendered by John Palmer Smith as an attorney at law in the preparation of the Bill of Complaint in the nature of a Creditors' Bill filed in this Cause and in the conduct of the proceedings had under said Bill, and we do certify unto your Honors that in our judgment the sum of Fifty Dollars will be a reasonable fee to be allowed said John Palmer Smith for his services as the attorney at law in this Cause.

WILLIAM MCK. GIBSON

RICHARD T. EARLE

Filed Oct. 7, 1943.

.....  
 ORDER OF COURT  
 Filed Oct. 12th 1943.

The foregoing Petition of John Palmer Smith, and the foregoing certificate of the attorneys at law above named, have been read and considered.

It is thereupon on this 11th day of October, 1943, by the Circuit Court for Queen Anne's County, in Equity, and by the authority thereof, Ordered that John Palmer Smith, the Petitioner, be and he is hereby allowed out of the surplus proceeds of the sale of this cause for his services rendered as attorney at law in this cause, the sum of Fifty Dollars, and it is further Ordered that the Auditor of this Court allow said sum of money unto the said John Palmer Smith as a fee for his legal services rendered in this Cause.

STEPHEN R. COLLINS  
 Judge.

Filed Oct. 12th, 1943.

.....

A U D I T

Filed Oct. 21, 1943.

In the Circuit Court for Queen Anne's County, in Equity.

John Palmer Smith, assignee of mortgage,	:	
	:	CHANCERY DOCKET
versus	:	
	:	CAUSE 3367
William R. Redden, Mortgagor	:	

To the Honorable, the Judges of said Court:-

The Report of Madison Brown, your Auditor, unto Your Honors respectfully sets forth:-

That these proceedings consist of two parts or transactions the foreclosure of a mortgage on real estate for collection of a mortgage debt and the conversion of the net mortgage sale into a fund for the payment of the debts of the Mortgagor by a petition filed in the nature of a Creditor's bill against the heir at law of the Mortgagor.

In the annexed account stated by the Auditor, John Palmer Smith, the party who made the sale of the cause is charged with the amount of the gross sale made by him and then thereout the following allowances are made:

Unto the said Vendor for his commissions for making the sale, the Court costs under the mortgage sale, the cost of the bond filed by him, cost of advertising the notices of the sale and the several orders nisi of the cause, the fee paid to his auctioneer and taxes paid by him on land sold.

Unto John Palmer Smith as assignee of the mortgage under which the sale was made, full payment of the mortgage claim at the time of the sale, per statement of mortgage claim filed.

Unto John Palmer Smith as vendor the cost of advertising notice to creditors and the order nisi to be passed as to this cause, the Court costs arising under the Creditor's Bill, the fee allowed him by the Court for conducting the proceedings under the Creditors' Bill, the fee of the auditor.

Unto the four creditors who have failed claims against William R. Redden, payment of their claims in full,

Unto Carylon B. Redden, sole heir of William R. Redden, the Mortgagor, the balance of the amount of the sale made and charged as above set forth remaining after allowances thereout of the matters set forth above.

Which is respectfully submitted,

MADISON BROWN  
AUDITOR

October 20, 1943.

Filed Oct. 21, 1943.

CAUSE NUMBER 3367

The proceeds of the sale of the mortgaged real estate of William R. Redden, the Mortgagor making the mortgage mentioned in this cause IN ACCOUNT WITH John Palmer Smith, Assignee of the said mortgage and as such the vendor making the sale described in this cause.

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1943		CR.
June		
26	By	amount of the gross sale made by said vendor, per his report filed in this cause, to wit: the sum of .....\$2,250.00

---

1943		
June		
26	By	John Palmer Smith, the vendor, for his commissions for making said sale, per terms of the mortgage, the sum of .....\$133.75

To the same vendor for the court costs of that part of the proceedings of this cause under the mortgage sale, prior to the creditor's petition, per bill of costs made by clerk of Court and exhibited, to wit:  
 The costs of the clerk of the court, .....\$20.75  
 Appearance fee of Jno. Palmer Smith, .....10.00  
 Total of these costs, ..... 30.75                      30.75

To the same vendor for the cost of the bond filed by him in this cause, paid to the corporate surety thereon per receipted account exhibited, the sum of .....15.00

To the same vendor for costs of advertising in the Centreville Newspaper,  
 Order Nisi on sale, .....\$5.00  
 Notices of the sale made, .....30.38  
 Per receipted accounts for same exhibited  
 the sum of .....\$35.38                      35.38

To the same Vendor for the amount paid his auctioneer, H. Scott Starkey for crying the sale, per his receipt for same exhibited, the sum of .....	5.00	
To the same vendor for the amount of State & County taxes, paid by him, per terms of sale on the land, sold, per receipted tax account exhibited, the sum of .....	8.22	
To John Palmer Smith as assignee of said mortgage in full payment of mortgagee's claim under the mortgage at time of sale, per statement of mortgage debt filed, to wit: sum of .....	625.74	
To balance, net mortgage sale carried over, .....	\$1,396.16	
	<u>2,250.00</u>	<u>2,250.00</u>

CAUSE NUMBER 3367

CR.

By balance, net mortgage sale brought over, to wit: sum of ..... 1,396.16

DR.

COSTS UNDER CREDITOR'S PETITION:

To John Palmer Smith, vendor, for cost of advertising notice to creditors issued by the court in this cause, per receipted account for same exhibited, to wit: the sum of .....	\$ 6.00	
To the same Vendor for the payment of the cost of this cause under creditor's petition, per statement of the clerk exhibited, to wit: Costs of A. S. Gadd, Clerk .....	\$19.30	
Costs due Sheriff, .....	.75	
Fee of guardian ad litem, .....	4.00	
Total, allowed, .....	<u>24.05</u>	
To the same Vendor for the costs of advertising the order nisi to be passed on this Audit, the sum of .....	\$3.50	\$ 3.50
To John Palmer Smith, attorney, for the fee allowed him by order of Court passed in this cause for his legal services rendered under the Creditor's Petition, the sum of .....	\$50.00	
To Madison Brown, auditor, for stating this account the sum of .....	\$18.00	
		<u>\$101.55</u>
To balance carried to the next page, the sum of .....	1,294.61	
	<u>\$1,396.16</u>	<u>\$1,396.16</u>

CAUSE NUMBER 3367.

CR.

By balance brought from preceding page, to wit: sum of ..... \$1,294.61

DR.

DISTRIBUTION AMONG CREDITORS AND HEIR:

To Queen Anne's County Welfare Board in full Payment of claim filed as Exhibit No. 1 with Creditor's Petition against William R. Redden for \$300.00, the sum of .....	\$300.00	
To Sudlersville Bank of Maryland in full payment of its judgment claim for \$90.72 filed in this cause against William R. Redden, to wit: the sum of .....	98.91	
To Doctor C. H. Metcalfe in full payment of the claim filed by him herein against Wm. R. Redden for \$49.00, to wit: the sum of .....	49.00	
To Paul H. Phillips, in full payment of the claim filed in this cause by him against Wm. R. Redden for \$4.12, to wit: the sum of .....	4.12	
		<u>\$452.03</u>
To Caylon B. Redden sole, heir at law of Wm. R. Redden, this balance, to wit: the sum of .....	\$842.58	
	<u>1,294.61</u>	<u>1,294.61</u>

October 20, 1943.

MADISON BROWN  
Auditor.

Filed Oct. 21, 1943.

.....  
NISI RATIFICATION OF AUDIT  
Filed Nov. 13th 1943.

NISI RATIFICATION OF AUDIT

John Palmer Smith,  
Assignee of Mortgage,

vs

William R. Redden,  
Mortgagor.

In the Circuit Court for  
Queen Anne's County,  
in Equity.

Cause No. 3367

ORDERED, This 21st day of October in the year nineteen hundred and forty three, that the Report and Account filed in these proceedings by Madison Brown, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 19th day of November, 1943; provided a copy of this order be published once a week in each of two successive weeks before the 12th day of November, 1943, in some newspaper printed and published in Queen Anne's County.

A. SYDNEY GADD JR.  
Clerk

Filed October 21, 1943.

True Copy  
Test:

A. Sydney Gadd Jr.  
Clerk

QUEEN ANNE'S RECORD -OBSERVER

Centreville, Md. November 13th 1943.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Audit Nisi in the case of JOHN PALMER SMITH, ASSIGNEE OF MORTGAGE, vs. WILLIAM R. REDDEN, MORTGAGOR, a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD OBSERVER, a weekly newspaper printed and published at Centreville, in Queen Anne's County, Maryland, once a week for two successive weeks before the 12th day of November, 1943, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD -OBSERVER was on the 28th day of October 1943, and the last insertion on the 4th day of November, 1943.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY  
By J. H. PRICE

Filed Nov. 13th 1943.

.....  
NISI RATIFICATION OF AUDIT  
Filed October 21, 1943.

NISI RATIFICATION OF AUDIT

John Palmer Smith,  
Assignee of Mortgage,

vs

William R. Redden,  
Mortgagor.

In the Circuit Court for  
Queen Anne's County,  
in Equity.

Cause No. 3367

ORDERED, This 21st day of October in the year nineteen hundred and forty three, that the Report and Account filed in these proceedings by Madison Brown, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 19th day of November, 1943; provided a copy of this order be published once a week in each of two successive weeks before the 12th day of November, 1943, in some newspaper printed and published in Queen Anne's County.

A. SYDNEY GADD JR.  
Clerk

Filed October 21, 1943.

.....  
ORDER OF COURT  
Filed Nov. 22nd, 1943.

John Palmer Smith,  
Assignee of Mortgage,

vs

William R. Redden,  
Mortgagor.

In the Circuit Court for  
Queen Anne's County,  
in Equity.

Chy. No. 3367

ORDER OF COURT.

ORDERED, on this 20th day of November, 1943, by the Circuit Court for Queen Anne's County, in Equity, and by the authority thereof, that the within and foregoing Report and Account of Madison Brown, as the Auditor of this Court, be and the same is hereby ratified and confirmed, no cause to the contrary thereof having been shown, although it appears that due notice has been given in accordance with the Audit Nisi heretofore passed in this Cause in relation to said Report and Account, and John Palmer Smith, the party making the sale described in this Cause, be and he is hereby authorized and directed to apply the proceeds of sale in accordance with the account, the distribution share of Carylton B. Redden, non-sane person, however, to be held subject to the future order of this court in the premises.

STEPHEN R. COLLINS  
Judge.

Filed Nov. 22nd, 1943.

## C A U S E N U M B E R 3360

Q U E E N A N N E ' S C O U N T Y , T O W I T : Be it remembered that on this Thirtieth day of March in the year nineteen hundred and forty three, the following BILL OF COMPLAINT was brought to be recorded, to wit:-

William E. Pippin, Plaintiff

vs

James T. Pippin, Infant and  
Stephen R. Collins, Trustee of the  
Estate of Margaret L. Hurlock, Defendants

In the Circuit Court for

Queen Anne's County

In Equity.

No.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Orator, complaining, says:

(1) That Margaret L. Hurlock, late of Kent County, Maryland, departed this life on or about the 17th day of July, 1939, leaving a Last Will and Testament duly executed to pass real estate, which said Last Will and Testament has been duly admitted to probate by the Orphans' Court for Kent County, and is now of record in the office of the Register of Wills for Kent County aforesaid, a certified copy of which said Last Will and Testament and of said probate is filed herewith, marked "Plaintiff's Exhibit 1", and is prayed to be taken as a part of this Bill of Complaint.

(2) That the said Margaret L. Hurlock departed this life as aforesaid, seized and possessed, among other real estate, of the real estate hereinafter described, and which said real estate hereinafter described, together with certain other real estate, was by the said Margaret L. Hurlock in Item 7 and Item 8 of her said Last Will and Testament devised and bequeathed to Elizabeth H. Pippin and Stephen R. Collins, her Executors named in Item 9 of her said Last Will and Testament, in trust nevertheless for the persons and purposes and upon the trust in said "Item 7" and "Item 8" at length set forth and expressed.

(3) That the said Elizabeth H. Pippin one of the Executors and Trustees named in said Last Will and Testament departed this life on or about the 16th day of February, 1935.

(4) That the Honorable, The Circuit Court for Kent County, in Equity, by its Order passed in Chancery Cause No. 3167 on the 29th day of January, 1940, assumed jurisdiction of the trust created by "Item 7" of said Last Will and Testament, and the said Stephen R. Collins, surviving Executor and Trustee named in said Last Will and Testament duly qualified as directed by said Order.

(5) That a part of the corpus of the trust estate created by said "Item 7" of said Last Will and Testament consists of the following described tract of real estate:

ALL that tract of land situate, lying and being in the Second Election District of Queen Anne's County, State of Maryland, and on the public road leading from the state road near Chester River Bridge at Chestertown, Maryland, to Brumpton, Maryland, commonly called the Kendall Farm and more particularly described as follows: BEGINNING for the same in the middle line of the public road leading from Chestertown to Millington where the same is intersected by the division line established by agreement between the Walker Home Farm and the Kendall Farm and running with the said Public road two courses N. 81 degrees East (bearings magnetic) 2624 feet; then North 74 degrees 50 minutes East 330 feet; then North 6 degrees 45 minutes East 594 feet; then North 2 degrees 48 minutes East 1310 feet; thence North 62 degrees 45 minutes West 1046 feet to the East side of what was once a private road leading to Round Top; then along the same as it is now North 11 degrees 23 minutes West 810 feet to the stream of the branch; then South 86 degrees 40 minutes West 518 feet ( this line being given in a former description as 35.4 perches) then South 12 degrees 45 minutes West 115 feet; then South 74 degrees West 99 feet; then North 74 degrees 15 minutes West 82 feet; then North 38 degrees 15 minutes West 122 feet; then North 10 degrees 45 minutes East 330 feet; then North 3 degrees 15 minutes West 297 feet; then North 35 degrees 15 minutes West 264 feet; then North 38 degrees 45 minutes West 287 feet to the middle of the bridge over the stream of the branch being also in the middle line of the public road leading from Round Top to Chestertown; then with said road three courses South 46 degrees 20 minutes West 595 feet; then South 55 degrees West 140 feet; then South 66 degrees West 1540 feet to the first mentioned division line; then with the same South 16 degrees 40 minutes East 3762 feet to the place of beginning containing 283.36 acres of land, more or less. Being the same farm or tract of land which by deed dated the 21st day of December, 1927, and recorded among the Land Records for Queen Anne's County in Liber B. H. T. No. 7, folio 388, etc., was granted and conveyed to Margaret L. Hurlock by J. D. Urie, Attorney, and which under the Last Will and Testament of the said Margaret L. Hurlock was devised and bequeathed to the said Stephen R. Collins, Trustee, for certain uses and purposes as in said Last Will and Testament will more fully and at large appear.

A certified copy of the deed to which said real estate is filed herewith, prayed to be taken as apart of this Bill of Complaint, and marked "Plaintiff's Exhibit No. 2".



(6) That said tract of land or farm, commonly called the "Kendall Farm" constitutes as aforesaid a part of the corpus of the trust estate over which the Circuit Court for Kent County, in Equity, has assumed jurisdiction in said Chancery Cause No. 3167; that under the terms and provisions of the trust created by said "Item 7" of said Last Will and Testament; and net rents, issues, profits, interest and income arising from said tract of land or farm are directed to be paid over by the Trustees, named in said Last Will and Testament, to the said Elizabeth H. Pippin during her natural life, with the power vested in the Executors named in said Last Will and Testament to dispose of such of said property during the life-time of the said Elizabeth H. Pippin as they find to be unprofitable and to reinvest the profits in other property they may consider more profitable subject to the approval of the Judge of the Circuit Court for Kent County, State of Maryland; and which said Last Will and Testament in "Item 8" thereof further provides that from and after the death of the said Elizabeth H. Pippin that one-half of the said net rents, issues, profits, interest and income accruing from said tract of land or farm is directed to be paid over by the Trustee of each of the said William E. Pippin and James T. Pippin until each reached the age of thirty years when the said trust is to cease and each is to receive his share, in fee simple, as each reaches the age of thirty years.

(7) That one of the Defendants to this Cause, the said Stephen R. Collins, in his capacity as Trustee under the Last Will and Testament of the said Margaret L. Hurlock, deceased, has received from William C. Smith of Queen Anne's County aforesaid, an offer of eight thousand (\$8,000.00) dollars for said farm, provided that the said William C. Smith may purchase said farm at a private sale to be finally ratified by this Court and secure an unencumbered, marketable, fee simple title of, in and to the same, upon the following terms, to wit: Five hundred (\$500.00) dollars prior to the signing of a certain agreement of sale dated the 23rd day of February, 1943, and the balance in the amount of seven thousand five hundred (\$7,500.00) dollars upon the ratification of sale, it being understood and agreed that said farm is rented under the usual landlord-tenant agreement for the year 1943 and that the landlord's share of all crops harvested during the year 1943 shall be the possession of the purchaser. An executed copy of said agreement of sale is filed herewith, marked "Exhibit No. 3", and made a part of this Bill of Complaint.

(8) That the said offer of eight thousand (\$8,000.00) dollars for said farm is, in the opinion of your Orator, an excellent one, and, if accepted, it would be to the interest and advantage of all parties concerned that said farm be sold and the proceeds of sale invested under the direction of this Honorable Court to enure to the benefit of the same parties and in like manner as by said "Item 7" and "Item 8" of said Last Will and Testament is provided.

(9) That the offer of eight thousand (\$8,000.00) dollars for the purchase of said farm by William C. Smith as heretofore set forth in the 8th paragraph hereof was obtained by the said Stephen R. Collins, Trustee, through one J. Wilbur Stafford, real estate agent of Sudlersville, Queen Anne's County, Maryland, and that the said J. Wilbur Stafford for his services in procuring said offer is entitled to his real estate broker's commissions in the sum of three hundred (\$300.00) dollars to be paid out of the gross proceeds of sale.

(10) That your Orator, is an adult and resides in Millington, Kent County, State of Maryland; that the said Stephen R. Collins, Trustee, one of the Defendants, resides in Chestertown, Kent County aforesaid; and that the said James T. Pippin is an infant and resides at Millington, Kent County, aforesaid.

TO THE END, THEREFORE:

1. That the real estate, to wit: the tract of land commonly called the "Kendall Farm", may be sold under decree of this Honorable Court by the said Stephen R. Collins, Trustee, at private sale to the said William C. Smith at and for the price and upon the terms set forth in the offer of the said William C. Smith.

2. That the said Stephen R. Collins, Trustee, be authorized to pay out of the gross proceeds of sale to the said J. Wilbur Stafford, real estate agent, the sum of three hundred (\$300.00) dollars as broker's commissions due him for procuring a purchaser of said real estate.

3. That the net proceeds arising from the sale of said real estate may be invested for the benefit of your Orator and the said James T. Pippin, infant Defendant, according to their respective rights under the Last Will and Testament of the said Margaret L. Hurlock.

4. That your Orator may have such other and further relief as his case may require.

MAY IT PLEASE YOUR HONORS TO GRANT unto your Orator the writ of subpoena against the said James T. Pippin, infant, and Stephen R. Collins, Trustee, directed to the Sheriff of Kent County, Maryland commanding them and each of them to appear in this Court in person or by Solicitor at some certain day to be named therein, to answer the premises and abide by and perform such decree as may be passed therein.

And as in duty bound, etc.

PRESTON P. HECK  
Solicitor for Plaintiff

WILLIAM E. PIPPIN  
Plaintiff

Filed March 30, 1943.

.....  
 CERTIFIED COPY OF LAST WILL  
 AND TESTAMENT OF MARGARET L. HURLOCK  
 Filed March 30, 1943.

In the name of God, Amen:- I, Margaret L. Hurlock, a resident of Kent County, State of Maryland, now in good health and of sound and disposing mind, memory and understanding, but aware of the uncertainties of life and desirous of putting in order my worldly affairs against the time my Creator shall call me hence, do hereby make, publish and declare this to be my last Will and Testament, hereby revoking all other Wills and Codicils heretofore by me made.

ITEM 1. I will and direct that all my just debts and funeral expenses be paid and a suitable gravestone erected by me Executors hereinafter named.

ITEM 2 I give and devise to the Presbyterian Church at Kenned-ville, Maryland, the sum of One Thousand (\$1,000.00) dollars.

ITEM 3 I give and devise to the Presbyterian Cemetery at Smyrna Delaware, the sum of Five hundred (\$500.00) dollars, and to the Odd Fellows Cemetery at Smyrna, Delaware, the sum of One thousand (\$1,000.00) dollars.

ITEM 4 I give, devise and bequeath to Elizabeth H. Pippin and Stephen R. Collins IN TRUST NEVERTHELESS the sum of ten thousand (\$10,000.00) dollars to invest the same and pay the income thereof to my grandson, William E. Pippin, until the said William E. Pippin reaches the age of thirty year when the trust shall cease and the said sum of ten thousand (\$10,000.00) dollars shall vest absolutely in the said William E. Pippin.

ITEM 5 I give, devise and bequeath to Elizabeth H. Pippin and Stephen R. Collins IN TRUST NEVERTHELESS the sum of ten thousand (\$10,000.00) dollars to invest the same and pay the income thereof to my grandson, James T. Pippin, until the said James T. Pippin reaches the age of thirty years when the trust shall cease and the said sum of ten thousand (\$10,000.00) dollars shall vest absolutely in the said James T. Pippin.

ITEM 6 I give and devise to my two said grandsons, William E. Pippin and James T. Pippin, all the bank stock of which I die possessed to be equally divided between them, share and share alike.

ITEM 7 All the remainder of my property, real, personal or mixed and wheresoever situated and of every kind or description, I give, devise and bequeath to my Executors, hereinafter named, IN TRUST NEVERTHELESS to collect the rents, issues and profits thereof and apply the same in the first place to the payment of all taxes thereon and the expenses incident to the management of said property in the manner in which, in the judgement of said Trustees, its productiveness will be best maintained, and afterwards to pay the net rental or income therefrom to my daughter, Elizabeth H. Pippin during her natural life, my Executors hereinafter named to have the power during the life time of my said daughter to dispose of such of my said property as they find to be unprofitable and to reinvest the proceeds in other property they may consider more profitable subject to the approval of the Judge of the Circuit Court for Kent County, State of Maryland. And I further will and direct that neither the former husband of my said daughter nor any future husband nor any present husband of my said daughter shall have any possession, management or direction of the property passing to my said daughter under this Will or of any of the proceeds, rents, income or profits of said property in any manner whatever, nor shall said property be subject to any legal process to procure the payment therefrom of any debt due from her or such husband in which the husband may be interested in or has any liability for whatever, and should any such possession, management, direction or the benefits, rents, or income of such properties be acquired or attained by any such person as her husband, then it is my will and direction that all such property or the rents, income or proceeds thereof shall immediately upon such happening, pass to and become the property of my two grandsons above mentioned, share and share alike, absolutely and forever as each grandson reaches the age of thirty years.

ITEM 8 From and after the death of my said daughter or upon any such contingency happening as above named, I give, devise and bequeath all said property passing to my said daughter, for life under this Will, unto my two grandsons above named, share and share alike absolutely and forever as each grandson reaches the age of thirty year he is to take his share absolutely and in fee simple after the death of the said Elizabeth H. Pippin or upon any such contingency happening as named above. Should the said Elizabeth H. Pippin die or such contingency happen before the said William E. Pippin or James T. Pippin reaches the age of thirty years, the said William E. Pippin and James T. Pippin are to each receive one-half of the net income from my said property until each reaches the age of thirty years when the said trust is to cease and each of my grandsons is to receive his share in fee simple as each reaches the age of thirty years.

ITEM 9 I hereby nominate, constitute and appoint Elizabeth H. Pippin of Millington, Maryland and Stephen R. Collins of Chestertown, Maryland, the Executors of this my last Will and Testament.

In testimony whereof I have hereunto subscribed my name and affixed my seal this 4th day of September, in the year of our Lord, One thousand nine hundred and thirty-four.

MARGARET L. HURLOCK (seal)

Signed, sealed, published and declared by the above named Testatrix as and for her last Will and Testament, in the presence of us who at her request and in her presence and in the presence of each other have hereunto subscribed our names as witnesses.

JOSEPH N. WHEATLEY  
 M. DEK. SMITH

This is the First Codicil to my Last Will and Testament dated the 4th day of September, 1934.

WHEREAS by Item Two of my said Last Will and Testament I devised to the Presbyterian Church at Kennedyville, Maryland, the sum of One thousand (\$1,000.00) dollars, I hereby desire to revoke said Item Two of my said Last Will and Testament, by which I dvised the sum of One thousand (\$1,000.00) dollars to said Presbyterian Church at Kennedyville, Maryland, and devise said sum of one thousand (\$1,000.00) dollars to my grandson, James T. Pippin, absolutely. This is to be in addition to the other devises to the said James T. Pippin in my said Last Will and Textament.

In all other respects I confirm my aforesaid Last Will and Testament.

In testimony hereof I have hereunto set my hand and seal this 14th day of October, 1938.

Margaret L. Hurlock (seal)

Signed, sealed, published and declared by the above named Testatrix as and for the First Codicil to her Last Will and Testament in the presence of us who, at her request, in her presence, and in the presence of each other, have hereunto subscribed our names as witnesses.

Joseph N. Wheatley

Wm. Belt Townshend

STATE OF MARYLAND, KENT COUNTY, SCT:

On this 21st day of July 1939 then came Joseph N. Wheatley and Wm. Belt Townshend subscribing witnesses to the within and foregoing Codicil to the Will, before me, and made oath in due form of law, that they did see Margaret L. Hurlock the Testatrix therein named, signed and seal this Codicil to the Will and that they heard her publish pronounce and declare the same to be her Codicil to the last Will and Testament, At the time of so doing they believed her to possess a sound disposing mind, memory and understanding, and that they with each other signed this Codicil to the Will as witnesses, at the request and in the presence of the Testatrix and in the presence of each other.

Sworn before

Edna Elliott  
Register of Wills

IN THE ORPHANS' COURT FOR KENT COUNTY, MARYLAND.

THE REGISTER OF WILLS having carefully examined the above last Will and Testament and Codicil of MARGARET L. HURLOCK late of Kent County, deceased, and also the evidence adduced as to its validity, Orders and Decrees this 21st day of July 1939, that the same be admitted to probate in this Court as the true and genuine last Will and Testament and Codicil of the said MARGARET L. HURLOCK, deceased.

Edna Elliott  
Register of Wills

Roland R. Corey	:	JUDGES OF THE
George R. Rasin	:	ORPHANS' COURT FOR
Harry M. Stavely	:	KENT COUNTY, MD.

STATE OF MARYLAND,  
KENT COUNTY, SCT:

The subscriber, Register of Wills, in and for Kent County, doth hereby certify that the foregoing is a true copy of the Last Will and Testament of Margaret L. Hurlock, late of Kent County, deceased, and recorded in Liber E. E. No. 1, folio 31 as the same remains on file and of record in my office.

Seals  
Place.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the Seal of my office this 26th day of March in the year of our Lord 1943.

W. PAUL JOINER  
Register of Wills

EXHIBIT NO. 2  
 CERTIFIED COPY OF DEED  
 Filed March 30th, 1943.

#12,796. QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the 22nd day of December, in the year nineteen hundred and twenty-seven, the following Deed was brought to be recorded, to wit:

THIS DEED, made this twenty first day of December, A. D. 1927, by John D. Urie, Attorney as hereinafter named, Grantor, to Margaret L. Hurlock, Grantee, both of Kent County, State of Maryland, witnesseth:

That whereas under and by virtue of the Power of Sale contained in a mortgage from James T. Bright, Mamie S. Bright, Madison Brown and Delha D. Brown, to Thomas B. Gardner and others, dated August 5th, A. D. 1919, and duly recorded in Liber J.F.R. No. 2, folio 512, &c., of the Land Records for Queen Anne's County, State of Maryland, and the unpaid portion of which mortgage was subsequently assigned to the said Margaret L. Hurlock, the undersigned, as attorney named in said Mortgage to execute, the Power of Sale therein contained, did, after complying with all the legal prerequisites, sell to James E. Hurlock at a public sale held at the Court House door on September 22nd, A. D. 1927, at 11.30 o'clock A.M. at and for the sum of six thousand, five hundred (\$6500) Dollars, he being at that price the highest bidder therefore, the lands and premises conveyed by way of said mortgage commonly known as the Kendall Farm, located in the 2nd Election District of said Queen Anne's County, adjoining the lands of Robert M. Subers and the lands of others and between the roads leading from Chestertown to Deep landing on the North and the road leading from Chestertown to Crumpton on the South and containing 283.36 acres of land, more or less.

And the said Margaret L. Hurlock was by petition, duly filed in said cause and with the consent of the said James E. Hurlock and the undersigned, substituted in the place of said James E. Hurlock as the purchaser of said farm by the order of the Circuit Court in Equity, No. 2724, for said Queen Anne's County, after the filing in said case of the Report of Sale made by the undersigned as Attorney named in said mortgage, which Report of Sale was finally ratified by the said Circuit Court in Equity, on Dec. 5th, A.D. 1927.

And the said Margaret L. Hurlock having fully discharged all expenses and liabilities incurred by the undersigned in making said sale under the power of sale aforesaid contained in the said Mortgage owned by Her, which is much in excess of the purchase price of said farm, to the satisfaction of the undersigned, she is entitled to the execution of these presents by the undersigned.

Now, therefore, in consideration of the premises and of the sum of ten dollars, the said John D. Urie, Attorney named in said Mortgage does hereby grant, bargain and sell unto the said Margaret L. Hurlock, her heirs or assigns, all the right, title, interest and estate of the mortgagors named in the aforesaid mortgage and of those claiming, by from or under them as named in said cause No. 2724, in Equity, in and to the above mentioned tract of lands and premises, reference to which mortgage and to the Deed or Deeds therein mentioned is to be made for a fuller description of the hereby conveyed lands and premises.

Together with the buildings and improvements thereon erected or being and the rights, ways, waters, and appurtenances thereto belonging.

To have and to hold said lands and premises unto the said Margaret L. Hurlock, her heirs and assigns forever.

As witness my hand and seal.

Witness: Harry C. Coleman

John D. Urie (SEAL)  
 Attorney named in mortgage.

State of Maryland, Kent County, to wit:-

I hereby certify that on this 21st day of December, A. D. 1927, before me, the subscriber, a Notary Public of the State of Maryland, in and for Kent County, State aforesaid, personally appeared John D. Urie, and as Attorney named in Mortgage, as set out in the foregoing Deed, he acknowledged the foregoing Deed to be his act as such Attorney and grantor named therein,

Notary Public  
 Seal.

Harry C. Coleman  
 Notary Public

STATE OF MARYLAND,

QUEEN ANNE'S COUNTY, TO WIT:

I HEREBY CERTIFY that the foregoing is truly taken and copied from Liber B. H. T. No. 7, folio 388, a Land Record Book for Queen Anne's County.

Seals  
 Place.

IN TESTIMONY WHEREOF I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County this 24th day of March, in the year nineteen hundred and forty three.

A. SYDNEY GADD JR.  
 Clerk

.....  
EXHIBIT NO. 3  
AGREEMENT OF SALE  
Filed March 30th, 1943.

THIS AGREEMENT OF SALE, made this 23 day of February 1943, by and between Stephen R. Collins Trustee for Margaret L. Hurlock Estate of Kent County, State of Maryland, party of the first part and William C. Smith of Queen Anne's County, State of Maryland, party of the second part;

WITNESSETH:

THAT said parties of the first part do hereby bargain and sell unto said parties of the second part and the latter does hereby purchase from the former the following described property, to wit:

ALL that tract of land or farm containing TWO HUNDRED EIGHT SIX (286) acres of land, more or less, known as the "Kendall Farm" or by whatsoever name the same may be called, situate lying and being in the Second Election District of Queen Anne's County, on the dirt road leading from the Chestertown-Church Hill state road to McGinnis' Corner; being the same land conveyed by John D. Urie, Attorney, to Margaret L. Hurlock by deed dated December 21st, 1927 and recorded in B.H.T. No. 7, folio 388.

AT AND FOR the sum of EIGHT THOUSAND DOLLARS (\$8,000.00) of which FIVE HUNDRED DOLLARS (\$500.00) has been paid prior to the signing of this Contract or delivery hereof and the balance thereof, to wit: the sum of SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$7,500.00) upon the ratification of sale, when a deed shall be executed by the vendor which shall convey the property by a good and merchantable title to the vendee-, with the usual covenants now in use in the State of Maryland, and free and clear of all encumbrances. It is understood and agreed that this farm is rented under the usual landlord-tenant agreement for the year, 1943.

DATE OF SETTLEMENT shall be determined by and subject to the approval of the Circuit Court of Kent County. This sale is subject to the approval of the Circuit Court of Kent County.

ALL CROPS harvested during the year 1943 shall be the possession of the purchaser (that is the land lord's part)

It is also understood and agreed that the seller shall immediately have all of the insurance policies on the property so endorsed as to protect all parties hereto, as their interest may appear, and continue said insurance in force during the life of this Contract.

STATE, COUNTY AND SCHOOL TAXES shall be adjusted as of date of delivery of deed.

WITNESS the hands and seals of the parties hereto:

WITNESS:		STEPHEN R. COLLINS, TRUSTEE	(SEAL)
	as to	Stephen R. Collins Trustee	
FREDRICA METCALFE			
		WILLIAM C. SMITH	(SEAL)
FREDRICA METCALFE	as to	William C. Smith	

.....  
SUBPOENA TO BE LEFT.  
Filed April 1st 1943.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Stephen R. Collins, Trustee  
Seals Place.

OF KENT COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the First Monday of April next, to answer the complaint of William E. Pippin against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable William R. Horney, Associate Chief Judge of our said Court, the First Monday of March 1943.  
Issued the Thirtieth day of March 1943.

Preston P. Heck	A. SYDNEY GADD, JR.	Clerk
Solicitor for Plaintiff		

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of

April next, being the Return Day.

A. SYDNEY GADD JR. Clerk

True Copy  
Test:

A. SYDNEY GADD JR. Clerk

And on the back of the foregoing is thus endorsed to wit: Summoned and Copy of subpoena left with Stephen R. Collins, Trustee,

W. Henry Grell Sheriff

.....  
COPY OF SUBPOENA TO BE LEFT  
Filed April 1st 1943.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO

James T. Pippin, Infant

Seal's  
Place

OF KENT COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the First Monday of April next, to answer the complaint of William E. Pippin against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

Witness, The Honorable William E. Horney, Associate Judge of our said Court, the First Monday of March 1943.  
Issued the Thirtieth day of March 1943.

A. SYDNEY GADD JR. Clerk

Preston P. Heck

Solicitor for Plaintiff

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of April next, being the Return Day.

True Copy  
Test:

A. SYDNEY GADD JR. Clerk

A. SYDNEY GADD JR. Clerk

.....  
ANSWER OF STEPHEN R. COLLINS, Trustee  
Filed April 1st 1943.

William E. Pippin, Plaintiff

vs

James T. Pippin, Infant  
and Stephen R. Collins,  
Trustee of the Estate of  
Margaret L. Hurlock, Defendants

In the Circuit Court for

Queen Anne's County

in Equity.

No. 3360

The answer of Stephen R. Collins, Trustee of the Estate of Margaret L. Hurlock, to the Bill of Complaint filed against him and James T. Pippin, defendants in the above entitled case, says:

(1) He admits the matters and facts set forth in Paragraphs one, two, three, four, five, six, seven, eight, nine, and ten of said Bill of Complaint and agrees to the relief asked in said Bill of Complaint.

STEPHEN R. COLLINS  
Trustee of the Estate of Margaret  
L. Hurlock.

Filed April 1st 1943.

.....  
PETITION FOR GUARDIAN AD LITEM  
CONSENT  
Filed May 14th 1943.

William E. Pippin, Plaintiff

vs

James T. Pippin, Infant et al.  
Defendants.

In the Circuit Court for

Queen Anne's County.

In Equity, No.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of William E. Pippin, Plaintiff, through his Solicitor, Preston P. Heck, respectfully represents:

That James T. Pippin, one of the Defendants in this Cause, has been duly summonsed to answer the Bill of Complaint, but being an infant he cannot answer and defend this suit for himself.

Your Petitioner therefore prays your Honors to appoint a guardian ad litem to appear and answer for said Defendant.

And as in duty bound, etc.

William E. Pippin, Plaintiff vs James T. Pippin, Infant, et al, Defendants.	<u>PRESTON P. HECK</u> Solicitor for Petitioner  In the Circuit Court for Queen Anne's County  In Equity. No.
--	---

I hereby consent that my name be used as Guardian Ad Litem for James T. Pippin, Infant Defendant in the above entitled case.

HARRISON W. VICKERS  
Harrison W. Vickers

Filed May 14th 1943.

ORDER OF COURT  
Filed May 14th 1943.

ORDER OF COURT

Ordered this 13th day of May, 1943, by the Circuit Court for Queen Anne's County, in Equity, upon the foregoing Petition and Consent that Harrison W. Vickers, Esq., be and he is hereby appointed Guardian Ad Litem to appear and answer for James T. Pippin, infant defendant in the above entitled case.

WM. R. HORNEY  
Judge.

Filed May 14th 1943.

ANSWER OF GUARDIAN AD LITEM  
Filed May 14th 1943.

William E. Pippin, Plaintiff vs James T. Pippin, Infant, et al, Defendants.	In the Circuit Court for Queen Anne's County  In Equity No.
--	--

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Answer of James T. Pippin, Infant, by Harrison W. Vickers, Guardian Ad Litem, duly appointed to appear and answer by Order of this Honorable Court to the Bill of Complaint of William E. Pippin against him and others in this Court exhibited, respectfully shows:

This Defendant being an infant cannot admit any of the matters and things in said Bill alleged and submits all of his rights thereunder to the protection of this Honorable Court.

And as in duty bound, etc.

HARRISON W. VICKERS  
Harrison W. Vickers, Guardian Ad Litem for James T. Pippin, Infant Defendant.

Filed May 14th 1943.

ORDER TO TAKE TESTIMONY  
Filed May 14th 1943.

William E. Pippin, Plaintiff vs James T. Pippin, Infant, et al. Defendants.	In the Circuit Court for Queen Anne's County  In Equity. No.
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The Bill of Complaint in the above entitled cause having been filed, the Defendants summoned, having filed their Answer, and Counsel being desirous of taking testimony,

It is thereupon this 14th day of May, 1943, by the Circuit Court for Queen Anne's County, in Equity, adjudged, ordered and decreed that leave is hereby granted to Counsel to take testimony before one of the Standing Examiners of this Court, the usual notice of the time to be given the Defendants or their counsel of record.

WM. R. HORNEY  
Judge.

Filed May 14th 1943.

ORDER FOR WRIT OF SUBPOENA TO  
CLARENCE M. MELVIN AND WM. G. SMYTH  
AND SAME ISSUED  
Filed May 19th 1943.

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY.

In Equity No. 3360

No. \_\_\_\_\_ Term, 193\_\_\_\_\_

WILLIAM E. PIPPIN

VS

JAMES T. PIPPIN ET AL.

Mr. \_\_\_\_\_ Clerk.

Issue Writ of Subpoena to the Sherif of Queen Anne's County for Clarence M. Melvin and William G. Smyth to testify for Plaintiff in the above entitled case.

PRESETON P. HECK  
Attorney for Plaintiff

Filed 19th day of May 1943.

SUBPOENA RETURNED ENDORSED  
SUMMONED AMBO  
Filed May 19th 1943.

No. \_\_\_\_\_

William E. Pippin

vs

James T. Pippin, et al.

STATE OF MARYLAND  
TO THE SHERIFF OF QUEEN ANNE'S CO.

Greetings:-

You are hereby commanded to summons Clarence M. Melvin, William G. Smyth to be and appear before the Circuit Court for Queen Anne's County in Equity, to testify for the Plaintiff in the above entitled case.

Witness, the Honorable Stephen R. Collins, Chief Judge of said Court the 3rd day of May 143.

Issued this 19th day of May 1943.

A, SYDNEY GADD JR. Clerk

INTERROGATORIES  
Filed May 20th 1943.

WILLIAM E. PIPPIN, Plaintiff

vs

JAMES T. PIPPIN, Infant and  
STEPHEN R. COLLINS, Trustee of the  
Estate of Margaret L. Hurlock,  
Defendants.

IN THE CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY

IN EQUITYL

No.

REPORT OF EXAMINER

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of Harry C. Butler, one of the standing examiners of this Court to your Honors, respectfully shows:



That under an order of this Court granting leave to the Plaintiff to take testimony in order to support his allegation in his Bill of Complaint, your examiner was requested to take the depositions hereinafter set forth by Preston P. Heck, Solicitor for Plaintiff,

On Wednesday, May the 19th, 1943, at his office in the town of Centreville, at 3 o'clock, P. M. did take the testimony of the witnesses as hereinafter will appear. Present at the time of taking the testimony Preston P. Heck, Solicitor for the Plaintiff, Clarence M. Melvin, Wm. G. Smyth and Stephen R. Collins, Trustee, all witnesses are of lawful age, who after being sworn, deposed and stated as herein set forth, questions asked them by Preston P. Heck, Solicitor for the Plaintiff..

HARRY C. BUTLER

Harry C. Butler, Examiner.

First Witness Clarence M. Melvin

Q. State your name, residence and occupation.

A. Clarence M. Melvin, Millington Md., Cashier of the Millington Bank of Md.

Q. Do you know the parties to this suit?

William E. Pippin, Plaintiff and James T. Pippin, infant and Stephen R. Collins, Trustee, Defendants.

A. I do.

Q. What is the age of William E. Pippin?

A. 22 years

Q. What is the age of James T. Pippin?

A. 18 years of age.

Q. Where are these parties living at this time?

A. Millington, Kent County, Maryland. Since April 1st, 1943 which was the date of summons of James T. Pippin, Infant, he has been inducted into the Armed forces of the United States.

Q. Who is Stephen R. Collins, Trustee?

A. He is a resident of Chestertown, Kent County, Maryland and Trustee of the estate of Margaret L. Hurlock.

Q. Who was Margaret L. Hurlock?

A. She was the grandmother of William E. and James T. Pippin.

Q. Is she living at this time?

A. She is not.

Q. State whether or not she died seized and possessed any real estate in Queen Anne's County, Maryland.

A. She did. She owned a farm of 285 acres, located in the second Election District of Queen Anne's County on the right side of the road leading from McGinnis Corner to Chestertown, Maryland, commonly known as the Kendall Farm.

Q. State whether or not Margaret L. Hurlock left a will devising the real estate mentioned, and who were the beneficiaries named in that will.

A. She did, the beneficiaries being William E. and James T. Pippin.

Q. Are you familiar with Land values in Queen Anne's County and in particular with the value of the Kendall Farm which you have described?

A. I am.

Q. Have you had occasion to inspect this farm and the buildings and improvements thereon?

A. I have. Today visited the farm and inspected the buildings and improvements and land and found the buildings and fences to be in a run down condition and in need of repairs. I found the land to be only partly incultivation and from appearances to be very roughly cultivated.

Q. What in your opinion is a fair value of this farm?

A. Due to the conditions of the buildings and the costs of making necessary repairs at this time I feel that a price of \$8,000.00 would be about as much as could be expected for a farm in its present condition. Having been familiar with the incomes of the late Margaret L. Hurlock, known that her real estate holdings of farm land, including this farm, mostly always shoed a deficit.

Q. Do you think to a benefit and an advantage to all parties interested in this estate that this farm be now sold and the proceeds of sale invested in some other income producing properties or securities under the direction of Circuit Court for Kent County.

A. Yes.

Q. In your opinion is the sum of \$300.00 a fair commission to pay to a real estate agent for procuring a purchaser for this property at \$8,000.00?

A. It is.

EXAMINERS SPECIAL

A. I do not.

CLARENCE M. MELVIN  
Clarence M. Melvin

Witness number two

Q. Your name is William G. Smyth, you are a resident of Chestertown, Kent County, Maryland.

A. Yes.

Q. What is your occupation.

A. I am a member of the firm Therehern Associates Realtors.

Q. How long have you been in the real estate business in Queen Anne's County.

A. About 10 years.

Q. Then you are familiar with land values in Queen Anne's County.

A. I am.

Q. Did you know Margaret L. Hurlock?

A. I did not.

Q. Are you familiar with the Margaret L. Hurlock farm called the Kendall Farm located in the Second Election District of Queen Anne's County on the public road leading from Chestertown to Crumpton containing 283.36 acres more or less.

A. I am.

Q. If you have made a recent inspection of this property please state when, and give in detail the condition of the land and improvements thereon, together with your opinion as to a fair value of same.

A. I visited the farm on Wednesday, May 19th, 1943, and carefully examined the buildings thereon, and found them to be in very poor condition and of very ordinary material. I also looked over the farm and found quite large percentage of the farm not under cultivation nor in grass, and showing every evidence of having had a poor quality of tenants. The present crops on the farm, the wheat very poorly put in and the ground being prepared for the spring crops being very poorly handled, in my opinion there is scant prospect of a profit from the handling of the farm this year. Under those conditions I would say that it would be wise to sell the farm for \$8,000.00 if such a price can be realized.

Q. In your opinion do you think it would be to the benefit and to the advantage to all parties having an interest in this estate that this property be now sold and the proceeds of sale invested under the direction of this honorable Court for the benefit of parties interested herein.

A. Yes, I do.

Q. In your opinion what would be a fair fee to be paid to a real estate agent procuring a purchaser for this farm?

A. 5 percent of the sale price.

EXAMINER'S SPECIAL.

A. Its peculiar location makes it quite difficult to secure labor for this farm.

WM. G. SMYTH  
William G. Smyth.

Witness number three Stephen R. Collins, Trustee

Q. Your name is Stephen R. Collins, you are a resident of Chestertown, Maryland, and you are the Trustee of the estate of Margaret L. Hurlock?

A. Yes.

Q. Did you know Margaret L. Hurlock?

A. Yes, I was her Attorney for approximately 4 years before her death, and I know that it was necessary for her to foreclose a Mortgage and acquire this farm now being sold. During her lifetime she had great difficulty getting good tenants for this farm. Upon her death I was named Trustee of her estate and since that time have had the same tenant on the farm upon until January 1st, 1943. In September, 1942, I had no notice that the tenant at that time was to leave until I saw an advertisement of the sale of his personal property in the

newspapers. At that late date I had to take any tenant that I could get. The buildings on this farm are in a poor condition and the farm as a whole is very much run down. After consulting with William Pippin and James Pippin, the beneficiaries under the will of Mrs. Margaret Hurlock and also after consultation with Mr. Highland Seamans, who manages the six farms of the Hurlock estate for me I decided that it would be to the interest and advantage of the estate to sell this farm. I believe that a price of \$8,000.00 for the farm is advantageous to the heirs and it would be to their interest and advantage to sell the farm for \$8,000.00. A commission of \$300.00 to the real estate broker for this sale is in my opinion a very reasonable charge. William Pippin lives in Millington, Maryland, and is about 22 years of age, James Pippin, lived at Millington, Maryland until after he was summoned to appear in this case. He has since that time been inducted into the United States Army. The net profits from this farm for the year 1942 was approximately \$250.00. I believe by investing the proceeds from this farm in real estate mortgages that I can get a greater income for the estate. The trust created by the will of Margaret L. Hurlock is being administered in the Equity Court for Kent County, Maryland. Mrs. Elizabeth Pippin died, 16th day of February, 1935, which was previous to Mrs. Margaret Hurlock's death.

## EXAMINER'S SPECIAL

A. No.

STEPHEN R. COLLINS  
Stephen R. Collins

The plaintiff, through Preston P. Heck, Solicitor, advising your Examiner that there were no other witnesses, and not desiring to take further testimony, I now return the testimony closed.

Examiner.....	\$8.00
Clarence M. Melvin, Witness.....	\$4.95
Wm. G. Smyth, Witness.....	\$3.95
Stephen R. Collins, Trustee.....	\$3.95
Total: .....	\$20.85

HARRY C. BUTLER  
Harry C. Butler, Examiner.

Filed May 20th 1943.

.....  
D E C R E E  
Filed June 15th 1943.

William E. Pippin, Plaintiff  
vs

James T. Pippin, Infant,  
et al, Defendants

In the Circuit Court for  
Queen Anne's County  
In Equity. No. 3360

The Bill of Complaint, Exhibits, Petition of Plaintiff for private sale and all the other proceedings therein having been read by this Court and considered in the above entitled Cause, and it appearing to the Court that the real estate mentioned in said proceedings for the benefit of all parties concerned should be sold at private sale unto William C. Smith.

It is thereupon this 12th day of June, 1943, by the Circuit Court for Queen Anne's County in Equity, adjudged, ordered and decreed that the real estate mentioned in this proceedings be sold at private sale to William C. Smith for the sum of eight thousand (\$8,000.00) dollars cash. That Stephen R. Collins, of Chestertown, Kent County, Maryland, be and he hereby is appointed Trustee to make said sale of said real estate and that the course and manner of his proceedings shall be as follows:

He shall first file with the Clerk of this Court a bond to the State of Maryland, executed by himself, and a surety or sureties to be approved by this Court or the clerk thereof in the penalty of eight thousand (\$8,000.00) dollars, if a surety company bond be given, or double the penalty if a personal bond be given, conditioned for the faithful performance of the trust reposed in him by this Decree, or to be reposed in him by any further decrees or order in the premises; he shall then proceed to make said sale, and as soon as may be convenient after said sale the said Trustee shall return to this Court a full and particular account of his proceedings relative to such sale, with an affidavit annexed or the truth thereof, and of the fairness of said sale; and on obtaining the Court's ratification of the sale, and on the payment of the whole purchase money, and not before, the said Trustee shall, by a good and sufficient deed, to be executed, acknowledged and recorded according to law, convey to the purchaser the property to him sold, free, clear and discharged from all claims of the parties thereto, Plaintiff and Defendants, and those claiming by, from or under them, or either of them. And the said Trustee shall bring into this Court the money arising from said sale, to be distributed under the direction of this Court, after deducting the costs of this suit and such commissions to the said Trustee as this Court shall think proper to allow in consideration of the skill, attention and fidelity wherewith he shall appear to have discharged his trust.

And it is further adjudged, ordered and decreed that the said Trustee be and he hereby is authorized and directed to pay out of the gross proceeds of sale to J. Wilbur Stafford, real estate agent of Sudlersville, Queen Anne's County, Maryland, the sum of three hundred (\$300.00) dollars as real estate broker's

commissions for his services in procuring purchaser of said real estate.

WM. R. HORNEY  
Judge.

Filed June 12th 1943.

.....  
CERTIFIED COPY OF BOND  
Filed June 19th 1943.

Queen Anne's County, to wit; Be it remembered that on this nineteenth day of June in the year nineteen hundred and forty three, the following Trustee's Bond was brought to be recorded, to wit:

Know all Men By These Presents: That We Stephen R. Collins, Chestertown, Maryland as principal, and Maryland Casuaalty Company a corporation of the State of Maryland, Baltimore, Md., as surety, are held and firmly bound unto the State of Maryland, in the full and just sum of Eight Thousand &no/100 ----- (48,000.00) Dollars, current money, to be paid to the said State of Maryland, or its certain Attorney, to which payment, well and truly to be made and done, we bind ourselves, and each of us, our and each of our Heirs, Successors and Assigns, Executors and Administrators, jointly andseverally, firmly by these presents. Sealed with our seals, and dated this 14th day of June in the year of our Lord one thousand nine hundred and Forty-three.

WHEREAS, the above bounden Stephen R. Collins by virtue of a decree of the Honorable The judges of the Circuit Court of Queen Anne's County has been appointed trustee to sell certain property mentioned in the proceedings in the case of William E. Pippin vs. James T. Pippin, et al now pending in said Court:

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH,

That If The Above Bounden Stephen R. Collins, do and shall well and faithfully perfrom the trust reposed in him by said decree, or that may be reposed in him by any future decree or order in the premises, then the above obligation to be void; otherwise to be andremain in full force and virtue in law.

Signed, sealed and delivered in the presence of

STEPHEN R. COLLINS (SEAL)  
Stephen R. Collins

Preston P. Heck

Maryland Casualty Company (SEAL)

R. M. LIVINGSTON  
R. M. EIVINGSTON

By W. Stewart Anderson (SEAL)  
W. Stewart Anderson  
Attorney-in-fact.

State of Maryland, Baltimore City, sct;

KNOW ALL MEN BY THESE PRESENTS: That the Maryland Casualty Company a corporation of the State of Maryland, Baltimore, Md. does hereby constitute and appoint W. Steuart Anderson, A. F. Stoebener, A.D. Hesser, and Lee H. Seltzer, or either one of them its attorney's in-fact to make, execute and deliver on its behalf, as surety, all bonds of any king, character and description that are or may be required to be filed in the Circuit Court of Queen Anne's County State of Maryland, and it does hereby declare that all such bonds signed and executed by its said attorney-in-fact shall be as binding on it as if they had been duly executed by its proper officers. This power shall remain in full force and effect until duly revoked and written notice thereof given.

WITNESS the seal of the said Maryland Casualty Company duly affixed by its Vice- President and attest by its Assistant Secretary, this 4th day of June, 1942.

ATTEST:  
Wm. H. Krause  
Assistant Secretary

MARYLAND CASUALTY COMPANY  
By B. H. Bratney  
Vice President

Seals Place.

Anderson. And attached hereto is a Power of Attorney of W. Stewart

I HEREBY CERTIFY that the above is a correct and true copy of the original power of attorney, June 14th, 1943.

Maryland Casualty Company  
J. P. W. McNeal  
Assistant Secretary  
J. P. W. McNeal

And on theback of the aforegoing Bond is thus endorsed to wit:  
Trustee's Bond To Sell\* Bond Approved and filed June 19, 1943.

A. SYDNEY GADD JR. Clerk

STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

I hereby Certify that the aforegoing is truly taken and copied from Liber W.H. C, No. 1 folio 272 A Bond Record Book for Queen Anne's County.

In Testimony Whereof I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County

Seals Place. on this 19th day of June in the year nineteen hundred and forty three.

A. SYDNEY GADD JR.  
Clerk

.....  
REPORT OF SALE  
Filed June 19, 1943.

William E. Pippin, Plaintiff  
vs  
James T. Pippin, Infant,  
et al, Defendants.

IN The Circuit Court for  
Queen Anne's County  
In Equity. No. 3360

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Stephen R. Collins; Trustee appointed by a Decree of this Honorable Court passed in the above entield cause, dated the 12th day of June, 1943, to make to William C. Smith for the sum of eight thousand (\$8,000.00) dollars cash a private sale of the real estate mentioned in this cause, to wit:

All that tract of land situate, lying and being in the Second Election District of Queen Anne's County, Maryland, and on the public road leading from the state road near Chester River Bridge at Chestertown, Maryland, to Crumpton, Maryland, commonly called the Kendall Farm and more particularly described as follows:

BEGINNING for the same in the middle line of the public road leading from Chestertown to Millington where the same is intersected by the division line established by agreement between the Walker Home Farm and the Kendall Farm and running with the said Public road two courses North 81 degrees East (bearings magnetic ) 2624 feet; then North 74 degrees 50 minutes East 330 feet; then North 6 degrees 45 minutes East 594 feet; then North 2 degrees 48 minutes East 1310 feet; thence North 62 degrees 45 minutes West 1046 feet to the East side of what was once a private road leading to Round Top; then along the same as it is now North 11 degrees 23 minutes West 810 feet to the stream of the branch; then South 86 degrees 40 minutes West 518 feet (this line being given in a former description as 35.4 perches) then South 12 degrees 45 minutes West 115 feet; then South 74 degrees West 99 feet; then North 74 degrees 15 minutes West 82 feet; then North 38 degrees 15 minutes West 122 feet; then North 10 degrees 45 minutes East 330 feet; then North 3 degrees 15 minutes West 297 feet; then North 35 degrees 15 minutes West 264 feet; then North 38 degrees 45 minutes West 287 feet to the middle of the bridge over the stream of the branch being also in the middle line of the public road leading from Round Top to Chestertown; then with said road three courses South 46 degrees 20 minutes West 595 feet; then South 55 degrees West 140 feet; then South 66 degrees West 1540 feet to the first mentioned division line; then with the same South 16 degrees 40 minutes East 3762 feet to the place of beginning and containing 283.36 acres of land, more or less.

Being the same farm or tract of land which by deed dated the 21st day of December, 1927, and recorded among the land Records for Queen Anne's County in Liber B. H. T. No. 7, folio 388, etc., was granted and conveyed to Margaret L. Hurlock by J. D. Urie, Attorney, and which under the Last Will and Testament of the said Margaret L. Hurlock was devised and bequeathed to the said Stephen R. Collins, Trustee, for certain uses and purposes as in said Last Will and Testament will more fully and at large appear, respectfully shows:

That after giving bond with security for the faithful performance of his trust, and after having complied with all the other prerequisites as required by law and the said Decree, your Trustee on the 12th day of June, 1943, sold at private sale for the sum of eight thousand (\$8,000.00) dollars cash to William C. Smith, the said described real estate.

Your Trustee further reports that the said William C. Smith has made satisfactory compliance with the terms of sale and that the sale was fairly made.

Respectfully submitted,

STEPHEN R. COLLINS, TRUSTEE  
Stephen R. Collins, Trustee

STATE OF MARYLAND Kent County, to wit:

I HEREBY CERTIFY, that on this 12th day of June, 1943, before the Subscriber, a Notary Public of the State of Maryland, in and for Kent County aforesaid, personally appeared Stephen R. Collins, Trustee named in the foregoing Report of Sale, and made oath in due form of law that the matters and facts stated in the foregoing Report of Sale are true to the best of his knowledge and belief, and that the sale therein reported was fairly made.

As witness my hand and Notarial seal.

J. RAYMOND SIMPSON  
Notary Public

Filed June 19, 1943.  
Notary  
Public  
Seal.

ORDER NISI  
Filed June 19, 1943.

William E. Pippin, Plaintiff : In the Circuit Court for  
vs : Queen Anne's County in Equity.  
James T. Pippin, Infant :  
et al., Defendants. : Chancery No. 3360

ORDERED, This 19th day of June A. D., 1943, that the sale of the real estate made and reported in this cause by Stephen R. Collins, Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 24th day of August next; provided a copy of this Order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 24th day of July next.

The Report states the amount of sale to be \$8,000.00

A. SYDNEY GADD JR. Clerk

Filed June 19th, 1943.

CERTIFICATE OF PUBLICATION  
NISI SALE  
Filed July 27, 1943.

N I S I

William E. Pippin, Plaintiff : In the Circuit Court for  
vs : Queen Anne's County  
James T. Pippin, Infant et al. : In Equity. Chancery No. 3360  
Defendants

ORDERED, This 19th day of June A.D. , 1943, that the sale of the real estate made and reported in this cause by Stephen R. Collins, Trustee be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 24th day of August next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 24th day of July next.

The Report states the amount of sales to be \$8,000.00.

A. SYDNEY GADD JR. Clerk

Filed June 19, 1943.

True Copy  
Test: A. SYDNEY GADD JR. Clerk

QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. July 27 1943.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Order Nisi in case estate of William E. Pippin, Plaintiff vs James T. Pippin, Infant et al, Defendants a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD OBSERVER, a weekly newspaper printed and published at Centreville, in Queen Anne's County, Maryland, once a week for 4 successive weeks before the 24th day of July 1943, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD OBSERVER was on the 24 day of June 1943, and the last insertion on the 15 day of July 1943.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY

By Glenn T. James

Filed July 27, 1943.

PETITION FOR COUNSEL FEE  
Filed August 23, 1943.

William E. Pippin : In the Circuit Court for  
vs : Queen Anne's County  
James Y. Pippin, Infant : In Equity. No. 3360  
et al.

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Petition of Stephen R. Collins, Trustee of the Estate of Margaret L. Hurlock, respectfully represents:

1. That pursuant to authority and direction of this Honorable Court in this cause, the partition and sale of the real estate heretofore described

And mentioned in these proceedings has been procured at and for the sum of eight thousand \$8000.00 dollars.

2. That in consequence of the duties attendant the trustee ship in this cause it has been necessary to engage the services of Preston P. Heck, Solicitor, of Chestertown, Maryland, to prepare and file the Bill of Complaint and other papers, to produce testimony before the Court Examiner and to perform the usual legal services in such cases required.

3. That he is advised and believes it is proper that this Honorable Court be petitioned to pass an Order authorizing and directing your trustee to pay out of the proceeds of sale in this cause to Preston P. Heck, Solicitor, a reasonable sum as attorney's fees to compensate him for legal services rendered in this Cause

To The End, therefore:

(1) That this Honorable Court pass an Order authorizing and directing him as Trustee of the Margaret L. Hurlock Estate to pay out of the proceeds of sale in this Cause to Preston P. Heck, Solicitor, a reasonable sum as attorney's fees for services rendered in this Cause.

(2) That he may have such other and further relief as his case might require.

AND AS IN DUTY BOUND, etc.,

STEPHEN R. COLLINS  
Trustee

Filed August 23, 1943.

ORDER OF COURT  
Filed August 23, 1943.

ORDER OF COURT

The foregoing Petition having been read and considered, it is thereupon this 23rd day of August, 1943, by the Circuit Court for Queen Anne's County, in Equity, adjudged, ordered and decreed that Stephen R. Collins, Trustee of Margaret L. Hurlock Estate, be, and he hereby is, authorized and directed to pay out of the proceeds of sale in this Cause the sum of \$150.00 to Preston P. Heck, Solicitor, as attorney's fees for services rendered in this Cause.

WM R. HORNEY  
Judge.

Filed August 23, 1943.

ORDER FOR MORTGAGE  
Filed August 25th 1943.

IN THE MATTER OF THE TRUST  
ESTATE OF MARGARET L. HURLOCK

IN THE CIRCUIT COURT FOR  
QUEEN ANNE'S COUNTY, MARYLAND  
IN EQUITY. No. 3167

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Stephen R. Collins, Trustee in the above entitled case, respectfully shows:

The there is now pending in the Circuit Court for Queen Anne's County in Equity a proceeding for the sale of a farm located in Queen Anne's County, Maryland in the name of Margaret L. Hurlock to be purchased by William C. Smith for the price of eight thousand (\$8,000.00) dollars. That the sale of this farm has been reported to the Court and stands for ratification on or about August 23rd, 1943. That the said William C. Smith desires to borrow on a first mortgage on this farm the sum of Five Thousand (\$5,000.00) dollars with interest at the rate of 5% per annum payable semi-annually, said mortgage to run for a period of three (3) years from date.

This petitioner believes that this is a safe investment, wherefore your petitioner prays your Honors to pass an order authorizing and directing him upon ratification of the sale in Queen Anne's County, Maryland to accept from William C. Smith and wife, as part of the purchase price, a purchase money mortgage in the amount of Five Thousand (\$5,000.00) dollars for a period of three (3) years with interest at the rate of 5% per annum payable semi-annually.

Respectfully submitted,

Stephen R. Collins

Trustee under the Last Will and Testament  
of Margaret L. Hurlock.

STATE OF MARYLAND, KENT COUNTY, TO WIT:

I HEREBY CERTIFY that on this 11th day of August, 1943; before me, the subscriber, a notary public of the State of Maryland, in and for Kent County aforesaid, personally appeared Stephen R. Collins, Trustee under the Last Will and Testament of Margaret LL Hurlock, and made oath in due form of law that the matters and facts set forth in the foregoing petition are true to the best of his knowledge and belief.

As witness my hand and notarial seal.

(SEAL)

J. Raymond Simperts  
Notary Public

August , 1943.

I, Theodore Jewell, being familiar with the farm in Queen Anne's County, Maryland being sold by Stephen R. Collins, Trustee of the Estate of Margaret L. Hurlock for the sum of Eight Thousand (\$8,000.00) dollars do hereby certify that I believe it is a safe investment for the sum of Five Thousand (\$5,000.00) dollars on first mortgage.

H. T. Jewell

Sworn to before me this 6th day of August, 1943.

(SEAL)

Helen F. Strong  
Notary Public

August 9, 1943.

I, Clarence Melvin, being familiar with the farm in Queen Anne's County, Maryland being sold by Stephen R. Collins, Trustee of the estate of Margaret L. Hurlock for the sum of Eight Thousand (\$8,000.00) dollars, do hereby certify that I believe it is a safe investment for the sum of Five Thousand (\$5,000.00) dollars on first mortgage.

Clarence Melvin

Sworn to before me this 9 day of August, 1943.

(SEAL)

Mary A. Pennington  
Notary Public

ORDER OF COURT

The foregoing petition having been read and considered, it is thereupon this 12th day of August, 1943, by the Circuit Court for Kent County, Maryland, in Equity, ordered that Stephen R. Collins, Trustee, in Equity Cause No. 3167 in the Circuit Court for Kent County, Maryland, is hereby authorized and empowered upon the ratification of the sale by him of a farm located in Queen Anne's County, Maryland to William C. Smith to accept as part of the purchase price a first purchase money mortgage on said farm in the amount of Five Thousand (\$5,000.00) dollars for a period of three (3) years with interest at the rate of 5% per annum payable semi-annually. Before accepting said mortgage a certificate of title acceptable to the Trustee to be a first mortgage lien shall be filed in the Cause and all insurance papers shall be endorsed to the Trustee and delivered to him.

Wm. R. Horney  
Judge.

STATE OF MARYLAND,

KENT COUNTY , TO WIT: -

I, ROBERT A. SHALLCROSS, Clerk of the Circuit for County and State aforesaid, hereby certify that the above is a true copy of the PETITION and ORDER OF COURT in the above entitled case, and that the same remains on file in this court.

IN TESTIMONY WHEREOF, I hereunto subscribed my name and affix the Seal of the Circuit Court for Kent County, At Chestertown this 12th day of August A. D, 1943.

Seals Place.

ROBERT A. SHALLCROSS  
Clerk of the Circuit Court  
for Kent County.

ORDER OF COURT  
Filed August 25th 1943.

ORDER OF COURT

ORDERED by the Circuit Court for Queen Anne's County, in Equity, this 25th day of August, 1943, that the sale made and reported by the Trustee aforesaid be and the same hereby is finally ratified and confirmed, no cause to the contrary having been shown although due notice appears to have been given as required by the Order Nisi passed in said cause; and the Trustee is allowed the usual



commissions and such proper expenses as he shall produce vouchers for to the Auditor.

WM. R. HORNEY  
Judge.

Filed August 25th 1943.

.....  
A U D I T  
Filed Oct. 12th 1943.

In the Circuit Court for Queen Anne's County, in Equity.

William E. Pippin, plaintiff	Chancery Docket,
versus	
James T. Pippin, et al. Defendant.	Cause NO. 3360

To the Honorable, the Judges of said Court:-

The Report of Madison Brown, your auditor, unto Your Honors respectfully sets forth:-

That the Auditor has stated the within account by first charging Stephen R. Collins, the trustee appointed by the decree of sale passed in this Cause to sell the land decreed to be sold, with the amount of the sale made by him and then thereout allowing the following items, to wit:

To the said Trustee, his commissions for making the sale, the amount of the broker's commissions directed by the decree to be paid out of the gross sale, the fee paid by the trustee under the order of the court to Preston P. Heck for his services, the cost of the trustee's bond, the cost of advertising the several orders nisi of the cause, the court costs of the cause and the fee of the auditor and

to Stephen R. Collins the trustee of the trust estate mentioned and described in the Bill of Complaint filed in this cause is distributed, the amount of the sale so charged as above set forth remaining after deduction from the gross sale of the allowances above mentioned.

Which is respectfully submitted,

MADISON BROWN  
Auditor

October 7, 1943.

CAUSE NUMBER 3360

The proceeds of the Sale of the Real Estate owned by William E. Pippin and James T. Pippin subject to the Trust created by the will of Margaret L. Hurlock

IN ACCOUNT WITH

Stephen R. Collins, trustee named in the decree passed in this cause to sell said real estate.

---

1943		
June	CR.	
12	By amount of the gross sale made this date per report of sale filed, to wit: .....	\$8,000.00
	DR.	
1943		
June		
12	To Stephen R. Collins, trustee, for his commissions for making the sale, per decree and rule of Court, the sum of .....	\$365.00
	To same trustee to be paid to J. Wilbur Stafford for his real estate broker's commissions for procuring purchaser of land sold, per decree of sale, the sum of .....	\$300.00
	To same trustee for the amount of attorney's fee paid Preston P. Heck under order of Court, per receipt for same exhibited, the sum of .....	\$150.00
	To same trustee for the cost of the bond filed herein by him to be paid the corporate surety on the bond, per account for same exhibited, the sum of .....	32.00
	To do., for the costs of advertising the order nisi passed on the sale, per account for same exhibited, the sum of .....	5.00

To same trustee for payment of the Court costs of this cause, per statement of costs made by Clerk of Court exhibited, as follows:

Appearance fee, .....	\$10.00	
Clerk's Costs, .....	48.05	
Guardian ad litem H. W. Vickers) .....	4.00	
Sheriff of Kent County, .....	1.50	
Sheriff of Queen Anne's County, .....	1.50	
Register of Wills, Kent County, .....	4.50	
Costs before Examiner, .....	20.85	
	<u>\$90.40</u>	<u>\$ 90.40</u>

To Madison Brown, auditor, for stating this account, the sum of .....\$ 9.00

To same trustee for costs of advertising order nisi to be passed as to this audit, the sum of .....\$ 3.50

		<u>\$954.90</u>
To balance for distribution , .....	\$7,045.10	
		<u>\$8,000.00</u>

CAUSE NUMBER 3360

DISTRIBUTION OF BALANCE

CR.

By amount of balance of sale, brought forward, to wit: .....\$ 7,045.10

DR.

To Stephen R. Collins as trustee of the Trust Estate created by the will of Margaret L. Hurlock for benefit of William E. Pippin and James T. Pippin in course of administration in Circuit Court for Kent County, in Equity, in Chancery Cause No. 3167 This balance is now distributed, said sum of .....\$7,045.10

<u>\$7,045.10</u>	<u>\$7,045.10</u>
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October 7, 1943.

MADISON BROWN  
Auditor

.....  
NISI RATIFICATION OF AUDIT  
Filed October 12, 1943.

NISI RATIFICATION OF AUDIT

William E. Pippin, Plaintiff	In the Circuit Court for
vs	Queen Anne's County, in Equity.
James T. Pippin, et al. Defendant.	Cause No. 3360

ORDERED, This 12th day of October in the year nineteen hundred and forty three, that the Report and Account filed in these proceedings by Madison Brown, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 6th day of November, 1943, provided a copy of this order be published once a week in each of two successive weeks before the 30th day of October, 1943, in some newspaper printed and published in Queen Anne's County.

A. SYDNEY GADD JR. Clerk

Filed October 12, 1943.

.....  
CERTIFICATE PUBLICATION OF NISI AUDIT  
Filed Nov. 9th 1943.

NISI RATIFICATION OF AUDIT

WILLIAM E. PIPPIN, Plaintiff	IN THE CIRCUIT COURT FOR
vs	QUEEN ANNE'S COUNTY, IN EQUITY.
JAMES T. PIPPIN, et al. Defendant.	Cause No. 3360

ORDERED, This 12th day of October in the year nineteen hundred

and forty three, that the Report and Account filed in these proceedings by Madison Brown, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 6th day of November, 1943; provided a copy of this order be published once a week in each of two successive weeks before the 30th day of October, 1943, in some newspaper printed and published in Queen Anne's County.

A. SYDNEY GADD JR. Clerk

True Copy  
Test:

A. SYDNEY GADD JR. Clerk

Filed October 12, 1943.

THE QUEENSTOWN NEWS

Queenstown, Md. October 29, 1943.

THE QUEENSTOWN NEWS, trading as a co-partnership between Michael W. Aker and George J. Steinfeld, do hereby certify that the Nisi Ratification of Audit in the case of William E. Pippin vs James T. Pippin et al. Cause No. 3360 a true copy of which is annexed hereto, was published in THE QUEENSTOWN NEWS, a weekly newspaper printed and published at Queenstown, in Queen Anne's County, Maryland, once a week for 2 successive weeks before the 30th day of Oct. 1943, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 15th day of Oct. 1943.

THE QUEENSTOWN NEWS  
By GEORGE STEINFELT

Filed No. 9, 1943.

Q:::::::::::::::::::::::::::  
FINAL RATIFICATION OF AUDIT  
Filed Jan 4, 1944.

William E. Pippin :  
Plaintiff :  
vs : Cause No. 3360  
James T. Pippin et al., :  
Defendants. :

Final Ratification of Audit

ORDERED this 4th day of January, 1944, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court that the within and foregoing report and account of Madison Brown, Auditor, be and the same is hereby finally ratified and confirmed, no cause to the contrary thereof having been shown, although it appears that notice has been given in accordance with the preceding nisi ratification of audit passed thereon in this cause, and Stephen R; Collins, the Trustee in this cause, be and he is hereby authorized and directed to apply the proceeds of sale in accordance with said audit with due proportion of interest as the same has been or may hereafter be received.

WM. R. HORNEY  
Judge.

Filed Jan 4, 1944.

C A U S E N O. 3361

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Fifteenth day of April in the year nineteen hundred and forty three, the following Order to Docket suit was brought to be recorded, to wit:

In the Circuit Court for Queen Anne's County, in Equity.

Madison Brown, assignee and attorney :  
for collection of mortgage, : Chancery Docket,  
 :  
versus : Cause No. 3361  
 :  
Annie H. Jones, mortgagor. :

To A. S. Gadd junior, clerk of said Court:

Docket suit forthwith on your Chancery Docket in accordance with the above titling and file in the papers of said suit a certified copy of the mortgage given by Annie H. Jones to Elmer Golt bearing date November 4, 1935 and by Elmer Golt assigned unto Madison Brown, the plaintiff for collection.

This mortgage has been recorded in Liber W.H.C. No. 2-A, folio 114, a land record book in your office.

Enter the appearance of the undersigned attorney for the plaintiff.

MADISON BROWN  
Madison Brown  
Attorney at Law.

Filed April 15th 1943.

.....  
CERTIFIED COPY OF MORTGAGE  
Filed April 15, 1943.

#17,331. QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the fifth day of November, in the year nineteen hundred and thirty five, the following Mortgage was brought to be recorded, to wit:-

THIS MORTGAGE, made this 4th day of November, in the year nineteen hundred and thirty five, by Annie H. Jones, widow, of Queen Anne's County, State of Maryland, Witnesseth:-

WHEREAS, the said Annie H. Jones is justly indebted unto Elmer Golt in and for the just sum of one thousand dollars, being for money let her by him this date, and which said sum of one thousand dollars is due and payable in three years from the date of these presents, with interest at the rate of six per cent per annum payable semi-annually from said date, and it was a condition precedent to said loan that the payment of the said principal sum and interest thereon should be secured and assured by the execution of these presents

NOW THEREFORE THIS MORTGAGE WITNESSETH that in consideration of the premises and the sum of one dollar the said Annie H. Jones does hereby grant and convey unto Elmer Golt, his heirs and assigns, in fee simple,

ALL those several tracts, parts or parcels of land, situate, lying and being on Kent Island, in the Fourth Election District of Queen Anne's County, State of Maryland, in Crab Alley Neck, at what is known as Dominion, consisting of several parcels of land, more particularly described as follows, to wit:-

PARCEL NO. 1

ALL that lot of land, known as the T. Harry Jones Store and Home Lot, at Dominion, in the Fourth Election District of Queen Anne's County, aforesaid, on the west side of the public road, with a frontage on the said public road leading from Chester to Crab Alley Neck through Dominion of sixty feet and with a depth of seventy feet, bounded on the north by the lane leading from Dominion to the creek, on the east by the public road running through Dominion, on the south by the Dominion M.E. Church property and on the west by the property of Elmer Golt, consisting of two parcels of land conveyed to the said T. Harry Jones one by Thomas J. Thompson and wife by deed dated the second day of May, in the year eighteen hundred and ninety one and recorded in Liber W. D. No. 5, folio 480, a Land Record Book for Queen Anne's County, and the other by Carrie Thomas and Harry Thomas, her husband, by deed dated the twenty eighth day of May, in the year nineteen hundred and twenty three, and recorded in Liber J.F.R. No. 10, folio 548, a Land Record Book for Queen Anne's County, to which said deeds and thereferences therein contained reference is hereby made for a more full and perfect description of the property hereby conveyed.

PARCEL NO. 2

ALL that lot of land on the west side of the public road leading from Chester, into Crab Alley Neck, through Dominion, at Dominion, in the South Election District of Queen Anne's County, aforesaid, improved by two garages, with a frontage on said public road of forty eight feet and bounded on the north by the Dunn Land, on the east by the said public road and on the south and

west by the land owned by Carville Tolson, and being the same tract of land which was conveyed to the said T. Harry Jones by James E. Kirwan by deed dated the nineteenth day of May, in the year nineteen hundred and three and recorded in Liber J. E. G. No. 5, folio 120, a Land Record Book for Queen Anne's County, to which said deed and the references therein contained reference is hereby made for a more full and perfect description of the property hereby conveyed.

PARCEL NO. 3.

ALL that lot of land situated on the east side of the public road leading from Chester into Crab Alley Neck, through Dominion, at Dominion in the Fourth Election District of Queen Anne's County, aforesaid, bounded on the north by the said public road, on the east by the property of Herry L. Lee, on the south by the land of Howard Thompson and on the west by the aforesaid public road, and being the same tract of land which was conveyed to the said T. Harry Jones by Thomas Stevens and Emily V. Stevens, his wife, by deed dated the eighteenth day of April, in the year eighteen hundred and ninety five and recorded in Liber W. H. C. No. 2, folio 504, a Land Record Book for Queen Anne's County, saving and excepting from the lot above described in said deed that portion of same which was conveyed to one Harry L. Lee by the said T. Harry Jones and wife by deed dated the second day of April, in the year nineteen hundred and twenty three and recorded in Liber J.F.R. No. 10, folio 361, a Land Record Book for Queen Anne's County; reference is hereby made to the above two deeds and references therein contained, for a more full and perfect description of the property hereby conveyed.

The above three parcels of land being the same and all the real estate conveyed unto the said Annie A. Jones by Olin A. Jones and others, by deed dated the eighteenth day of October, in the year nineteen hundred and thirty five, to which said deed and references therein contained reference is hereby made for a more full and perfect description of the property hereby conveyed.

TOGETHER with the buildings and improvements thereupon, erected, made or being, and all and every the rights, roads, ways, waters, privileges, appurtenances and advantages to the same belonging or in any way appertaining.

AND it is hereby agreed that, in the event of a sale of the above described property under the power of sale hereinafter expressed, all annual crops, pitched, planted or growing upon said property at the time of sale shall pass to the purchaser of said property.

PROVIDED, that if the said Annie H. Jones, her heirs, executors, administrators or assigns, shall well and truly pay to the said Elmer Golt, his executors, administrators or assigns, the aforesaid sum of one thousand dollars and the interest to accrue thereon as above set forth, and shall perform all the covenants, conditions and agreements herein on her or their part to be performed, then this mortgage shall be void; and until default be made in the premises the said Annie H. Jones, her heirs and assigns, shall possess said property.

AND the said Annie H. Jones for herself, her heirs, executors, administrators and assigns hereby covenant to pay, as they severally fall due, the debt and interest hereby intended to be secured, all taxes, assessments, public dues and charges levied or that may be levied thereon and on the property hereby conveyed, all costs and attorneys' commissions and charges incurred in the collection of said debt and interest or any part of either, and to insure, and pending this mortgage to keep insured, the improvements on said premises, to the amount of at least the insurable value thereof, in some Company or Companies approved by the said Elmer Golt, his executors, administrators, or assigns, and to have the said policy or policies, in case of loss, shall be applied to the payment of this mortgage, and to deliver, upon demand, to the mortgagee his executors, administrators or assigns, said policy or policies, and that no act or thing shall be done whereby said mortgaged premises may be depreciated or lessened in value.

BUT, in case of default of said debt, or the interest to accrue thereon, or any part of either, as they severally fall due, or in any covenant, condition or agreement in this mortgage, then the whole debt intended hereby to be secured and all moneys owing hereunder or secured hereby shall be due and demandable and the said Elmer Golt, his executors, administrators or assigns, or Edwin H. Brown Jr., of Queen Anne's County, State of Maryland, his or their hereby duly constituted Attorneys for the purpose, are hereby authorized and empowered to sell said premises upon giving twenty days previous notice of the time, place, manner and terms of sale by advertisement in a newspaper printed and published in Queen Anne's County, Maryland and such other notice as the party or parties selling may deem expedient, for cash, or for cash and credit, at the option of the person or persons making sale, the credit payments, if any, to bear interest from day of sale, and to be secured by the note or notes of the purchaser or purchasers, with security to be approved by the person or persons making the sale, and to apply the proceeds of sale to the payment of, first, all expenses incident to such sale, including compensation to the person or persons making sale the same as allowed to Trustees selling real estate under decree of the Circuit Court for Queen Anne's County, in Equity; second, all moneys owing hereunder or secured hereby, whether the same shall have then matured or not; and third, the balance to Annie H. Jones or whoever may be entitled to the same.

AND it is hereby agreed that when default be made in any covenant or condition contained in this mortgage and when suit has been docketed in the proper Court for the purpose of the foreclosure of this mortgage under the power of sale above granted the said Elmer Golt, his administrators, successors or assigns, or the said Edwin H. Brown, Jr., his or their said Attorney, shall not be required to receive and accept the principal and interest of said mortgage indebtedness in satisfaction thereof, unless the tender of said mortgage indebtedness be accompanied by the payment of all expenses incurred under said foreclosure proceedings, including all costs of advertisement, Court costs and all expenses incurred to the time of said tender and a commission on the total amount of the mortgage indebted-

ness, principal and interest, equal to one-half the commission allowed Trustees for making sale of real estate under decree of the Circuit Court for Queen Anne's County, in Equity, and which said costs, expenses and commissions the said Annie H. Jones, for herself, her heirs, executors, administrators and assigns, hereby covenants to pay.

Witness her hand and seal.

Test: ANNIE H. JONES (SEAL)  
GEORGE GOLT J.P.

STATE OF MARYLAND  
QUEEN ANNE'S COUNTY, TO WIT:

I hereby certify that on this 4th day of November in the year nineteen hundred and thirty five, before the subscriber a Justice of the Peace for Queen Anne's County, personally appeared the said Annie H. Jones and did acknowledge the foregoing mortgage to be her act.

GEORGE GOLT  
Justice of the Peace.

STATE OF MARYLAND  
QUEEN ANNE'S COUNTY, TO WIT:

I hereby certify that on this 4th day of November in the year nineteen hundred and thirty five, before the Subscriber, a Justice of the Peace for Queen Anne's County, personally appeared the said Elmer Golt, the within named mortgagee, and made oath in due form of law that the consideration as stated in the foregoing mortgage is true and correct as therein stated.

GEORGE GOLT  
Justice of the Peace.

Queen Anne's County, to wit: Be it remembered that on fifteenth day of April, 1943, the following Assignment was brought to be recorded, to wit:

I hereby assign and transfer the within and foregoing Mortgage unto Madison Brown, attorney at law, for the purpose of collection by foreclosure or otherwise.

Witness my hand and seal this 25th day of March in the year nineteen hundred and forty three.

Test: John F. Rolph III Elmer Golt (Seal)  
Elmer Golt, Mortgagee

STATE OF MARYLAND,  
QUEEN ANNE'S COUNTY, TO WIT:

I hereby Certify that the foregoing is truly taken and copied from Liber W. H. C. No. 2A, folio 144 A Land Record Book for Queen Anne's County.

In Testimony Whereof I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County on this fifteenth day of April in the year nineteen hundred and forty three.

Seals  
Place.

A. SYDNEY GADD JR. Clerk

.....  
CERTIFIED COPY OF BOND  
Filed April 20, 1943.

Queen Anne's County, to wit: Be it remembered that on this twentieth day of April in the year nineteen hundred and forty three, the following Bond was brought to be recorded, to wit:

State of Maryland, Queen Anne's County, to wit:

KNOW ALL MEN BY THESE PRESENTS, that we, Madison Brown, of said County, as principal and Elmer Golt and Roy Golt, of the same place, as sureties, are held and firmly bound unto the State of Maryland in the full and just sum of three thousand five hundred dollars, lawful money of THE UNITED STATES OF AMERICA: to be paid to the said State of Maryland, or its certain attorney; to which payment well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs, executors, and administrators, jointly and severally, in the whole and for the whole, firmly by these presents.

SEALED with our seals and dated this fifteenth day of April, in the year nineteen hundred and forty three.

WHEREAS, one Annie H. Jones by a mortgage bearing date the fourth day of November, 1935, and duly recorded among the Land Record books of Queen Anne's County aforesaid, in Liber W.H.C. No. 2-A, at folio 114, made to secure

the payment of the debt therein specified and the interest thereon to be paid did grant and convey certain land therein described unto Elmer Golt, of said county.

WHEREAS, said mortgage by the terms thereof confers upon the said Elmer Golt as mortgagee and his assigns a power to sell the mortgaged real estate in case of default in the terms and covenants of said mortgage; and

WHEREAS, default has occurred in the terms and covenants of said mortgage by reason of the non payment when due according to the terms of said mortgage of the principal mortgage debt and of certain interest to be paid, thereon, and

WHEREAS, the said Elmer Golt, mortgagee as aforesaid has assigned said mortgage in due form of law unto the said Madison Brown, attorney at law for the purpose of collection by the sale of the mortgaged property under the power of sale therein contained as above set forth or otherwise; and

WHEREAS, the said Madison Brown, as said assignee is about to make sale of the mortgaged real estate under said power of sale because of the defaults which have occurred therein as above set forth.

Note: That assignment of said mortgage by said Elmer Golt to the said Madison Brown has been recorded in the land record book above mentioned at the foot of the Record of said mortgage.

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bound Madison Brown shall do and shall well and faithfully abide by and fulfill any order or decree which shall be made by any court of equity in relation to the sale of such mortgaged property or the proceeds thereof; then this obligation shall be null and void; otherwise to be and remain in full force and virtue on law.

Signed, sealed and delivered in the presence of

MADISON BROWN (SEAL)  
Madison Brown

DELHA DANCY BROWN ROLPH  
Delha Dancy Brown Rolph

ELMER GOLT (SEAL)  
Elmer Golt

MARY E. TODD Test:  
Mary E. Todd

ROY GOLT (SEAL)  
Roy Golt

And on the back of the foregoing is thus endorsed, to wit:

Bond filed and security approved this 20th day of April, 1943.

A. SYDNEY GADD JR. CLERK

STATE OF MARYLAND  
QUEEN ANNE'S COUNTY, TO WIT:

I hereby Certify that the foregoing is truly taken and copied from Liber W. H. C. No. 1, folio 250, A Bond Record Book for Queen Anne's County.

(Seals Place) In Testimony Whereof I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County on this 20th day of April in the year nineteen hundred and forty three.

A. SYDNEY GADD JR. Clerk

.....  
REPORT OF SALE  
Filed May 6th 1943.

In the Circuit Court for Queen Anne's County, in Equity.

Madison Brown, assignee and attorney for collection,

CAUSE NO.

versus

3361

Annie H. Jones, Mortgagor,

To the Honorable, the Judges of said Court:-

The report of Madison Brown, the plaintiff named above and the vendor of the real estate hereinafter described, hereinafter styling himself "Vendor" unto Your Honors respectfully sets forth:

(1) That by a mortgage bearing date November 4, 1935, one Annie H. Jones conveyed the land therein described and hereinafter reported as land sold under said mortgage unto Elmer Golt, to secure unto him the payment of the debt therein described and certain interests thereon by her agreed to be paid. This mortgage was duly filed and has been recorded in Liber W. H. C. No. 4-A, a land record book of this county at folio 14 and this mortgage has been duly assigned unto the plaintiff of this cause for the purpose of collection and a certified copy of said mortgage and of said assignment has been filed in the proceedings of this cause to become part thereof.

(2) That said mortgage contains a power of sale which clothes any assignee of the mortgagee thereof with power to sell the mortgaged property in case default should occur in any covenant in said mortgage contained on the part of the Mortgagor.

(3) That prior to the day of sale hereinafter mentioned default had occurred in the covenants of said mortgage by reason of the nonpayment when due of the principal debt secured by said mortgage, of certain interest due on said debt under said mortgage of certain taxes levied on the mortgaged property and by reason of the non-performance of the covenant in said mortgage contained by which the Mortgagor agreed to insure the improvements of the mortgaged property.

(4) That prior to the day of sale hereinafter mentioned your vendor filed with the Clerk of this Court his bond to the State of Maryland with surety thereon containing that condition which is required by the law of Maryland to be contained in bonds under which property is to be sold under powers of sale in mortgages and this bond was approved by said Clerk.

(5) That prior to the day of sale hereinafter mentioned your vendor gave more than twenty days previous notice of the time, place, manner and terms of sale hereinafter described by advertisement in the Queenstown News, a weekly newspaper published at Queenstown in said County and said notice or advertisement of sale was published in those editions of said newspaper which were issued to the public on April 2, on April 9th, on April 16th and on April 23rd, 1943. Your vendor files with this report of sale a copy of said advertisement of sale to which is attached the certificate of the publishers of said newspaper as to the fact of said advertisement at the times mentioned above.

The advertisement and said certificate are intended to become a part of this report of sale.

(5-A.) That the sale hereinafter mentioned was made in execution of the power of sale contained in said mortgage as above set forth.

(6) That on Tuesday, April 27, 1943 at 2 o'clock P.M. in accordance with the terms of said advertisement your vendor did attend in front of the court house door in the town of Centreville, Queen Anne's County, Maryland with J. Elmer Anthony as his auctioneer and did then and there offer at public auction or sale to the highest bidder the property conveyed by and described in said mortgage and which is particularly described in said advertisement of sale upon the terms of sale described in said advertisement and did then and there through the medium or agency of said auctioneer sell the mortgaged property described in said advertisement of sale as one lot of land unto Elmer Golt of said county, he being then and there the highest bidder for said property at and for the sum of Sixteen hundred and fifty dollars.

(7) That the mortgaged property was first offered in three several lots or parcels of land and the aggregate bids therefor were held and then the property was offered and sold as a whole and the property was sold as a whole for the reason that the bid therefore as a whole exceeded the several aggregate bids mentioned.

Which is respectfully submitted,

MADISON BROWN  
Assignee, attorney for  
collection of above described  
mortgage and vendor.

State of Maryland, Queen Anne's County, to wit:-

I hereby certify that on this sixth day of May in the year nineteen hundred and forty three before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared Madison Brown, above named and he did make oath in due form of law that the matters and things set forth in the foregoing report of sale are true as therein set forth and that the sale therein mentioned was fairly made.

A. SYDNEY GADD JR.  
Clerk of the Circuit Court for Queen  
Anne's County.

Filed May 6, 1943.

.....  
CERTIFICATE OF PUBLICATION OF  
ADVERTISEMENT OF SALE  
Filed May 6, 1943.

MORTGAGE SALE OF REAL ESTATE

AT DOMINION, KENT ISLAND:

Default has occurred in the terms of the mortgage from Annie H. Jones to Elmer Golt dated November 4, 1935, recorded in land record book of Queen Anne's County, Liber W. H. C. 4-A at folio 14 and the mortgage has been assigned to Madison Brown, attorney, for collection and he will sell at public sale to the highest bidder, in execution of the power of sale in said mortgage, in front of the court house door in town of Centreville, Queen Anne's County, Maryland on TUESDAY, APRIL 27, 1943. at 2'clock P.M. the mortgaged property consisting of three following described parcels of land, all situated at or near Dominion in Crab Alley Neck on Kent Island, in said county on the State Road which runs from Chester through Dominion down Crab Alley Neck:

PARCEL NO. 1 All that lot of land known as the "T. Harry Jones Store and Home Property" located on west side of said road and with a frontage on the road of 60 feet, more or less.



Improvements consist of a frame building containing a store room for sale of merchandise and a dwelling apartment of 7 rooms and 3 porches.

PARCEL NO. 2, All that lot of land on east side of said road with frontage thereon of 48 feet, more or less and improved by two buildings used as garages. This lot is bounded on the north by the Dunn Land.

PARCEL NO. 3. All that unimproved lot of land on east side of said State Road and adjoins the property of Harry Lee and that of Howard Thompson.

For further description of these lots see said mortgage.

The land will be first offered in parcels and then as a whole and sold in way the most money can be realized.

The sale of the above described store buildings offers an opportunity for one to secure one of the best business places on Kent Island.

TERMS OF SALE : One-third of the purchase money in cash at time and place of sale and balance payable by two equal installments six and twelve months from day of sale with interest from day of sale or all cash at option of purchaser.

Deferred payments to be secured by notes of purchaser with surety thereon to be approved by undersigned.

Further particulars made known on day of sale.

MADISON BROWN , Attorney Assignee

J. Elmer Anthony, Auctioneer.

Queenstown , Queen Anne's County State of Maryland. May 4th, 1943.

The undersigned, M.W. Aker and George Steinfeld do hereby certify that they are the publishers of a newspaper published under the name of "The Queenstown News" each week and on Friday, at Queenstown, Queen Anne's County, State of Maryland and we further certify that the advertisement of the mortgage sale advertised to be made by Madison Brown, assignee, on April 27, 1943 under a mortgage from Annie H. Jones to Elmer Golt, dated November, 4, 1935, recorded in Liber W.H.C. No. 4-A folio 14, a land record book of Queen Anne's County aforesaid, a true copy of which is hereunto annexed, was advertised and published as an advertisement in said newspaper, issued on the following dates, to wit:

- Friday , April 2, 1943.
- " " 9, 1943.
- " " 16, 1943.
- " " 23, 1943.

and we further certify that the first advertisement of/sale appeared in said newspaper issued to the public more than twenty days before April 27- 1943.

M. W. AKER

GEORGE STEINFELT

Filed May 6, 1943.

.....  
N I S I S A L E  
Filed May 6th, 1943.

N I S I

Madison Brown, assignee and attorney for collection

In the Circuit Court for Queen Anne's County

vs

in Equity. Chancery No. 3361

Annie H. Jones, Mortgagor.

ORDERED, This 6th day of May, A. D., 1943, that the sale of the real estate made and reported in this cause by Madison Brown, assignee and attorney for collection, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 14th day of July next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 14th day of June next.

The Report states the amount of sales to be \$1650.00

A, SYDNEY GADD JR. CLERK

Filed May 6, 1943.

.....  
CERTIFICATE OF NEWSPAPER SHOWING PUBLICATION OF ORDER NISI ON SALE  
Filed July 24, 1943.

N I S I

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY, IN EQUITY. CHANCERY NO. 3361

MADISON BROWN, Assignee and Attorney for Collection. VS ANNIE H. JONES, Mortgagor.

ORDERED, This 6th day of May A. D., 1943, that the sale of the real estate made and reported in this cause by Madison Brown, assignee and attorney for collection, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 14th day of July next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 14th day of June next.

The Report states the amount of sale to be \$1650.00.

A. SYDNEY GADD JR. Clerk

True Copy  
Test:

A. SYDNEY GADD JR. Clerk

Filed May 6, 1943.

Queenstown, Queen Anne's County, Maryland July 23, 1943.

The undersigned, Michael W. Aker and George Steinfelt do hereby certify that they are the publishers of a newspaper called The Queenstown News which they publish and issue to the public each week on Friday and they do further certify that the order nisi passed on May 6, 1943 in a Cause of the Circuit Court for Queen Anne's County, in Equity, bearing the Number 3361 wherein, Madison Brown, assignee is plaintiff and Annie H. Jones, Mortgagor is defendant a true copy of which is hereunto annexed, was published as an advertisement in the Queenstown News aforesaid once in each of four successive weeks before the 14th day of June, 1943, and was published on the following dates:

- May 14, 1943 .
- May 21, 1943,
- May 28, 1943.
- June 2, 1943.

MICHAEL W. AKER

GEORGE J. STEINFELT

Filed July 24, 1943.

STATEMENT OF MORTGAGE DEBT  
Filed July 27, 1943.

Annie H. Jones, Mortgagor,

to Elmer Golt, Mortgagee,

DR.

To amount of principal mortgage debt due by her to him named in the mortgage from her to him dated November 4, 1935, recorded in Liber W.H.C. No. 2\*A, land record book of Queen Anne's County at folio 144, the sum of

\$1,000.00

INTEREST:

The interest due on May 4th, 1936 and on November 4, 1936, was paid.

1937		
May 4 :	Interest due this date	\$30.00
May 17:	By payment on account	<u>15.00</u>
	Balance due .	\$15.00
	Interest due	
November 4, 1937		30.00
May 4, 1938		30.00
November 4, 1938		30.00
May 4, 1939		30.00
November 4, 1939		30.00
May 4th, 1940		30.00
November 4, 1940		30.00
May 4, 1941		30.00
November 4, 1941		30.00
May 4, 1941,		30.00
November 4, 1941		30.00
May 4, 1942		30.00
November 4, 1942		30.00
April 27, 1943		<u>29.00</u>
Total interest due		\$374.00

\$374.00

Cost of fire Insurance paid.

1937, August 19, paid by mortgage	39.69	
1937, August 17, " " "	11.22	
1939, August 25, " " "	11.22	
1940, May 18, " " "	<u>11.22</u>	
Total interest paid by mortgagee	\$73.26	73.26

Taxes paid by Mortgagee

1937, December 30,	24.39	
1938, December 20,	24.11	
1939, December 26,	<u>12.92</u>	
Total taxes paid	\$ 61.42	61.42

Costs of repairs, material and labor paid by mortgagee.

1942, June 1,	4.80	
1942, June 29,	<u>2.50</u>	
	\$ 7.30	7.30

\$1,515.98

Credits:

By rents received for mortgaged property, June 15, 1942 to April 15, 1943 inclusive 1943,	<u>41.00</u>
April 27 to mortgage debt, as above set forth due now	\$1,474.98

ELMER GOLT

State of Maryland, Queen Anne's County, to wit: I hereby certify that on this 27 day of July 1943 before me, the subscriber, a Notary Public of the State of Maryland in and for Queen Anne's County aforesaid, personally appeared Elmer Golt, Mortgagee, and he did make oath in due form of law that the foregoing Statement is correct, just and true as stated to the best of his knowledge and belief.

IN WITNESS WHEREOF I hereunto subscribe my name and affix my Seal Notarial the day and year above written.

DELHA DANCY ROLPH  
Delha, Dancy Rolph

Filed July 27, 1943.

(Notary Public Seals Place)

.....  
AFFIDAVIT AS TO MILITARY SERVICE  
Filed July 30, 1943.

In the Circuit Court for Queen Anne's County, in Equity.

Madison Brown, assignee,	:	CHancery Docket,
	:	
vs	:	
	:	Cause No. 3361
Annie H. Jones, mortgagor.	:	

Affidavit as to Military Service.

State of Maryland, Queen Anne's County, to wit:

I hereby certify that on this 30th day of July, 1943, before me, the subscriber, the clerk of the Circuit Court for Queen Anne's County, personally appeared Madison Brown, above named plaintiff, and having been first duly sworn according to law by did depose and say as follows:

My name is Madison Brown and I am the attorney and plaintiff in the above entitled cause.

I have made diligent inquiry and therefrom have ascertained the following facts which I believe to be true:

That the said Annie H. Jones, the defendant mortgagor named in above cause, departed this life prior to the institution of the above suit.

That she died intestate and that she left surviving her as her only heirs at law the following named persons:

Olin Jones, her son.  
Ida Jones, her daughter  
Gertrude Anderson, her married daughter  
Sarah Sewell, her married daughter  
Wedge Jones, her son.  
Lelia Jones, her daughter?  
Erma Jones Jones her daughter.

That all the above heirs at law of the said Annie H. Jones are over the age of twenty one years.

That none of the above named heirs at law of said Annie H. Jones are engaged in the military service of the United States of America and that none of them have been engaged in such service within three months prior to the date of this affidavit.

That none of the said named heirs have been ordered to report for induction under the Selective Training and Service Act of 1940 as amended, and that none of them are members of the Enlisted Reserve Corps who have been ordered to report for military service.

MADISON BROWN

Signed and subscribed and sworn to before me on this 30th day of July, 1942.

A. SYDNEY GADD JR. Clerk

Filed July 30, 1943.

ORDER OF COURT RATIFYING SALE  
Filed July 30, 1943.

In the Circuit Court for Queen Anne's County, in Equity.

Madison Brown, assignee	:	
	:	
versus	:	Chancery Docket, Cause No. 3361
	:	
Annie Jones, Mortgagor.	:	

Ordered, on this 30th day of July, 1943, by the Circuit Court for Queen Anne's County sitting as a Court of Equity, that the sale of the real estate of Annie H. Jones, mortgagor, made by Madison Brown, assignee of mortgage, described and set forth in the within and foregoing report of sale filed by Madison Brown, assignee of mortgage, be and the same is hereby finally ratified and confirmed, no cause to the contrary thereof having been shown, although it appears that notice has been given in accordance with the order nisi heretofore passed in this cause relation to said sale.

And it is further ordered by this Court that as Madison Brown the regular auditor of this court is the party making the same mentioned that the papers of this cause be and the same are hereby referred to Charles E. Tucker as special auditor with instructions to state and return to this court an audit or account between the proceeds of the said sale and Madison Brown, assignee and the vendor.

WM. R. HORNEY  
Judge.

Filed July 30, 1943.

A U D I T  
Filed Aug. 21, 1943.

In the Circuit Court for Queen Anne's County, in Equity.

Madison Brown, assignee of mortgage,	:	Chancery Docket,
	:	
versus	:	Cause NO. 3361
	:	
Annie H. Jones, Mortgagor.	:	

To the Honorable, the Judges of said Court:-

The report of Charles E. Tucker, the special auditor appointed by the order of court passed in this cause to state the within account, unto Your Honors respectfully sets forth:-

That before stating this account he took that oath required of him as special auditor before the clerk of this Court.

That these proceedings were conducted by Madison Brown, assignee of the mortgage mentioned in the within account for collection of the mortgage debt by a sale of the mortgaged property made by him and herein reported under the terms of the mortgage.

That in the within account your auditor has charged the said Madison Brown as vendor with the amount of the gross sale made by him, per his report and has then thereout allowed as follows, to wit:

Unto the said Madison Brown, his commissions for making the sale, the court costs of this cause, the costs of advertising notices of the sale and theseveral orders nisi of the cause, the charge of the auctioneer for making the sale and unto your auditor, his fee for stating the audit.

The balance of the amount so charged remaining after these allowances forms the net mortgage sale and is distributed by the within account unto the said Madison Brown, assignee on account of the mortgage debt for said net sale is not sufficient to pay the indebtedness due under the mortgage on the day of sale.

The auditor appends to the within account a statement of the mortgage indebtedness as of the day of sale and after the application to the debt of the net sale.

Which is respectfully submitted,

CHAS. E. TUCKER  
SPECIAL AUDITOR

August 10th, 1943.

CAUSE NO. 3361

The proceeds of the sale of the mortgaged real estate of Annie H. Jones, Mortgagor, IN ACCOUNT WITH Madison Brown, Assignee of the mortgage described in this cause made by said Annie H. Jones and the vendor making the sale of said real estate under said mortgage.

CR.

1943  
April  
27

By the gross proceeds of the said sale per the report of sale of said vendor filed in said cause, to wit:.....\$1,650.00

1943  
April  
27

DR.

To Madison Brown, as said vendor for making said sale, per terms of the mortgage, the sum of .....\$105.00

To same vendor, for the court costs of these proceedings as set out in the clerk's statement exhibited, as follows:  
the costs of said clerk, .....\$19.25  
Appearance fee of Madison Brown, .... 10.00  
Total costs allowed, ..... 29.25 \$29.25

To same vendor for costs of advertising sale in Queenstown news, per receipted account for same exhibited, the sum of . . . . . \$13.07

To same vendor for costs of advertising order nisi on sale and advertising order nisi on audit, the sum of . . . . . \$ 8.50

To same vendor for amount paid J. E. Anthony for crying the sale, per his receipt exhibited, the sum of.... 10.00

To Charles E. Tucker, special auditor for stating this audit, the sum of . . . . . 9.00

\$174.82

To Madison Brown, assignee of the mortgage, this balance in part payment of the mortgage indebtedness due on the day of sale, the balance not being sufficient to pay the said debt in full (see statement filed and attached), to wit: .... \$1,475.18

\$1,650.00      \$1,650.00

CAUSE NO. 3361

Annie H. Jones, mortgagor, as set forth below IN ACCOUNT WITH Madison Brown, assignee of said mortgage.

1943  
April  
27

To the amount of the mortgage debt, principal and interest due on this date, the day of sale of this cause, to said assignee, per statement of mortgage debt filed in this cause, to wit: the sum of ..... \$1,474.98

Note: This mortgage bears dated November 4, 1935 and is recorded in Queen Anne's County in Liber W.H.C.No. 2-A at folio 144 and was given by Annie H. Jones to Elmer Golt and was assigned by him to said Madison Brown for collection.

To 5 per cent attorneys' commissions of collection, per terms of said mortgage due to said Madison Brown, the sum of ..... \$ 73.79

Total mortgage indebtedness, to wit: ..... \$1,548.77

Credit by net proceeds of the sale distributed to said Madison Brown, assignee of said mortgage, per above account, to wit: the sum of ..... \$ 1,475.18

Balance due to Madison Brown, assignee of said mortgage, ..... \$ 73.59  
Y

August 10, 1943.

CHAS. E. TUCKER  
SPECIAL AUDITOR.

Filed August 21, 1943.

.....  
NISI RATIFICATION OF AUDIT  
Filed August 21, 1943.

NISI RATIFICATION OF AUDIT  
Madison Brown, assignee of mortgage IN THE CIRCUIT COURT FOR

vs

QUEEN ANNE'S COUNTY, IN EQUITY.

CASE NO. 3361

Annie H. Jones, Mortgagor.

ORDERED, This 21st day of August in the year nineteen hundred and forty three, that the Report and Account filed in these proceedings by Chas. E. Tucker, Special Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 18th day of September, 1943; provided a copy of this order be published once a week in each of two successive weeks before the 10th day of September, 1943, in some newspaper printed and published in Queen Anne's County.

A. SYDNEY GADD JR. Clerk

Filed August 21, 1943.

.....  
NISI RATIFICATION OF AUDIT  
Filed Feb. 5, 1944  
CERTIFICATE OF PUBLICATION

NISI RATIFICATION OF AUDIT

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY, IN EQUITY. CASE NO. 3361

MADISON BROWN, assignee of Mortgage

vs

ANNIE H. JONES, Mortgagor.

ORDERED, This 21st day of August in the year nineteen hundred and forty three, that the Report and Account filed in these proceedings by Chas. E. Tucker, Special Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 18th day of September, 1943; provided a copy of this order be published once a week in each of two successive weeks before the 10th day of September, 1943, in some newspaper printed and published in Queen Anne's County.

A. SYDNEY GADD JR Clerk

True Copy  
Test:

A, SYDNEY GADD JR. Clerk

Filed August 21, 1943.

Queenstown, Md. Sept. 1943.

and QUEENSTOWN NEWS, trading as a co-partnership between Michael W. Aker/George J. Steinfeld do hereby certify that the Nisi Ratification of Audit in the case of Madison Brown, Assignee of Mortgage vs. Annie H. Jones, Mortgagor Case No. 3361 a true copy of which is annexed hereto, was published in The Queenstown News, a weekly newspaper printed and published at Queenstown, in Queen Anne's county, Maryland, once a week for 2 successive weeks before the 10 day of Sept. 1943, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 27 day of August 1943.

THE QUEENSTOWN NEWS

By George J. Steinfeld

Filed Feb. 5, 1944.

.....  
ORDER OF COURT  
Filed Feb. 9th 1944.

Ordered by the Circuit Court for Queen Anne's County, sitting as a Court of Equity, on this 9th day of February in the year nineteen hundred and forty four that the within and foregoing report and account of Charles E. Tucker, special auditor, be and the same is hereby finally ratified and confirmed, no cause to the contrary thereof having been shown, although it appears that notice has been given in accordance with order nisi heretofore passed in this cause in relation to said audit or report and account and Madison Brown, the party making the sale of this cause and named in said report and account is hereby directed to apply the proceeds of sale of the cause in accordance with said report and account.

WM. R. HORNEY  
Judge.

Filed Feb. 9th 1944.

C A U S E N O. 3375

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Fourth day of August in the year nineteen hundred and forty three, the following Order to Docket Suit was brought to be recorded, to wit:

Richard T. Earle, Assignee,	:	In the Circuit Court for
	:	
vs	:	Queen Anne's County,
	:	
John L. Boardly and Lena Boardly,	:	in Equity.
his wife, William Asbury Boardly,	:	
George Samuel Boardly, Laura Jane	:	Cause No. 3375
Brown and George Brown, her husband,	:	
Sarah Thomas and Charles Thomas,	:	
her husband, Eleanor Wilson and	:	
Webster Wilson, her husband, Clark	:	
James Boardly and Matilda Boardly.	:	

Mr. A. S. Gadd, Jr., Clerk of said Court:

You will kindly docket suit as per above titling, record assignment of mortgage from William T. Bishop to John L. Boardly and from John L. Boardly to myself, make certified copy of mortgage and assignments and file in this cause, approve Bond and file, file military affidavit and affidavit as to mortgage indebtedness.

RICHARD T. EARLE  
Assignee

Filed August 4th 1943.

.....  
CERTIFIED COPY OF MORTGAGE  
Filed August 4, 1943.

# 10,392. QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the seventh day of January in the year nineteen hundred and twenty four, the following Mortgage was brought to be recorded, to wit:

THIS MORTGAGE, Made this sixth day of October, in the year nineteen hundred and fwenty three, by John L. Boardly and Lena Boardly, his wife, of Philadelphia, Pa., William Asbury Boardly, of Queen Anne's County, State of Maryland, George Samuel Boardly, Laura Jane Brown nee Boardly and George Brown, her husband, of Philadelphia, Pa., Sarah Thomas nee Boardly and Charles Thomas, her husband, Eleanor Wilson nee Boardly and Webster Wilson, her husband, Clark James Boardly, and Matilda Boardly.

WHEREAS, said John L. Boardly, William Asbury Boardly, George Samuel Boardly, Laura Jane Brown, Sarah Thomas, Eleanor Wilson, Clark James Boardly and Matilda Boardly are jointly and severally indebted unto William T. Bishop, of Queen Anne's County, Maryland, in the full and just sum of seven hundred dollars, which said sum of seven hundred dollars is to bear interest from December the eighteenth, nineteen hundred and twenty three, said interest to be paid semi-annually at the rate of six per centum per annum, and the said principal indebtedness of seven hundred dollars is to be paid at the expiration of three years from December the eighteenth, nineteen hundred and twenty three.

NOW, THEREFORE, THIS MORTGAGE, WITNESSETH: That for and in consideration of the premises and the sum of one dollar, the receipt thereof being hereby acknowledged, the said John L. Boardly and Lena Boardly, his wife, William Asbury Boardly, George Samuel Boardly, Laura Jane Brown nee Boardly and George Brown, her husband, Sarah Thomas nee Boardly, and Charles Thomas, her husband, Eleanor Wilson nee Boardly and Webster Wilson, her husband, Clark James Boardly and Matilda Boardly do hereby grant and convey unto the said William T. Bishop, his heirs and assigns, all that lot and parcel of land situate, lying and being in The Sixth Election District of Queen Anne's County aforesaid, near Starr, called "Dancy Resurveyed" and "Margaretholm" containing thirty five acres of land, more or less, improved by a small frame dwelling house, where John H. Lockerman, now deceased, resided at the time of his death, and being the same and all the land conveyed unto the said John H. Lockerman by Emma Johnson, Henry B. Simpson and Mary a Simpson, his wife, by deed dated August the first, nineteen hundred, and recorded in Liber J. E. G. No. 1, folio 105, a land record book for Queen Anne's County, to which said deed and thereferences therein contained reference is hereby specially made for a fuller and more particular description of said land.

TOGETHER with all the rights, roads, ways, waters, privileges and advantages thereto belonging or in any wise appertaining, and the building and improvements thereon erected and being.

AND it is hereby agreed, that in the event of a sale of the above described property under the power of sale hereinafter expressed, all annual crops, pitched, planted or growing upon said property at the time of sale shall pass to the purchaser of said property.

PROVIDED, that if the said John L. Boardly, Wm Asbury Boardly, Geo. Samuel Boardly, Laura Jane Brown, Sarah Thomas, Eleanor Wilson, Clark James Boardly and Matilda Boardly, their heirs, executors, administrators or assigns, shall well and truly pay to the said William T. Bishop, his executors, administrators or assigns, the aforesaid sum of seven hundred dollars at the expiration of three years from December the 18th nineteen hundred and twenty three, together with

interest on said sum of seven hundred dollars in the mean time and during the existence of this mortgage semi-annually from December eighteenth, nineteen hundred and twenty three, at the rate of six per centum per annum as above set forth, and shall perform all the covenants, conditions and agreements herein on their part to be performed, then this mortgage shall be void; and until default be made in the premises the said John L. Boardly, Wm. Asbury Boardly, George Samuel Boardly, Laura Jane Brown, Sarah Thomas, Eleanor Wilson, Clark James Boardly and Matilda Boardly, their heirs and assigns, shall possess said property.

AND the said John L. Boardly, Wm. Asbury Boardly, Geo. Samuel Boardly, Laura Jane Brown, Sarah Thomas, Eleanor Wilson, Clark James Boardly and Matilda Boardly, for themselves, their and each of their heirs, executors, administrators and assigns, hereby covenant to pay, as they severally fall due, the debt and interest hereby intended to be secured, all taxes, assessments, public dues and charges levied or that may be levied thereon and on the property hereby conveyed, all costs and attorney's commissions and charges incurred in the collection of said debt and interest or any part of either, and to insure, and pending this mortgage to keep insured, the improvements on said premises, to the amount of at least the insurable value thereof in some Company or Companies approved by the said William T. Bishop, his executors, administrators or assigns, and to have the said policy or policies so framed or endorsed that the proceeds arising from said policy or policies, in case of loss, shall be applied to the payment, of the debt and interest intended to be secured by this mortgage, and to deliver, upon demand to the mortgage, his executors, administrators or assigns, said policy or policies, and that no act or things shall be done whereby said mortgage premises may be depreciated or lessened in value.

BUT, in case of default in payment of said debt, or the interest to accrue thereon, or any part of either, as they severally fall due, or in any covenant condition or agreement in this mortgage, then the whole debt intended hereby to be secured and all moneys owing hereunder or secured hereby shall be due and demandable and the said William T. Bishop his executors, administrators or assigns, or H. B. W. MITCHELL, his and their hereby duly constituted Attorney for the purpose, are hereby authorized and empowered to sell said premises upon giving twenty days previous notice of the time, place, manner and terms of sale by advertisement in a newspaper printed and published in Queen Anne's County, Maryland, and such other notice as the party selling may deem expedient, for cash, or for cash and credit, at the option of the person making the sale, the credit payments, if any, to bear interest from day of sale, and to be secured by the note or notes of the purchaser, with security to be approved by the person making the sale, and to apply the proceeds of sale to the payment of, first, all expenses incident to such sale, including compensation to the persons making sale the same as allowed to Trustees selling real estate under decree of the Circuit Court for Queen Anne's County, in Equity, second, all moneys owing hereunder or secured hereby, whether the same shall have then matured or not, and third, the balance to John L. Boardly, Wm. Asbury Boardly, Geo. Samuel Boardly, Laura Jane Brown, Sarah Thomas, Eleanor Wilson, Clark James Boardly and Matilda Boardly, or whoever may be entitled to the same.

AND, it is hereby agreed that when default be made in any covenant or condition contained in this mortgage and when suit has been docketed in the proper Court for the purpose of the foreclosure of this mortgage under the power of sale above granted the said William T. Bishop, his executors, administrators, or assigns, or H. B. W. MITCHELL, his and their said attorney, shall not be required to receive and accept the principal and interest of said mortgage indebtedness satisfaction thereof, unless the tender of said mortgage indebtedness be accompanied by the payment of all expenses incurred under said foreclosure proceedings, including all costs of advertisement, Court costs and all expenses incurred to the time of said tender and a commission on the total amount of the mortgage indebtedness, principal and interest, equal to one half the commission allowed Trustees for making sale of real estate under decree of the Circuit Court for Queen Anne's County, in Equity, and which said costs, expenses and commissions the said John L. Boardly, Wm. Asbury Boardly, Geo. Samuel Boardly, Laura Jane Brown, Sarah Thomas, Eleanor Wilson, Clark James Boardly, and Matilda Boardly for themselves, their and each of their heirs, executors, administrators and assigns, hereby covenant to pay.

Witness our hands and seals.

Witness as to John L. Boardly and  
Wm. Asbury Boardly  
W. L. HOLTON JR.

Witness as to Lena Boardly,  
Laura Jane Brown and George Brown;  
FRANK BURWELL

Witness as to George Samuel  
Boardly;  
FRANK BURWELL

Witness as to Sarah Thomas  
and Charles Thomas:

Witness as to Eleanor Wilson  
and Webster Wilson:

A. B. COLEMAN

Witness as to Sarah Thomas &  
Charles Thomas

Witness as to Clark James  
Boardly and Matilda Boardly,

A. SYDNEY GADD JR.

A. B. COLEMAN

Witness as to Mr. & Mrs. Wilson.

JOHN L. BOARDLY (SEAL)

LENA BOARDLY (SEAL)

WM. ASBURY BOARDLY (SEAL)

LAURA J. BROWN (SEAL)

GEORGE S. BOARDLY (SEAL)

GEORGE H. BROURE (SEAL)

SARAH M. THOMAS (SEAL)

CHARLES R. THOMAS (SEAL)

CLARK JAMES BOARDLY (SEAL)

MATILDA BOARDLEY (SEAL)

WEBSTER WILSON (SEAL)

ELEANOR WILSON (SEAL)



State of Maryland, Queen Anne's County, to wit:

I hereby certify that on this sixth day of October, in the year nineteen hundred and twenty three, before me, the subscriber, a Notary Public of State and County aforesaid personally appeared John L. Boardly and Wm. Asbury Boardly and acknowledged the within and foregoing mortgage to be their respective act and deed.

In testimony whereof I hereunto subscribe my name and Notarial Seal affix.

Notary Public Seal.

W. L. HOLTON JR.  
NOTARY PUBLIC

State of Pennsylvania, City of Philadelphia.

I hereby certify that on this 24th day of October, in the year nineteen hundred and twenty three, before me, the subscriber a Notary Public, personally appeared Lena Boardly, Laura Jane Brown and George Brown, her husband and George Samuel Boardly and did each acknowledge the within and foregoing mortgage to be their respective act and deed. In testimony whereof I hereunto subscribe my name and Notarial Seal affix.

Notary Public Seal.

FRANK BRUWELL Notary Public  
NOTARY PUBLIC

Commission expires at the end of the next session of the Senate

State of Pennsylvania County philadelphia.

I hereby certify that on this 24th day of November, in the year nineteen hundred and twenty three, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Sarah Thomas, and Charles Thomas, her husband, Eleanor Wilson and Webster Wilson, her husband, and did each acknowledge the within and foregoing mortgage to be their respective act and deed. In testimony whereof, I hereunto subscribe my name and Notarial Seal affix.

Notary Public Seal.

A. B. COLEMAN  
NOTARY PUBLIC  
Notary Public

My Commission expires March, 7, 1925.

State of Maryland, Queen Anne's County, to wit:

I hereby Certify that on this twenty ninth day of December, in the year 192\_, before me, the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, personally appeared Clark James Boardly and Matilda Boardly and acknowledged the within and foregoing mortgage to be their respective act and deed, and at the same time also personally appeared before me William T. Bishop and made oath that the consideration stated in the within and foregoing mortgage was true and bona fide as therein set forth.

In testimony whereof, I hereunto subscribe my name and Notarial Seal affix the day and year herein last above mentioned.

Notary Public Seal.

A. SYDNEY GADD JR.  
Notary Public

Queen Anne's County, to wit: Be it remembered that on the fourth day of August 1943, the following Assignments were brought to be recorded, to wit:

For value received, I hereby assign the within and foregoing mortgage, without recourse or guarantee, to John L. Boardly, Witness my hand and seal this 27th day of May.

Test: RICHARD T. EARLE  
Richard T. Earle

WM. T. BISHOP (SEAL)  
Wm. T. Bishop

For value received, I hereby assign the within and foregoing mortgage to Richard T. Earle, for the purpose of foreclosure and collection.

Witness my hand and seal this 16th day of June 1943.

Test: J. CARL STARKEY

JOHN L. BOARDLY (SEAL)  
John L. Boardly

STATE OF MARYLAND,

QUEEN ANNE'S COUNTY, TO WIT:

I hereby Certify that the foregoing is truly taken and copied from Liber B. H. T. No. 1 folio 160 A Land Record Book for Queen Anne's County.

Seals Place.

In Testimony Whereof I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County on this 4th day of August in the year nineteen hundred and forty three.

A. SYDNEY GADD JR. Clerk

.....  
AFFIDAVIT AS TO MILITARY STATUS OF  
DEFENDANTS.  
Filed August 4th 1943.

Richard T. Earle, Assignee, : In the Circuit Court for  
vs : Queen Anne's County,  
: in Equity.  
John L. Boardly, Lena Boardly, :  
William Asbury Boardly, George Samuel :  
Boardly, Laura Jane Brown, George : Cause No. 3375.  
Brown, Sarah Thomas and Charles :  
Thomas, Eleanor Wilson and Webster Wilson, :  
Clark James Boardly and Matilda Boardly. :

MILITARY AFFIDAVIT

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I hereby certify that on this 4th day of August, 1943, personally appeared before me, the subscriber, The Clerk of the Circuit Court for Queen Anne's County, Richard T. Earle, Assignee in the above entitled cause and made oath in due form of law to the above and foregoing facts, to wit:

1. That John L. Boardly and Lena Boardly, his wife, reside at #2239 W. Master St., Philadelphia, Penna. that John L. is about 53 years of age and is engaged as an unskilled laborer, Lena Boardly is about 48 years of age and is a housewife.
2. That William Asbury Boardly is about 51 years of age, resides in Chester, Pennsylvania, and is engaged in unskilled labor:
3. That George Samuel Boardly is 48 years of age, resides in Philadelphia, State of Pennsylvania, and his occupation is that of a Janitor.
4. That Laura Jane Brown and George Brown, her husband, reside at 1902 Latoria St., Philadelphia, Pennsylvania, that Laura is 49 her occupation is that of a housewife, that George is 48 years of age, his occupation is that of a chauffeur.
5. That Sarah Thomas and Charles Thomas reside in Queen Anne's County, Maryland, that Sarah 38 and Charles is engaged in farming and Sarah helps him.
6. Eleanor Wilson and Webster Wilson live in Chester, Pennsylvania, that Eleanor is 34 and is a housewife, Webster is 42 years of age and is engaged as an unskilled laborer.
7. That Clark James Boardly is 31 years of age, resides at Chester, Penna, and is engaged as an unskilled laborer.
8. That Matilda Boardly is 31 years of age, resides at Camden, New Jersey, and her occupation is a housewife.

That none of the above named defendants are now or have been for three months prior to the making of this affidavit engaged in the Military Service of the United States.

A. SYDNEY GADD JR.  
Clerk of the Circuit Court.

Filed August 4th 1943.

.....  
SWORN STATEMENT OF MORTGAGE  
INDEBTEDNESS  
Filed August 4th 1943..

Richard T. Earle, Assignee, : In the Circuit Court for  
vs : Queen Anne's County, in Equity.  
: Cause No. 3375  
John L. Boardly, et al. :

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I hereby certify that on this 4th day of August, 1943, personally appeared before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, Richard T. Earle, Assignee, and made oath in due form of law that there is due and owing under the mortgage that he is foreclosing in this cause the sum of SEVEN HUNDRED DOLLARS (\$700.00) together with in terest thereon from the Sixth day of April, 1938.

B. SYDNEY GADD JR.  
Clerk of the Circuit Court

Filed August 4th 1943.

.....  
CERTIFIED COPY OF BOND  
Filed August 4th 1943.

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Fourth day of August in the year nineteen hundred and forty three, the following Bond was brought to be recorded, to wit:

KNOW ALL MEN BY THESE PRESENTS: That Richard T. Earle, of Queen Anne's County, Maryland, as principal, and Glens Falls Indemnity Company, a body corporate of Glens Falls, New York, as surety, duly authorized by its charter to become sole surety on bonds, are held and firmly bound unto the State of Maryland in the full and just sum of ONE THOUSAND DOLLARS (\$1,000.00) current money, to be paid to the said State of Maryland or its certain attorney, to which payment well and truly to be made and done we bind ourselves, our and each of our heirs, executors, administrators and successors, jointly and severally, in the whole and for the whole, firmly by these presents, sealed with out seals and dated this Fourth day of August, nineteen hundred and forty three,

WHEREAS, the above bounden Richard T. Earle is about to execute the power of sale contained in a certain mortgage given by John L. Boardly et al. to William T. Bishop dated October 6th., 1923, default having occurred in the payment of said mortgage indebtedness and interest and by mesne assignments assigned to Richard T. Earle for the purpose of foreclosure and collection.

NOW the condition of the above obligation is such that if the above bounden Richard T. Earle, do and shall well and faithfully abide by and faithfully fullfill any order or decree which shall be made by any Court of Equity in relation to the sale of such mortgaged premises or the proceeds thereof, then this obligation to be null and void; otherwise to be and remain in full force and virtue in Law.

Signed, sealed and delivered  
in the presence of

RICHARD T. EARLE (SEAL)  
Richard T. Earle

JOHN PALMER SMITH  
Seals Place.

GLENS FALLS INDEMNITY COMPANY  
By L. HERMAN MEREDITH  
L. Herman Meredith, its attorney

And on the back of the foregoing is thus endorsed, to wit:

Bond filed and Security approved this fourth day of August,  
1943.  
A. SYDNEY GADD JR. Clerk

STATE OF MARYLAND  
QUEEN ANNE'S COUNTY,

I hereby certify that the foregoing is truly taken and copied from Liber W. H. C. No. 1 folio 281 A Bond Record Book for Queen Anne's County.

Seals Place.

In Testimony Whereof I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County on this Fourth day of August in theyear nineteen hundred and forty three.

A. SYDNEY GADD JR. Clerk

.....  
REPORT OF SALE  
Filed Sept. 1, 1943.

Richard T. Earle, Assignee,  
vs  
John L. Boardly et al.

: In the Circuit Court for  
:  
: Queen Anne's County, in Equity.  
:  
: Cause No. 3375

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The assignee docket suit in this case, filed a certified copy of mortgage, filed an approved bond, sworn statement of mortgage indebtedness, military affidavit, and advertised said property for sale in Queen Anne's Record-Observer, a Newspaper printed and published in Queen Anne's County for four successive weeks before August 31st., 1943, at which time, in accordance with said advertisement the assignee attended said sale in front of the Court House in Centreville, Maryland, between the hours of one and two o'clock P. M., and after reading said advertisement had the auctioneer cry said sale, the property being sold being as follows, to wit:

All that lot or tract of land situate in the Sixth Election District of Queen Anne's County, Maryland, near Starr, called "Dancy Resurvey" and Mar Garetholm" and containing thirty five acres of land, more or less, being the same land and all the land granted and conveyed to John Lockerman by Emma Johnson, et al., and sold the same to John L. Boardly, and Annie L. Boardly, his wife, as tenants by the entreties, they being then and there the highest bidders for same at and for the sum of EIGHT HUNDRED DOLLARS (\$800.00).

Respectfully submitted,

RICHARD T. EARLE, ASSIGNEE

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I hereby certify that on this First day of September in the year nineteen hundred and forty three, personally appeared before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, Richard T. Earle, Assignee in the above cause, and made oath in due form of law that the matters and facts setforth in the within and foregoing report of sale are true as therein stated and that said sale was fairly made.

A. SYDNEY GADD JR.  
Clerk of the Circuit Court

Filed Sept. 1, 1943.

.....  
CERTIFICATE OF ADVERTISEMENT OF SALE  
Filed Sept. 1, 1943.

ASSIGNEE'S SALE OF REAL ESTATE

The undersigned assignee by virtue of a power of sale contained in a certain mortgage given by John L. Boardly et al to William T. Bishop, dated October the Sixth, 1923, and default having occurred in the payment of the mortgage indebtedness and interest, thereon, was assigned by mesne assignments to the undersigned for the purpose of foreclosure and collection; the assignee will offer for public sale in front of the Court House in Centreville, Maryland, on TUESDAY, AUG. " 31, 1943. between the hours of one and two o'clock P.M.

All that lot or tract of land situate in the Sixth Election District of Queen Anne's County, Maryland, near Starr, called " Dancy Resurveyed" and "Margaretholm" and containing thirty five acres of land, more or less, being the same land and all the land granted and conveyed to John Lockerman by Emma Johnson et al by deed dated August 1st, 1900, and recorded in Liber J. E. G. No. 1, folio 105 and etc., a Land Record Book for Queen Anne's County, to which deed reference is hereby made for a fuller description.

Terms of Sale: One third of the purchase price upon day of sale, the balance to be secured by note or notes satisfactory to the undersigned, with interest from day of sale, and payable upon ratification of sale, or all cash at the option of the purchaser, taxes to be adjusted to day of sale, possession to be given upon ratification of day of sale, title papers and revenue stamps to be at the expense of purchaser, other terms to be made known on day of sale.

RICHARD T. EARLE, Assignee

J. Elmer Anthony, Auctioneer.

QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. Sept. 1st 1943.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, A body corporate, does hereby certify that the Assignee's Sale of Real Estate in the case/estate of Richard T. Earle Assignee vs, John L. Boardly et al. Chancery Cause a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD OBSERVER, A weekly newspaper printed and published at Centreville, in Queen Anne's County, Maryland, once a week for four successive weeks before the 31st day of August 1943, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD - OBSERVER, was on the 5th day of August 1943, and the last insertion on the 26th day of August 1943.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY

By JOHN H. PRICE  
Asst. Sec.

Filed Sept. 1, 1943.

.....  
ORDER OF NISI  
Filed Sept. 1, 1943.

N I S I

Richard E. Earle, Assignee

In the Circuit Court for

vs

Queen Anne's County, in Equity.

John L. Boardly, et al.

Chancery No. 3375

ORDERED, This 1st day of September A. D., 1943, that the sale of real estate made and reported in this cause by Richard T. Earle, assignee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 2nd day of November next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 2nd day of October next.

The Report states the amount of sale to be \$800.00.

A. SYDNEY GADD JR. CLERK

Filed September 1, 1943.

.....  
CERTIFICATE OF PUBLICATION NISI SALE  
Filed Nov. 3rd 1943

N I S I

Richard T. Earle, assignee

In the Circuit Court for

vs

Queen Anne's County, in Equity.

John L. Boardley, et al.

Chancery No. 3375

ORDERED, This 1st day of September A. D., 1943, that the sale of Real Estate made and reported in this cause by Richard T. Earle, assignee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 2nd day of November next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 2nd day of October, next.

The Report states the amount of sales to be \$800.00.

A. SYDNEY GADD JR. Clerk

Filed September 1, 1943.

True Copy

Test:

A. SYDNEY GADD JR. Clerk

QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. October 30th 1943.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Nisi in the case/estate of Richard T. Earle, assignee vs John L. Boardley, et al, In the Circuit Court for Queen Anne's County In Equity, Chancery No. 3375 a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD - OBSERVER, a weekly newspaper printed and published at Centreville, in Queen Anne's County, Maryland, once a week for four successive weeks before the 2nd day of October 1943, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD \* OBSERVER was on the 2nd day of Sept. 1943, and the last insertion on the 23rd day of Sept. 1943.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY.

By John H. Price  
Asst. Sec.

Filed Nov. 3rd .1943.

.....  
MILITARY AFFIDAVIT AS TO STATUS OF  
DEFENDANTS

Filed Nov. 3rd 1943.

Richard T. Earle, Assignee,

In the Circuit Court for Queen

vs

Anne's County, in Equity.

John L. Boardly et al.

Cause No. 3375

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I hereby certify that on this 3rd day of November in the year nineteen hundred and forty three, personally appeared before me, the subscriber, the clrk of the Circuit Court for Queen Anne's County, Richard T. Earle, Assignee in the above entitled cause and made oath in due form of law that the military status of all and every one of the defendants has not changed since he made the last affidavit at the commencement of the suit. In witness whereof I have hereunto subscribed my name.

A. SYDNEY GADD JR.

Clerk of the Circuit Court for Queen Anne's Co.,

Filed Nov. 3rd 1943.

ORDER OF COURT  
Filed Nov. 3, 1943.

ORDER OF COURT

ORDERED, this 3rd day of November in the year nineteen hundred and forty three by the Circuit Court for Queen Anne's County, in Equity and by the authority thereof, that the sale of the real estate made and reported in this cause by Richard T. Earle, Assignee, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown although notice appears to have given in accordance with previous order nisi herein, as shown by the certificate of publication of same attached hereto, the assignee is allowed the usual commissions and all expenses, not personal, upon the production of proper vouchers therefor.

WM. R. HORNEY  
Judge.

Filed Nov. 3, 1943.

## C A U S E N O. 3271

Q U E E N A N N E ' S C O U N T Y , T O W I T : Be it remembered that on this Sixteenth day of April in the year nineteen hundred and forty one the following BILL OF COMPLAINT was brought to be recorded, to wit:

Mary Forbes, and William S. Forbes, her husband,  
James Alfred Mabrey, Jr., and Florence  
Mabrey, his wife, William Mabrey, and Helen  
Mabrey, his wife, Edward Mabrey, and  
Georgia Mabrey, his wife, Isabelle Everett,  
and Thomas Everett, her husband,  
LeRoy Mabrey, single man, Eugene Mabrey,  
single man, Herbert Mabrey, single man

vs.

Annie Johnson, and William Johnson, her husband,  
Elizabeth Catherine Mabrey, widow,  
Agnes Mabrey, Infant,  
John Mabrey, Jr., Infant,  
Gilbert Mabrey, Infant,  
Catherine Mabrey, Infant,  
James Milton Mabrey, Infant,  
William Calvin Mabrey, Infant and  
Julia Mabrey, Infant.

IN THE CIRCUIT COURT FOR  
QUEEN ANNE'S COUNTY,  
IN EQUITY.  
CAUSE NO. 3271

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Orators, complaining, say:

1. That James Mabrey, late of Queen Anne's County, State of Maryland, departed this life on the 6th day of July, 1940, intestate, and seized and possessed of the following described real estate, to wit:

All that tract, part of a tract, or parcel of land situate in the First Election District of Queen Anne's County, Maryland, and adjoining the land of, or formerly of Franklin Mabrey, Jacob Redden, Frank Embert, Edward Glanding, and John Ahern property, and commonly known as "The Noah Nickerson Land", and being the same tract that was conveyed to the said John Akin, by Philemon B. Hopper, Trustee, by deed bearing date July 29, 1899, and recorded in Liber W. H. C. No. 9, Folios 478 and 479, a Land Record for Queen Anne's County, which by reference thereto will more fully and at large appear:- the same being described by metes and bounds, courses and distances, as follows: Beginning at a stone at the end of the twentieth line of Joseph's lots, said stone being also a corner for a tract of land called "Wards Flowerfield", and running with said twentieth line reversed North  $9\frac{3}{4}$  degrees west, thirty five rods; thence south  $46\frac{1}{2}$  degrees west, seventy five (75) rods to the twenty-fourth line of Joseph Lots at the end of three hundred and eight perches; thence with said line reversed South  $43\frac{1}{2}$  degrees east, eighty eight (88) rods; thence north  $46\frac{1}{2}$  degrees east, twenty (20) rods to the land of the late Daniel Star; thence with said land south  $6\frac{1}{2}$  degrees east, twenty six (26) rods to that part of said land sold to John Nickerson; thence with said land north 78 degrees east, twenty two and one-tenth (22.1) rods to a point near a gate post; thence north  $70\frac{1}{4}$  degrees east, twenty six rods to an ash tree on the bank of a ditch; thence up said ditch north  $78\frac{3}{4}$  degrees east, fifteen and one tenth (15.1) rods; thence north  $85\frac{3}{4}$  degrees east, thirty one and two-tenths (31.2) rods to Thomas Taylor's land; thence with said land and the Henry Star land north 20 degrees west, fifteen (15) rods; thence north  $80\frac{3}{4}$  degrees west, twelve and six tenths (12.6) rods to a Spanish oak tree; thence north 40 degrees west, forty four (44) rods; thence north  $17\frac{1}{2}$  degrees west, seven and three-tenths (7.3) rods; thence north 22 degrees west, three and one-half ( $3\frac{1}{2}$ ) rods to "Wards Flowerfield", or Ridgely Nickerson Home Farm (now owned by Franklin Mabrey); thence with said land south  $80\frac{1}{2}$  degrees west, seventy four and one-half ( $74\frac{1}{2}$ ) rods to the place of beginning, containing seventy two acres and seventeen perches of land, more or less.

A certified copy of the above described deed, marked "Plaintiff's Exhibit No. 1", is filed herewith as a part hereof.

2. That the said James Mabrey departed this life, intestate, as aforesaid, leaving surviving him as his only heirs at law, Mary Forbes, James Alfred Mabrey, Jr., William Mabrey, Edward Mabrey, Isabelle Everett, LeRoy Mabrey, Eugene Mabrey, Herbert Mabrey, and Annie Johnson, his children, and Agnes Mabrey, John Mabrey, Jr., Gilbert Mabrey, Catherine Mabrey, James Milton Mabrey, William Calvin Mabrey and Julia Mabrey, his grandchildren, and the only children of John Mabrey, a deceased son, and Elizabeth Catherine Mabrey, widow of said John Mabrey, deceased. That said John Mabrey died intestate in Queen Anne's County, On May 10, 1937,, leaving surviving him the above named infants and widow.

3. That said tract of land or farm hereinbefore described, cannot be divided without loss or injury to the parties interested therein and owing same as above set forth, and your Orators are advised that they are entitled to have said real estate sold under a decree of this Court and a division of the money arising from such sale had among the parties entitled thereto according to their res-

pective rights and interests after the payment of costs of sale and of these proceedings.

4. That your Orators, Mary Forbes, James Alfred Mabrey, Jr., William Mabrey, Edward Mabrey, Isabelle Everett, Le Roy Mabrey, Euguen Mabrey, and Herbert Mabrey, are each entitled to an one-tenth interest in said property, and that the Defendant, Annie Johnson, is entitled to an one-tenth interest in said property. That the said Agnes Mabrey, John Mabrey, Jr., Glibert Mabrey, Catherine Mabrey, James Milton Mabrey, and William Calvin Mabrey, infant children of John Mabrey, deceased, one of the children of James Mabrey, intestate, are entitled in the aggregate to an one-tenth interest in said property subject to an one-tenth interest of Elizabeth Catherine Mabrey, the widow of John Mabrey, deceased, in said one-tenth interest.

5. That the said Mary Forbes and William S. Forbes, her husband, are adults residing in Cecil County, Maryland, that James Alfred Mabrey, Jr., and Florence Mabrey, his wife, are adults and reside in Talbot County, Maryland, that William Mabrey and Helen Mabrey, his wife, Edward Mabrey and Georgia Mabrey, his wife, Isabelle Everett and Thomas Everett, her husband, LeRoy Mabrey, single man, Eugene Mabrey, single man and Herbert Mabrey, single man, are all adults, and all reside in Queen Anne's County, Maryland; that Annie Johnson and William Johnson, her husband, are adults and reside in Newcastle County, State of Delaware; that Elizabeth Catherine Mabrey, widow, is an adult and resides in Queen Anne's County, Maryland, and that Agnes Mabrey, John Mabrey, Jr., Gilbert Mabrey, Catherine Mabrey, James Milton Mabrey, William Calvin Mabrey, and Julia Mabrey, are all infants, and reside in Queen Anne's County, Maryland.

TO THE END THEREFORE:

- a. That a decree may be passed for the said of the said real estate.
- b. That the proceeds of said sale may be distributed between your Orators and the Defendants, according to their respective rights and interests.
- c. That your Orators may have such other and further relief as their case may require.

MAY IT PLEASE YOUR HONORS to grant unto your Orators the writs of subpoena directed to the said Elizabeth Catherine Mabrey, adult, and Agnes Mabrey, John Mabrey, Jr., Gilbert Mabrey, Catherine Mabrey, James Milton Mabrey and William Calvin Mabrey, infants, all residing in Queen Anne's County, Maryland, commanding them to be and appear in this Court at some certain day, to be named therein, and answer the premises, and abide by and perform such decree or decrees as may be passed therein.

AND MAY IT PLEASE YOUR HONORS To grant unto your Orators the Order of Publication giving notice to the said Annie Johnson and William Johnson, her husband, adults, both of the State of Delaware, County of Newcastle, as aforesaid, who are non-residents of this State, of the object and substance of this Bill and warning them to appear in this Court, in person, or by solicitor, on or before a certain day, to be named therein, to show cause, if any they have, why a decree ought not to pass as prayed.

And as in duty bound, etc.,

JOHN PALMER SMITH  
Solkitor for Complainants

Filed April 16th 1941.

.....  
COMPLAINANTS'S EXHIBIT # 1.  
Filed April 16th 1941

Queen Anne's County, to wit: Be it remembered that on the second day of November, in the year nineteen and three the following Deed was brought to be recorded, to wit:

This Deed, made this thirty first day of October in the year Ninteen hundred and three, by and between John Akin and Anna Olivia Akin, his wife, of Queen Anne's County, State of Maryland, of the one part and James Mabrey of the aforesaid County and State of the other part.

Witnesseth, That for and in consideration of the sum of Five hundred and fifty dollars current money of the United State, paid and in hand at the time of the signing and delivery of these presents, the receipt whereof is hereby acknowledged, the said John Aken and Anna Olivia Akin, his wife, do hereby grant and convey unto the said James Mabrey, his heirs and assigns in fee simple.

all that tract, part of a tract or parcel of land, situate in the First Election District of Queen Anne's County aforesaid and adjoining the land of Ranklin Mabrey and commonly known as "The Noah Nickerson Land ", and being the same tract that was conveyed to the said John Akin by Philemon B. Hopper, Trustees by deed bearing date July 29, 1899 and recorded in Liber W H C No. 9, folios 478 and 479 a Land Record for Queen Annes County, which by reference.

Witness our hands and seals.

Test:- JNO. C. HACKETT

JOHN AKIN (SEAL)

ANNA OLIVIA AKIN (SEAL)

State of Maryland, Queen Anne's County, to wit:

I hereby certify, that on this thirty-first day of October, in theyear nineteen hundred and three, before the subscriber, a Justice of the Peace of the State of Maryland, in and for the County aforesaid, personally appear-



ed John Akin and Anna Olivia Akin, his wife, and did each acknowledge the afore going Deed to be their respective act.

JOHN C. HACKETT J. P.

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I hereby certify that the foregoing is truly taken and copied from Liber J. E. G. No. 5, folio 461, et c., a Land Record Book for Queen Anne's County.

Seals Place.

In Testimony whereof, I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County this 16th day of April, in the year nineteen hundred and forty one.

A. SYDNEY GADD JR. Clerk

.....  
SUBPOENA FOR RESPONT TO APPEAR  
AND ANSWER  
Filed May 7, 1941

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO James Milton Mabrey, Infant

Seals Place.

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as A Court of Equity at Centreville, in said County, on the first Monday of May next, to answer the complaint of Mary Forbes, et al against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins, Chief Judge of our said Court, the 1st Monday of April 1941  
Issued the 16th day of April 1941.

A. SYDNEY GADD JR. CLERK

John Palmer Smith

Solicitor for Complainant

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of May next, being the Return Day.

True Copy  
Test:

A. SYDNEY GADD JR. Clerk

A. SYDNEY GADD JR. Clerk

.....  
SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
Filed May 7 1941

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Julia Mabrey, Infant

Seals Place.

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the first Monday of May next, to answer the complaint of Mary Forbes against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins, Chief Judge of our said Court, the 1st Monday of April 194\_

A. SYDNEY GADD JR. Clerk

John Palmer Smith

Solicitor for Complainants

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the clerk of this Court within fifteen days of the first Monday of May next, be ing the Return Day.

True Copy  
Test:

A. SYDNEY GADD JR. Clerk

A. SYDNEY GADD JR. Clerk

.....  
SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER  
Filed May 7th 1941.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Catherine Mabrey, Infant  
Seals Place.

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as A Court of Equity, at Centreville, in said County on the first Monday of May next, to answer the complaint of Mary Forbes et al against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins, Chief Judge of our said Court, the first Monday of April 1941  
Issued the 16th day of April 1941.

John Palmer Smith

A. SYDNEY GADD JR, Clerk

Solicitor for Complainant

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of May next, being the Return Day.

True Copy  
Test@

A. SYDNEY GADD JR. Clerk

A. SYDNEY GADD JR. Clerk

.....  
SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER  
Filed May 7th 1941.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO John Mabrey, Jr., Infant  
Seals Place.

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the first Monday of May next, to answer the complaint of Mary Forbes, et al., against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins Chief Judge of our said Court, the first Monday of April 1941  
Issued the Sixteenth day of April 1941.

John Palmer Smith

A. SYDNEY GADD JR. Clerk

Solicitor for Complainant

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of May next, being the Return Day.

True Copy  
Test:

A. SYDNEY GADD JR. Clerk

A. SYDNEY GADD JR. Clerk

.....  
SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
Filed May 7th, 1941.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Agnes Mabrey, Infant  
Seal Place.

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the First Monday of May next, to answer the complaint of Mary Forbes, et al. against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins, Chief Judge of our said Court, the first Monday of April 1941.  
Issued the 16th day of April 1941.

A. SYDNEY GADD JR. Clerk

John Palmer Smith

Solicitor for Complainant

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of May next, being the Return Day.

A. SYDNEY GADD JR. Clerk

True Copy

Test: A. SYDNEY GADD JR. Clerk

.....  
SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER  
Filed May 7th 1941.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO William Calvin Mabrey, Infant

Seals Place.

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the first Monday of May next, to answer the complaint of Mary Forbes et al. against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins Chief Judge of our said Court, the first Monday of April 19\_\_  
Issued the 16th day of April 1941.

A. SYDNEY GADD JR. Clerk

John Palmer Smith  
Solicitor for Complainant

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of May next, being the Return Day.

A. SYDNEY GADD JR. Clerk

True Copy

Test: A. SYDNEY GADD JR. Clerk

.....  
SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER  
Filed May 7th 1941.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

To Gilbert Mabrey, Infant

Seals Place.

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the first Monday of May next, to answer the complaint of Mary Forbes, et al against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins Chief Judge of our said Court, the first Monday of April 1941  
Issued the 16th day of April 1941.

A. SYDNEY GADD JR. Clerk

John Palmer Smith  
Solicitor for Complainants

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of May next, being the Return Day.

A. SYDNEY GADD JR. Clerk

True Copy  
Test:

A. SYDNEY GADD JR. Clerk

.....  
SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER  
Filed May 7 th 1941.

QUEEN ANNES COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Elizabeth Catherine Mabrey, Widow  
Seals Place.

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said county, on the first Monday of May next, to answer the complaint of Mary Forbes, et al. against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS , The Honorable Stephen R. Collins Chief Judge of our said Court, the first Monday of April 1941  
Issued the 16th day of April 1941/

A. SYDNEY GADD JR. Clerk

John Palmer Smith  
Solicitor for Complainants

TO THE DEFENDANT : You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of May next, being the Return Day.

A. SYDNEY GADD JR. Clerk

True Copy  
test:

A. SYDNEY GADD JR. Clerk

.....  
ORDER TO RE-Issue FOR INFANT  
RESPONDENT  
Filed May 7, 1941.

Mary Forbes, et al.

vs

Annie Johnson, et al.

In the Circuit Court for  
Queen Anne's County.  
In Equity.  
Chy. Cause No. 3271

Mr. Clerk:

Please re-issue subpoenas to the Sheriff of Queen Anne's County returnable the first Monday of June for the following parties:

- Gilbert Mabrey, Infant
- William Calvin Mabrey, Infant
- Agnes Mabrey, Infant
- John Mabrey, Infant
- Catherine Mabrey, Infant
- Julia Mabrey, Infant
- James Milton Mabrey, Infant

JOHN PALMER SMITH  
Solicitor for Complainants.

Dated: May 7th, 1941.  
Filed May 7th, 1941.

.....  
SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
Filed May 10, 1941.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO John Mabrey, Jr., Infant

Seals Place.

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a court of Equity, at Centreville, in said County, on the first Monday of June next, to answer the complaint of Mary Forbes, et al against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable, Steven R. Collins, Chief Judge of our said Court, the first Monday of May 1941  
Issued the 8th day of May 1941

A. SYDNEY GADD JR. Clerk

John Palmer Smith  
Solcicitor for Complainants

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of June next, being the Return Day.

A. SYDNEY GADD JR. Clerk

And on the back of the foregoing is thus endorsed, to wit:

Service of the within subpoena made by reading same to John Mabrey, Jr. Infant, and copy of said subpoena left with Elizabeth Catherine Mabrey, mother and guardian of said infant.

EDWARD E. COURSEY  
Sheriff of Queen Anne's County.

Date of service: May 10th, 1941.

.....  
SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER  
Filed May 10th, 1941

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Gilbert Mabrey, Infant

Seal Place.

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the first Monday of June next, to answer the complaint of Mary Forbes, et al. against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Steven R. Collins, Chief Judge of our said Court, the first Monday of May 1941  
Issued the 8th day of May 1941

A. SYDNEY GADD JR. Clerk

John Palmer Smith  
Solicitor for Complainants

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of June next, being the Return Day.

A. SYDNEY GADD JR. Clerk

And on the back of the foregoing is thus endorsed, to wit:

Service of the within subpoena made by reading same to Gilbert Mabrey, Infant and copy of said subpoena left with Elizabeth Catherine Mabrey, mother and guardian of said infant.

EDWARD C. COURSEY  
Sheriff of Queen Anne's County

Date of Service: May 10th, 1941

Filed May 10th, 1941.

.....  
SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO William Calvin Mabrey, Infant  
Seals Place.

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the first Monday of June next, to answer the complaint of Mary Forbes, et al aginst you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Steven R. Collins, Chief Judge of our said Court, the first Monday of May 1941  
Issued the 8th day of May 1941.

John Palmer Smith

A . SYDNEY GADD JR. Clerk

Solcictor for Complainants.

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of June next, being the Return Day.

A. SYDNEY GADD JR. Clerk

And on the back of the foregoing is thus endorsed, to wit:

Service of the within subpoena made by reading same to William Calvin Mabrey, Infant and copy of said subpoena left with Elizabeth Catherine Mabrey, mother and guardian of said infant.

EDWARD E. COURSEY  
Sheriff of Queen Anne's County.

Dated of service: May 10th 1941.

.....  
SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER  
Filed May 10th 1941

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO James Milton Mabrey, Infant  
Seals Place

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the first Monday of June next, to answer the complaint of Mary Forbes, et al aginst you in said court exhibited.

Hereof fail not, as you will answer the contary at your peril.

WITNESS, The Honorable Steven R. Collins, Chief Judge of our said Court, the first Monday of May 1941  
Issued the 8th day of May 1941.

John Palmer Smith

A. SYDNEY GADD JR. Clerk

Solicitor for Complainants.

TO THE DEFENDANTS: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of June next, being the Return Day.

A. SYDNEY GADD JR. Clerk

And on the back of the foregoing is thus endorsed, to wit:  
Service of the within subpoena made by reading same to James Milton Mabrey, Infant and copy of said subpoena left with Elizabeth Catherine Mabrey, mother and guardian of said infant.

EDWARD E. COURSEY  
Sheriff of Queen Anne's County.

Date of service : May 10th, 1941.

.....  
SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER  
Filed May 10th 1941.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Agnes Mabrey, Infant  
Seals Place.

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the first Monday of June next, to answer the complaint of Mary Forbes, et al against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Steven R. Collins, Chief Judge of our said Court, the first Monday of May 1941.  
Issued the 8th day of May 1941.

A. SYDNEY GADD JR. Clerk

John Palmer Smith

Solkitor for Complainants.

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of June next, being the Return Day.

A, SYDNEY GADD JR. Clerk

And on the back of the foregoing is thus endorsed, to wit:

Service of the within subpoena made by reading same to Agnes Mabrey, Infant and copy of said subpoena left with Elizabeth Catherine Mabrey, mother and guardian of said infant.

EDWARD E. COURSEY  
Sheriff of Queen Anne's County.

Dated of service: May 10th, 1941.  
Filed May 10th 1941.

.....  
SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Julia Mabrey, Infant  
Seals Place.

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the first Monday of June next, to answer the complaint of Mary Forbes, et al against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Steven R. Collins, Chief Judge of our said Court, the first Monday of May 1941  
Issued the 8th day of May 1941.

A. SYDNEY GADD JR. Clerk

John Palmer Smith

Solkitor for Complainants

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of June next, being the Return Day.

A. SYDNEY GADD JR. Clerk

And on the back of the foregoing is thus endorsed, to wit:

Service of the within subpoena made by reading same to Julia Mabrey, Infant and copy of said subpoena left with Elizabeth Catherine Mabrey, mother and guardian of said infant.

EDWARD E. COURSEY  
Sheriff of Queen Anne's County.

Date of service: May 10th , 1941.  
Filed May 10th 1941.

.....  
SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER  
Filed May 10th 1941.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO Catherine Mabrey, Infant  
Seals Place.

OF QUEENANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be  
and appear before the Circuit Court for Queen Anne's County, as a Court of Equity,  
at Centreville, in said County, on the first Monday of June next, to answer the  
complaint of Mary Forbes, et al against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Steven R. Collins, Chief Judge of our  
said Court, the first Monday of May 1941  
Issued the 8th day of May 1941.

John Palmer Smith  
Solicitor for Complainants

A. SYDNEY GADD JR. Clerk

TO THE DEFENDANT: You are required to file your answer<sup>or</sup> other  
defense in the office of the Clerk of this Court within fifteen days of the first  
Monday of June next, being the Return Day.

A. SYDNEY GADD JR. Clerk

And on the back of the foregoing is thus endorsed, to wit:

Service of the within subpoena made by reading same to  
Catherine Mabrey, Infant and copy of said subpoena left with  
Elizabeth Catherine Mabrey, mother and guardian of said infant.

EDWARD E. COURSEY  
Sheriff of Queen Anne's County.

Date of service: May 10th 1941.  
Filed May 10th 1941.

.....  
ANSWER OF ANNIE JOHNSON,  
WILLIAM JOHNSON AND ELIZABETH  
CATHERINE MABREY  
Filed May 10th 1941

Mary Forbes, et al.

vs

Annie Johnson, et al.

In the Circuit Court for  
Queen Anne's County, in Equity.  
Cause No. 3271

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Answer of Annie Johnson and William Johnson, her husband,  
and Elizabeth Catherine Mabrey, widow, to the Bill of Complaint of Mary Forbes  
and others against them and others in this Court exhibited:

These Defendants admit the matters and facts set forth in  
said Bill of Complaint, and consent to the passage of such decree as may be  
right and proper in the premises.

And as in duty bound, etc.

ANNIE JOHNSON  
Annie Johnson

WILLIAM JOHNSON  
William Johnson

ELIZABETH CATHERINE MABREY  
Elizabeth Catherine Mabrey

.....  
PETITION TO REQUIRE LEGAL GUARDIAN  
TO APPEAR, ANSWER AND DEFEND.  
Filed August 2nd 1941.

Mary Forbes, et al.

Plaintiffs.

vs



Annie Johnson, et al.,  
Defendants.

In the Circuit Court for  
Queen Anne's County, in Equity.  
Cause No. 3271

TO THE HONORABLE, THE JUDGES OF SAID COURT:\*

The Petition of Mary Forbes, et al., the Plaintiffs, by John Palmer Smith, their attorney, respectfully represents:

That the said Agnes Mabrey, John Mabrey, Jr., Gilbert Mabrey, Catherine Mabrey, James Milton Mabrey, William Calvin Mabrey and Julia Mabrey, the infant resident Defendants in said Cause, have been brought into Court as parties Defendants by the proper process, to-wit: by reading of the writ of subpoena to each of said infants by the Sheriff of Queen Anne's County, and a copy of each writ of subpoena left with Elizabeth Catherine Mabrey, mother and guardian of said infants, as will appear by the respective returns of the writs of subpoena by said Sheriff, but being infants they cannot answer and defend the suit themselves.

That on February 15, 1938, the Orphans' Court for Queen Anne's County appointed the said Elizabeth Catherine Mabrey guardian for all of said infants, and said guardian has duly qualified.

Your Petitioners therefore pray your Honors to pass an order requiring such guardian, Elizabeth Catherine Mabrey, who is within the jurisdiction of this Court, to appear, answer and defend for said infant defendants.

And as in duty bound, etc.,

JOHN PALMER SMITH  
Solicitor for Plaintiffs.

Filed August 2nd, 1941.

ORDER OF COURT  
Filed August 8th 1941

Mary Forbes, et al.,

vs

Annie Johnson, et al.

In the Circuit Court for

Queen Anne's County, in Equity.

Cause No. 3271

ORDER OF COURT

ORDERED, this 7th day of August, 1941, by the Circuit Court for Queen Anne's County, in Equity, that Elizabeth Catherine Mabrey, legal Guardian for Agnes Mabrey, John Mabrey, Jr., Gilbert Mabrey, Catherine Mabrey, James Milton Mabrey, William Calvin Mabrey and Julia Mabrey, infants, and resident Defendants in the above entitled cause, appear, answer and defend for said infant defendants on or before the 27th day of August, 1941, provided a copy of the foregoing Petition and this Order be served upon the said Elizabeth Catherine Mabrey, Guardian as aforesaid, on or before the 11th day of August, 1941.

J. OWEN KNOTTS  
Judge.

Filed August 8th 1941.

ORDER OF COURT AND PETITION  
Filed Aug. 12- 1941.

Mary Forbes, et al.,  
Plaintiffs,

vs

Annie Johnson, et al.,  
Defendants.

In the Circuit Court for

Queen Anne's County, in Equity.

Cause No. 3271

TO THE HONORABLE, THE JUDGES OF SAID COURT:-

The Petition of Mary Forbes, et al., the Plaintiffs, by John Palmer Smith, their attorney, respectfully represents:

That the said Agnes Mabrey, John Mabrey, Jr., Gilbert Mabrey, Catherine Mabrey, James Milton Mabrey, William Calvin Mabrey, and Julia Mabrey, the infant resident Defendants in said Cause, have been brought into Court as parties Defendants by the proper process, to wit: by reading of the writ of subpoena to each of said infants by the Sheriff of Queen Anne's County, and a copy of each writ of subpoena left with Elizabeth Catherine Mabrey, mother and guardian of said infants, as will appear by the respective returns of the writs of subpoena by said Sheriff, but being infants they cannot answer and defend the suit themselves.

That on February, 15, 1938, the Orphans' Court for Queen Anne's County appointed the said Elizabeth Catherine Mabrey guardian for all of said infants, and said guardian has duly qualified.

Your Petitioners therefore pray your Honors to pass an order requiring such guardian, Elizabeth Catherine Mabrey, who is within the jurisdiction of this Court, to appear and answer and defend for said infant defendants.

And as in duty bound, et c.,

JOHN PALMER SMITH  
Solicitor for Plaintiffs.

Filed August 2nd., 1941.

.....

Mary Forbes, et al.,

vs

Annie Johnson, et al.,

In the Circuit Court for

Queen Anne's County, in Equity.

Cause No. 3271

ORDER OF COURT

ORDERED, this 7th day of August, 1941, by the Circuit Court for Queen Anne's County, in Equity, that Elizabeth Catherine Mabrey, legal Guardian for Agnes Mabrey, John Mabrey, Jr., Gilbert Mabrey, Catherine Mabrey, James Milton Mabrey, William Calvin Mabrey, and Julia Mabrey, infants, and resident Defendants in the above entitled Cause, appear, answer and defend for said infant defendants on or before the 27th day of August, 1941, provided a copy of the foregoing Petition and this Order be served upon the said Elizabeth Catherine Mabrey, Guardian as aforesaid, on or before the 11th day of August, 1941.

JOWEN KNOTTS  
Judge.

Filed August 8th, 1941.

True Copy  
TEST:

A. SYDNEY GADD JR. Clerk

.....  
ANSWER OF ELIZABETH CATHERINE  
MABREY, LEGAL GUARDIAN  
Filed Aug. 12, 1941.

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

I, Norman S. Dudley Register of Wills in and for Queen Anne's County, State of Maryland, and by law keeper of the Seal and of the Records, and of the original papers of the Orphans' Court for Queen Anne's County; DO HEREBY CERTIFY that it appears from the Records in said Court that on the 15th day of February A. D. nineteen hundred and thirty eight that Elizabeth Mabrey was appointed Guardian of Agnes Mabrey, John Mabrey, Gilbert Mabrey, Catherine Mabrey, Milton Mabrey, Calvin Mabrey, and Julia Mabrey, infant children of John B. Mabrey late of Queen Anne's County, deceased, after she had entered into bond with approved security for the due performance thereof, according to law, and after she had taken the oath by law required of her.

Seals Place.

In Testimony Whereof I Norman S. Dudley Register of Wills for Queen Anne's County aforesaid, do hereunto set my hand and affix the Seal of the Orphans' Court for Queen Anne's County, this 9th day of August nineteen hundred and forty-one.

NORMAN S. DUDLEY  
Register of Wills for Queen Anne's County.

Filed August 18, 1941.

Mary Forbes, et al.

vs

Annie Johnson, et al.,

In the Circuit Court for

Queen Anne's County, in Equity.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The joint and several answer of Agnes Mabrey, John Mabrey, Jr., Gilbert Mabrey, Catherine Mabrey, James Milton Mabrey, William Calvin Mabrey and Julia Mabrey, infants, by Elizabeth Catherine Mabrey, their legal Guardian, duly appointed by The Orphans' Court of Queen Anne's County, Maryland, on the 15th day of February, 1938, to the Bill of Complaint of Mary Forbes, et al., against them in this Court exhibited, these Defendants, being infants cannot admit any of the matters and things in said Bill of Complaint alleged, and submit their rights thereunder to the protection of this Court.

And as in duty bound, et c.,

ELIZABETH CATHERINE MABREY  
Legal Guardian.

.....  
 PETITION TO TAKE TESTIMONY  
 Filed Aug. 12th 1941.

Mary Forbes, et al.,

In the Circuit Court for

vs

Queen Anne's County, in Equity.

Annie Johnson, et al.,

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Mary Forbes, et al., the Plaintiffs, by  
 John Palmer Smith, their attorney, respectfully shows:

of  
 That all/the Defendants in said Cause have appeared and answered  
 the Bill of Complaint filed herein, and your Petitioners desire to take test-  
 imony to substantiate the allegations as contained in said Bill before one of the  
 Standing Examiners of this Court.

Your Petitioners therefore pray for an Oder of Court giving  
 them leave to take testimony in said C<sub>a</sub>use.

And as in duty bound , etc.,

JOHN PALMER SMITH  
 Solkitor for Petitioners.

.....  
 ORDER OF COURT  
 Filed August 15, 1941.

ORDER OF COURT

ORDERED, this 14th day of August, 1941, by the Cirucit Court  
 for Queen Anne's County, in Equity, that leave be and is heraby granted unto the  
 Petitioners, that testimony be taken in the above entitled Cause before one of  
 the Standing Examiners of this Court. And the Examiner is hereby directed to  
 give all the parties together with the Guardian the usual notice of the date fixed  
 for taking such testimony .

J. OWEN KNOTTS  
 Judge.

Filed August. 15th 1941.

.....  
 TESTIMONY  
 Filed April 16th 1941.

Mary Forbes, et al.,

In the Circuit Court for

vs

Queen Anne's County, in Equity.

Annie Johnson, et al.,

Chancery No. 3271

TO THE HONORABLE, THE JUDGES OF SAID COURT:-

John Palmer Smith, Esq., Solkitor for the Complainants,  
 having notified your Examiner that he desired to take testimony, and this  
 Honorable Court having on August 14th , 1941, granted leave to the Complainants  
 to take testimony in this Cause, your Examiner gave the required notice, and did  
 attend, at the office of John Palmer Smith, Esq., in Centreville, Maryland, at  
 2 o'clock P.M., on Wednesday, September, 10th, 1941, there being present Herbert  
 Mabrey, one of the complainants, and Elizabeth Catherine Mabrey, one of the  
 Defendants, and legal guardian of the infant defendants, John Palmer Smith,  
 Solicitor for the complainants, and proceeded to take the following testimony,  
 to wits:-

Herbert Mabrey, the first witness, of lawful age, having been  
 duly sworn, deposes and says:

by Mr. Smith:

1. Int. State your name, age, residence and occupation ?  
 Ans. My name is Herbert Mabrey, I am 33 years of age, I reside in Queen Anne's  
 County, Maryland, address Millington, Md. R.F.D., and I am a farmer.
- 2 Int. Do you know the parties to this suit?  
 Ans. Yes sir, I know every one of them personally.
- 3 Int. Did you know James Mabrey during his lifetime?  
 Ans. Yes, sir, he was my father, his full name was James Alfred Mabrey.
- 4 Int. Is he living?  
 Ans. No, sir, he is dead. He died July 6th, 1940, in Quee Anne's County,  
 Maryland, at his home on his farm in the First Election District.
- 5 Int. Do you know whether he died leaving a will or not?  
 Ans. He did not leave a will, he died without a will.
- 7 Int. Did he leave a widow?  
 Ans. My mother died five years before my father; he never remarried and he  
 never left any widow.
- 8 Int. How many children did your father have?  
 Ans. He had 10 children, 9 living and one dead.
- 9 Int. Name the living children?  
 Ans. Their names are: Mary Forbes, Annie Johnson, James Alfred Mabrey, Jr.,  
 William Mabrey, Edward Mabrey, Isabelle Everestt, LeRoy Mabrey, Eugene

Mabrey and myself. Mary married William S. Forbes; Annie married William Johnson, James married Florence; William married married Helen; Edward married Georgia; Isabelle married Thomas Everett; LeRoy is single; Eugene is single; and I am single.

10 Int. Name the dead child of your father?

His name was John Mabrey, He died May 10th, 1937, in Queen Anne's County, Md., leaving no will, and leaving a widow, Elizabeth Catherine Mabrey, and seven children. John's seven children are named: Agens Mabrey, infant, single; John Mabrey, Jr., infant, single; Gilbert Mabrey, infant, single; Catherine Mabrey, infant, single; James Milton Mabrey, infant, single; William Calvin Mabrey, infant, single, Julia Mabrey, infant, single.

11 Int. Are you familiar with the property that your father, James Mabrey owned at the time of his death?

Ans. Yes, sir, I now live on the property. He owned a small farm of 72 acres, more or less, located on the road from Blanco to Millington, adjoining the lands of Jacob Redden and Frank Embert and the John Ahern Property, and the Edward Glanding place. The property has a dwelling house on it of 5 rooms, its a frame house, has a barn and chicken house.

12 Int. What do you consider the value of this property?

Ans. I consider the property to be valued at around \$ 700.00 to \$1,000.00. Mr. Wesley McKnett and Mr. Spencer Walls valued it in 1940 for \$1,000.00.

13 Int. Did your father own this farm in fee simple?

Ans. Yes sir, he owned the farm in fee simple, with nothing against it whatever.

14 Int. Do you consider that the farm could be divided among the owners without material loss or injury?

Ans. No, it would be impossible to divide it among all the children and grandchildren.

15 Int. The only method of making division among the heirs at law would be by selling the real estate and dividing the proceeds?

Ans. Yes, that would be the fairest and only way as I see it.

16th Int. Do you know the addresses of the parties to this suit?

Ans. Yes sir. Mary and William Forbes reside in Cecil County, Md., James and Florence Mabrey reside in Talbot County, Md., William and Helen Mabrey, Edward and Georgia Mabrey, Isabelle and Thomas Everett, Leroy, Eugene and myself, all now live in Queen Anne's County, and Elizabeth Catherine Mabrey and her seven children did live in Queen Anne's County but have now moved to Clayton, Del. Annie and William Johnson live at Smyrna, Del. New Castle County.

Examiner's Special:

Ans. No. sir.

HERBERT MABREY

Elizabeth Catherine Mabrey, the second witness, of lawful age, having been duly sworn, deposes and says:-

1 Int. State your name, age, residence and occupation?

Ans. My name is Elizabeth Catherine Mabrey, I am 37 years old, I now resides Clayton, Del., and I carry on a farm.

2 Int. Did you know James Mabrey, your father-in-law?

Ans. Yes sir. I knew Mr. Mabrey for 35 years, in fact, I knew him all my life. I lived right around there all my life.

3 Int. Do you know the parties to this suit?

Ans. Yes sir, I know all of them. I know the whole family.

4 Int. You are the widow of John Mabrey, are you not?

Ans. Yes sir, my husband was John Mabrey, son of James Mabrey. My husband died in Queen Anne's County, Maryland, on May 10th, 1937, leaving me a widow, and seven infant children. He died without a will.

5 Int. You are familiar with the property of James Mabrey, your father-in-law?

Ans. Yes sir, I know the farm very well.

6 Int. Describe the farm, and give me a value of it?

Ans. The farm is located on the left side of the road from Blanco to Millington, in Queen Anne's County, Maryland, contains 72 acres, has a frame 5 room dwelling on it, and barn and a chicken house. I would say the farm is worth about \$1,000.00.

7 Int. How did Mr. James Mabrey own this farm?

Ans. He owned it in fee simple. I understand he had nothing due against it.

8 Int. Did Mr. James Mabrey die with or without a will?

Ans. He died without a will.

9 Int. Do you consider that the farm could be divided among the owners without material loss or injury?

Ans. This farm could not possibly be divided among the children and the grandchildren. There are 9 living children, Mary, James, William Edward, Isabelle, LeRoy, Eugene Annie and Herbert, who would be entitled to a one-tenth share, and then there are the seven infant children of John Mabrey, my dead husband, to take his one-tenth share. I just dont see how anyone could divide the farm property or without injury to the heirs.

10 Int. Do you know the addresses of the heirs and their husband and wives?

Ans. Yes, sir: Annie and William Johnson live near Smyrna, New Castle County, Del., Mary and William Forbes reside in Cecil County, Md; James and Florence live in Talbot County, Md., William and Helen Mabrey, Edward and Georgia Mabrey, Isabelle Everett and Thomas Everett, LeRoy Mabrey, Eugene Mabrey and Herbert Mabrey, all now reside in Queen Anne's County, Md., I and my children until just recently lived in Queen Anne's County, Maryland, but I now live near Clayton, Del.

Examiner's Special.

Ans. No sir.

ELIZABETH CATHERINE MABREY

There being no other witnesses present and no further time being desired for the production of evidence, your Examiner herewith respectfully makes his return to this Honorable Court and certified that he was engaged as such Examiner two days and examined two witnesses, making costs chargeable to plaintiffs, as follows:

Herbert Mabrey ,	Witness	\$ .75	
Elizabeth Catherine Mabrey "	"	.75	
Itinerant charges	"	<u>1.50</u>	\$2.25
Charles E. Tucker,	Examiner		<u>8.00</u>
	Total .		11.00

CHAS. E. TUCKER  
Examiner.

Filed Sept. 11th 1941

.....  
EXAMINERS' NOTICE OF HEARING  
Filed Sept. 11th 1941.

Mary Forbes, et al.,

In the Circuit Court for  
Queen Anne's County, in Equity.

vs

Annie Johnson, et al.,

To:-

Annie Johnson, & William Johnson,  
Smyrna, Del.,

Elizabeth Catherine Mabrey,  
Clayton, Del.

Elizabeth Catherine Mabrey, Legal Guardina for Agnes Mabrey,  
John Barey, Gilbert Mabrey, Catherine Mabrey, James Milton Mabrey,  
William Calvin Mabrey and Julia Mabrey, infants.

You are hereby notified that the Subscribed, a regular Standing Examiner of the above named Court, to which the papers in this Cause have been referred, will sit at the office of John Palmer Smith, Esq., at Centreville, Maryland, on Wednesday, September 10th, 1941, beginning at the hour of two o'clock P.M. E. S. T., to take testimony in the above entitled Cause.

CHAS. E. TUCKER  
Standing Examiner.

Notice of the above admitted:-

ANNIE JOHNSON  
Annie Johnson

WILLIAM JOHNSON  
William Johnson

ELIZABETH CATHERINE MABREY  
Elizabeth Catherine Mabrey

ELIZABETH CATHERINE MABREY  
Legal Guardina of infants.

.....  
D E C R E E  
Filed Sept. 30th 1941.

MARY FORBES, ET AL.

IN THE CIRCUIT COURT FOR

VS

QUEEN ANNE'S COUNTY,

ANNIE JOHNSON, ET AL.

IN EQUITY.  
CHANCERY No. 3271

THIS CAUSE being ready for hearing, and being submitted for final Decree, the Bill of Complaint, Exhibits, Answers and Testimony and all other proceedings having been read and duly considered, IT IS THEREUPON, this 29th day of September, in the year nineteen hundred and forty -one, by The Circuit Court for Queen Anne's County, in Equity, ADJUDGED, ORDERED AND DECREED, That the real estate described in the above entitled proceedings be sold.

And that John Palmer Smith of Centreville, Queen Anne's County, Maryland, be and he is hereby appointed Trustee to make sale thereof; And that the course and manner of his proceeding shall be as follows: he shall, before he proceeds to make such sale, first file with the Clerk of the Circuit Court for Queen Anne's County, a bond to the State of Maryland, executed by him and a surety or sureties in the penalty of Fifteen Hundred Dollars corporate surety and in double that amount if personal sureties, conditioned for the faithful perform

ance of the trust reposed in him by this decree or which may be reposed in him by any future order or decree passed in the premises, which said Bond shall be approved by one of the Judges of the said Circuit Court, or by the Clerk of the Circuit Court for Queen Anne's County. The said Trustee shall then proceed to make said sale, having given at least three weeks' previous notice by advertisement inserted in some newspaper or papers printed and published in Queen Anne's County, and such other manner as he shall think proper, of the time, place, manner and terms of sale, which terms shall be as follows: One-third of the purchase money to be paid in cash on the day of sale, one-third thereof in six months and the residue in twelve months, from the day of sale, or all cash on day of sale, at the option of the purchaser; the credit payments to bear interest from day of sale, and to be secured by the notes or bonds of the purchaser, with surety to be approved by the said Trustee. That as soon as convenient after such sale the said Trustee shall return to this Court a full and particular account of his proceedings in the premises, with an affidavit thereto annexed of the truth thereof, and of the fairness of such sale. And on the final ratification thereof, and the full payment of the whole purchase money (and not before) the said Trustee is hereby authorized, by a good and sufficient deed, acknowledged and recorded according to law, to convey to the purchaser, his, her or their heirs, the property and estate, to him, her or them sold, free, clear and discharged from all claims of the parties to this Cause.

And the said Trustee shall bring into Court the money arising from the sale of the said lands and premises, to be distributed under the direction of this Court, after deducting the costs of suit and such commissions to the said Trustee as the Court shall think proper to allow, in consideration of the skill, attention and fidelity wherewith he shall appear to have discharged his trust.

J. OWEN KNOTTS  
Judge.

Filed Sept. 30th 1941.

.....  
CERTIFIED COPY OF BOND  
Filed Sept. 30th 1941

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the \_\_\_\_ day of \_\_\_\_\_, in the year nineteen Hundred and forty one the following Bond was filed, to wit:

Know all men by these presents: That we John Palmer Smith of Centreville, Queen Anne's County, Maryland, as Principal, and Glens Falls Indemnity Company, a body Corporate of the State of New York and duly authorized to transact business in the State of Maryland as Surety are held and firmly bound unto the State of Maryland, in the full and just sum of Fifteen Hundred Dollars (\$1500.00) current money to be paid to the said State or its certain Attorney, to which payment well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs, executors, administrators and successors, jointly and severally, firmly by these presents, sealed with our sealed and dated this 30th day of September, 1941.

Whereas, by a Decree of the Honorable J. Owen Knotts, of the Circuit Court for Queen Anne's County, in Equity, bearing date the 29th day of September 1941 and passed in a cause pending in the Circuit Court for Queen Anne's County, on the Chancery side thereof, in which Mary Forbes, et al, are Complainants and Annie Johnson, et al are Defendants the said John Palmer Smith was appointed Trustees, and authorized and empowered to make sale of the lands and premises in the proceeding in said Cause mentioned. And Now The Condition of the above obligation is such, that if the said John Palmer Smith shall well and faithfully perform the trust reposed in him by said Decree or which shall or may be reposed in him by any future order or decree in the premises, and shall in all things well and truly execute the duties of such trustee, then then the above and foregoing obligation to be null and void otherwise to be and remain in full force and virtue in law.

RICHARD T. EARLE  
Attest: Richard T. Earle

JOHN PALMER SMITH (SEAL)  
John Palmer Smith

GLENS FALLS INDEMNITY COMPANY

Corporate  
Seals  
Place.

By L. HERMAN MEREDITH  
L. Herman Meredith  
Its Agent and Attorney In Fact

And on the back of the foregoing Bond was thus endorsed, to wit:

to wit:  
1841.

Bond on the back of the foregoing Bond was thus endorsed,  
Bond of John Palmer Smith with Security approved Sep. 30th

A. SYDNEY GADD JR. Clerk

State of Maryland, Queen Anne's County, to wit:

I hereby Certify that the foregoing is truly taken and copied from Liber W. H.C. No. folio 189 &c., a Bond Record Book for Queen Anne's County.

Seals Place

In Testimony Whereof I hereunto subscribe my name and affix the seal of the Circuit Court for Queen Anne's County, this 30th day of September A.D. 1941.

A. SYDNEY GADD JR. Clerk

REPORT OF SALE  
Filed October 28th 1941

MARY FORBES, ET AL.,

IN THE CIRCUIT COURT FOR QUEEN

VS

ANNE'S COUNTY, IN EQUITY.

ANNIE JOHNSON, ET AL.,

Chancery No. 3271

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of John Palmer Smith, Trustee named under a Decree in the above entitled Cause, to sell the real estate therein, respectfully shows:

That having duly filed his approved bond and given notice of the time, place, manner and terms of sale by advertisement in the Centreville Record-Observer, a newspaper printed and published in Queen Anne's County, for more than three weeks before the day of sale, he did, pursuant to said notice, attend at said sale, in front of The Sudlersville Bank of Maryland, at the town of Sudlersville, Queen Anne's County, Maryland, on Saturday, the 25th day of October, 1941, at the hour of 2:00 o'clock P.M., and then and there proceeded to sell the following real estate, to wit:-

ALL that tract of land known as the "James Mabrey Farm" or "The Noah Nickerson Land" situate in the First Election District of Queen Anne's County, Maryland, located on the road from Blanco to Millington, adjoining the lands of Jacob Redman, Frank Embert, the John Ahern Property and the Edward Glanding place, and contain seventy-two Acres and Seventeen perches of land, more or less, and improved by a 5-room frame dwelling house, a barn and chicken house, and being the same land conveyed to James Mabrey by John and Anna Akin by deed dated October 31, 1903, and recorded in Liber J. E. G. No. 5, folio 461, etc.,

AND your Trustee sold said farm and tract of land to John M. Johnson, at and for the price of Six Hundred and Five Dollars (\$605.00), be being the highest bidder therefor.

That the aforesaid sale was bona fide and fairly made, and for the best price obtainable, and the said John M. Johnson, the purchaser, has complied with the terms of sale.

And as in duty bound, etc.,

JOHN PALMER SMITH  
Trustee

STATE OF MARYLAND,

QUEEN ANNE'S COUNTY, TO WIT:-

I hereby certify, that on this 28th day of October, 1941, before the Subscriber, Clerk of the Circuit Court for Queen Anne's County, personally appeared John Palmer Smith, the above named Trustee, and made oath in due form of law that the matters and facts stated in the foregoing Report of Sale are true to the best of his knowledge the belief and that the sale was fairly made.

A. SYDNEY GADD JR.  
Clerk

Filed October 28th 1941.

CERTIFICATE OF ADVERTISEMENT OF SALE  
Filed October 28th 1941.

TRUSTEE'S SALE OF VALUABLE FARM

By virtue of the power and authority contained in a Decree in the case of FORBES vs JOHNSON, in the Circuit Court for Queen Anne's County, in Equity the undersigned Trustee named therein, will offer at public auction in front of The Sudlersville Bank of Maryland, at Sudlersville, Queen Anne's County, Maryland, on SATURDAY, OCT. 25, 1941, At 2 o'clock P.M. the following described real estate;

All that tract of land known as the "James Mabrey Farm" or "The Noah Nickerson Land" situate in the First Election District of Queen Anne's County, Maryland, located on the road from Blanco to Millington, adjoining the lands of Jacob Redman, Frank Embert, the John Ahern property and the Edward Glanding place, and containing Seventy-two (72) Acres and Seventeen (17) perches of land, more or less, and improved by a 5-room, frame dwelling house, a barn and chicken house, Being the same land conveyed to John Mabrey by John and Anna Akin by deed dated October 31, 1903, and recorded in Liber J. E. G. no. 5, folio 461.

TERMS OF SALE One third cash day of sale ; one third in six months and theresidue in 12 months, from the day of sale, or all cash on day of sale, at the option of the purchaser; the credit payments to bear interest from day of sale, and to be secured by the notes of the purchaser with surety to be approved by the Trustee.

JOHN PALMER SMITH  
Trustee.

J. Elmer Anthony, Auctioneer.





four successive weeks before the 7th day of December next.

The Report states the amount of sales to be \$605.00.

True Copy A. SYDNEY GADD JR. Clerk  
Test: A. SYDNEY GADD JR. Clerk

Filed October 31st 1941.

QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. January 9, 1942.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING CO. hereby certifies that the Order Nisi in the case of Mary Forbes, et al. vs Johnson et al., a true copy of which is hereto annexed, was inserted in the QUEEN ANNE'S RECORD OBSERVER, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week for four successive the first publication thereof having been made in said newspaper on the fourth day of November, 1941, being more than four insertion before the seven day of December 1941.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO.

By HELEN M. BOOKER

Filed Jan 9, 1942.

.....  
CERTIFICATE OF PUBLICATION  
OF ORDER NISI  
Filed Jan 15, 1942.

N I S I

MARY FORBES, ET AL.

IN THE CIRCUIT COURT FOR

VS

QUEEN ANNE'S COUNTY, IN EQUITY.

ANNIE JOHNSON, ET AL.

Chancery No. 3271

ORDERED, This 31st day of October A. D., 1941, that the sale of the Real estate made and reported in this cause by John Palmer Smith, Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 7th day of January next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 7th day of December next,

The Report states the amount of sale to be \$605.00.

True Copy A. SYDNEY GADD JR. Clerk  
Test: A. SYDNEY GADD JR. Clerk

Filed October 31st 1941.

QUEEN ANNE'S RECORD- OBSERVER

Centreville, Md. 1-15-1942.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO. hereby certifies that the Order Nisi in the case of Mary Forbes, et al vs Annie Johnson, et al a true copy of which is hereto annexed, was inserted in the QUEEN ANNE'S RECORD OBSERVER, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week for four successive weeks the first publication thereof, having been made in said newspaper on the 6th day of November 1941, being four insertions before the 7th day of December 1941.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO.

By EVELYN B. BERRY

Filed Jan 15, 1942.

.....  
FINAL ORDER OF PUBLICATION  
Filed Jan 19th 1942.

MARY FORBES, ET AL.,

IN THE CIRCUIT COURT FOR

VS

QUEEN ANNE'S COUNTY, IN EQUITY.

ANNIE JOHNSON, ET AL.

Chancery No. 3271

FINAL ORDER OF RATIFICATION

ORDERED, This 17th day of January, in the year nineteen hundred and forty-two, by The Circuit Court for Queen Anne's County, in Equity, that no cause to the contrary having been shown, the sale of the Real Estate heretofore made and reported by John Palmer Smith, Trustee in this Cause, on October 25th, 1941, be and the same is hereby FINALLY RATIFIED AND CONFIRMED.

And it is further Ordered that the papers in the Cause are hereby referred to the Auditor.

J. OWEN KNOTTS.  
Judge.

Filed Jan 19th 1942.

.....  
A U D I T  
Filed July 27 1943.

In the Circuit Court for Queen Anne's County, in Equity.

Mary Forbes, et al.,  
versus  
Annie Johnson, et al.,

Chancery Docket,  
Cause No. 3271

To the Honorable , the Judges of said Court:

These proceedings were instituted and have been had to obtain a sale of the real estate left by one James Mabrey for division of the net sale among his heirs at law, consisting of nine children left by him and seven grandchildren, children of his son, John Mabrey, who pre-deceased his father, said James Mabrey, In the within account this auditor has charged John Palmer Smith, the trustee named to make the sale, with the amount of the gross sale made by him and thereout has allowed unto him his commission on the sale, per rule of Court, Court costs, advertising costs, auctioneer's fee and taxes on land sold, paid by him, per his vouchers produced to the auditor and fee of the auditor. Then in the within account the auditor has distributed the balance of the gross sale, remaining after these allowances, among the heirs at law of James Mabrey.

The Bill states that the children of John Mabrey took on death of said James Mabrey one-tenth of the land subject to an one-third interest of widow of said John. This widow was not an heir of said James and took no part of the land from him so the auditor distributed no part of the net sale to her.

Which is respectfully submitted,

MADISON BROWN  
Auditor.

July 24, 1943.

CAUSE NO. 3271

The proceeds of the sale of the Mortgaged Real Estate of James Mabrey, deceased, IN ACCOUNT WITH John Palmer Smith, the trustee appointed by the decree filed in this Cause.

1941			
Oct.		CR.	
25	By amount of the gross sale made this day per report of the trustee filed here, to wit: .....		\$605.00
"		DR.	
	To John Palmer Smith, the trustee, for his commissions for making the sale, sum of .....		\$41.83
	To do., for the cost of his bond containing corporate surety, per accounts exhibited, sum of .....		30.00
	To do., for the cost of advertising in county paper notices of the sale, per account for same exhibited, sum of .....		21.00
	To do., for cost of advertising the order passed herein (nisi) on the report of sale filed, per account for same exhibited, sum of .....		5.00
	To do., for amount paid J. E. Anthony, for crying the sale made, per his receipt for same exhibited, sum of .....		10.00
	To do., for the state and county taxes for year 1941 on land sold paid by him, per receipted account for same exhibited, sum of .....		19.25
	To do., for the court costs of these proceedings, per bill of costs made by the clerk of Court exhibited as follows:		
	Costs of the clerk of court, .....		47.65
	Costs of the Sheriff, .....		5.25
	Costs of the Register of Wills, .....		.50
	Costs of the Examiner, .....		8.00
	Costs of Witnesses, .....		3.00
	Appearance fee of Mr. Smith .....		10.00
	Total of these costs, allowed.....		74.40

To do., for the costs of advertising the order nisi to be passed as to this audit, sum of ..... 3.50

To Madison Brown, auditor, for stating this account, sum of ..... 9.00  
213.98

To balance for distribution carried below, ..... 391.02

\$605.00    \$605.00

CAUSE NO. 3271

By balance brought forward, to wit: ..... CR. \$391.02 CR.

DR.

Distribution of Above Amount:

Children

To Mary Forbes	1/10	thereof	.....	\$39.10
To James Alfred Mabrey	1/10	thereof	.....	39.10
To William Mabrey	1/10	thereof	.....	39.10
To Edward Mabrey	1/10	thereof	.....	39.10
To Isabelle Everett	1/10	thereof	.....	39.10
To LeRoy Mabrey	1/10	thereof	.....	39.10
To Eugene Mabrey	1/10	thereof	.....	39.10
To Herbert Mabrey	1/10	thereof	.....	39.10
To Annie Johnson	1/10	thereof	.....	39.11

Grandchildren:

To Agnes Mabrey,	1/7 of 1/10	thereof	.....	5.58
To John Mabrey	1/7 of 1/10	thereof	.....	5.58
To Gilbert Mabrey	1/7 of 1/10	thereof	.....	5.59
To Catherine Mabrey	1/7 of 1/10	thereof	.....	5.59
To William Calvin Mabrey	1/7 of 1/10	thereof	.....	5.59
To Julia Mabrey	1/7 of 1/10	thereof	.....	5.59
To James Milton Mabrey	1/7 of 1/10	thereof	.....	5.59

\$391.02                      \$391.02

July 24, 1943.

MADISON BROWN  
AUDITOR

Filed July 27, 1943.

.....  
NISI RATIFICATION OF AUDIT  
Filed July 27, 1943.

Mary Forbes, et al.,	In the Circuit Court for
vs	Queen Anne's County , In Equity.
Annie Johnson et al.	Cause No. 3271

ORDERED, This 27th day of July in the year nineteen hundred and forty three, that the Report and Account filed in these proceeding by Madison Brown, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 20th day of August, 1943, provided a copy of this order be published once a week in each of two successive weeks before the 13th day of August, 1943, in some newspaper printed and published in Queen Anne's County.

A. SYDNEY GADD JR.    Clerk

Filed July 27th, 1943.

.....  
CERTIFICATE AS TO PUBLICATION OF  
NISI AUDIT  
Filed Sept. 13th 1943.

NISI RATIFICATION OF AUDIT

Mary Forbes, et al.,	In the Circuit Court for
vs	Queen Anne's County, in Equity.
Annie Johnson, et al.	Cause No. 3271

ORDERED, This 27th day of July in the year nineteen hundred and forty three, that the Report and Account filed in these proceedings by Madison Brown, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 20th day of August, 1943; provided a copy of

this order be published once a week in each of two successive weeks before the 13th day of August, 1943, in some some newspaper printed and published in Queen Anne's County.

Filed July 27, 1943.

A. SYDNEY GADD JR. Clerk

True Copy

Test: A. SYDNEY GADD JR. Clerk

QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. September 11, 1943.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Nisi Ratification of Audit in the case estate of Mary Forbes, et al. vs. Annie Johnson, et al. a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD- OBSERVER, a weekly newspaper printed and published at Centreville, in Queen Anne's County, Maryland, once a week for 2 successive weeks before the 13 day of August 1943, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD -OBSERVER was on the 29 day of July 1943, and the last insertion on the 5 day of August 1943.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY.

By Glenn T. James

Filed Sept. 13th 1943.

ORDER OF COURT  
Filed Sept. 14, 1943.

MARY FORBES, ET AL.

VS

ANNIE JOHNSON, ET AL.

IN THE CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY, IN EQUITY,

Chancery No. 3271

ORDER OF COURT

ORDERED, on this 14th day of September, 1943, by the Circuit Court for Queen Anne's County, in Equity, and by the authority thereof, that the within and foregoing Report and Account of Madison Brown, as the Auditor of this Court, be and the same is hereby ratified and confirmed, no cause to the contrary thereof having been shown, although it appears that notice has been given in accordance with the Order Nisi heretofore passed in this cause in relation to said Report and Account, and John Palmer Smith, the party making the sale described in the cause, be and he is hereby authorized and directed to apply the proceeds of sale in accordance with the account, the distributive shares of the infants, however, to be held subject to the future order of this Court in the premises.

WM. R. HORNEY  
Judge.

Filed Sept. 14, 1943.

## CHANCERY NO. 3381

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Second day of November in the year nineteen hundred and forty three, the following Petition For Injunction was brought to be recorded, to wit:

Thomas H. Collier,	:	In the Circuit Court for
	:	
vs	:	Queen Anne's County, in Equity.
	:	
John Tyler Washington,	:	Chancery No. 3381
Alberta L. Washington.	:	

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Orator, complaining, says:

1. That on or about the 24<sup>th</sup> day of June, 1908, he purchased from one J. H. C. Legg, Trustee, a certain lot of ground located in the village of Grasonville, Queen Anne's County, Maryland, in fee simple, said lot of ground, which is improved by a frame dwelling house and outbuildings, is located on the south side of the State Highway leading through said village of Grasonville, and which lot of land is located on the west side of a private right of way running north and south from said State Highway, a certified copy of which deed is herewith filed as part hereof, marked "Exhibit "A".

2. That a certain John Tyler Washington and Alberta L. Washington, his wife, owning or claiming to own a lot of ground situate on the east side of said right of way, and which lot of ground formerly belonged to one Charles E. South and contains about four acres, has attempted to use, and has threatened to use said private right of way for the purpose of access to and egress from his said "South" lot instead of using the private right of way appurtenant to his said "South" lot which said private right of way to said "South" lot is located on the east side of the said "South" lot and is appurtenant to said "South" lot.

3. That the aforesaid first private right of way is appurtenant to the lot and premises of your Orator and to other properties to whom the private right of way was granted as being appurtenant to said properties which are or were formerly part of the whole tract of one Thomas Horney.

4. That the "South" lot of the said defendants has no rights in the aforesaid first named private right of way, but because said private right of way is more convenient to them than the private right of way lying east of their said "South" lot and which is appurtenant to their said lot, they are attempting and threatening to burden the first named right of way appurtenant to your Orator's property by using same to pass to and from their land, and that the said defendants have no rights in said private right of way appurtenant to your Orator's lot for such use or any other use appertaining to the defendants' "South" lot.

5. That the said defendants are further attempting or threatening to use said first named private right of way for the purpose of moving a large and heavy building over it by a large and heavy truck and trailer and moving apparatus which will as a result tear up and destroy said private right of way appurtenant to your Orator's property due to the heavy and excess weight of said building and the moving equipment, and which said weight will destroy a tube or trunk in said right of way.

6. That the said John Tyler Washington and Alberta L. Washington, his wife, are negroes who contemplate erecting said house on the "South" lot and using said first named private right of way appurtenant to your Orator's property, and that their unlawful use of said private right of way will permanently injure the value of your Orator's property, and will further place an unlawful burden or an added burden on said private right of way.

7. That the use and trespass of the said John Tyler Washington and Alberta L. Washington upon the private right of way appurtenant to your Orator's property is not susceptible of adequate compensation in the ordinary course of law, but will cause irreparable damage thereto, unless the said John Tyler Washington and Alberta L. Washington are restrained therefrom by this Court.

To the end therefore:

1. That the said John Tyler Washington and Alberta L. Washington, their agents, servants and employees, they and each of them, may be enjoined from using said private right of way appurtenant to your Orator's property for the purpose of access to and egress from their "South" lot.

2. That the said John Tyler Washington and Alberta L. Washington, their agents, servants and employees, they and each of them, may be enjoined from using said private right of way appurtenant to your Orator's property for the purpose of moving a building over the same to their "South" lot.

3. That your Orator may have such other and further relief as his case may require.

And as in duty bound,

JOHN PALMER SMITH  
Solicitor for Complainant.

THOMAS H. COLLIER  
Complainant.

State of Maryland, Queen Anne's County, to wit:

I hereby certify, that on this 2nd day of November, 1943, before the Subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Thomas H. Collier, the complainant above named, and made oath in due form of law that the matter and facts set forth in the foregoing petition are true to the best of his knowledge, information and belief.

Witness my hand and Notarial Seal.

Notary  
Public  
Seal.

DELHA DANCY ROLPH  
Notary Public  
My commission expires May 7, 1945.

Filed Nov. 2, 1943.

THOMAS H. COLLIER,

IN THE CIRCUIT COURT FOR

VS

QUEEN ANNE'S COUNTY, IN EQUITY

JOHN TYLER WASHINGTON,  
ALBERTA L. WASHINGTON,

CHANCERY NO. 3381

ORDER OF COURT

The foregoing Bill of Complaint having been read and considered, IT IS THEREUPON, this 2nd day of NOVEMBER, 1943, by the Circuit Court for Queen Anne's County, in Equity, and by the authority thereof, Ordered that the Defendants, John Tyler Washington and Alberta L. Washington, show cause, if any they have, on or before the 15th day of November, 1943, why a writ of injunction should not be issued as prayed in said Bill of Complaint; Provided a copy of the said Bill of Complaint and of this Order be served upon the said Defendants, John Tyler Washington and Alberta L. Washington, on or before the 8th day of November, 1943,.

WM. R. HORNEY  
Judge.

Filed November 2, 1943.

.....  
COMPLAINANT'S EXHIBIT "A".  
Filed Nov. 2, 1943.

Queen Anne's County to wit: Be it remembered that on the Twenty fifth day of July in the year Nineteen hundred and Eight the following Deed was brought to be recorded, to wit:

This Deed, made this twenty fourth day of June, in the year Nineteen hundred and Eight, by J.H.C. Legg, of Queen Anne's County, in The State of Maryland, Trustee as hereinafter set forth. Whereas by a Decree of the Circuit Court for Queen Anned County, in Equity, dated the Fifteenth day of May, in the year Nineteen Hundred and six, and passed in a Cause in said Court depending, wherein Thomas H. Collier is plaintiff and Annie M. Collier, John T. Collier, William T. Summers, Harry S. Summers, James E. Collier adults and Rachael S. Parker and Oliver Leroy Canoles Infants are defendants, the above named J. H. C. Legg, was duly appointed Trustee, with authority to sell the real estate in the proceedings in said Cause mentioned. And Whereas, after having given Bond and complied with all the other requisites of the Decree, the said Trustee did on the Ninth day of June, in said year Nineteen Hundred and Six, sell the property hereinafter described to Thomas H. Collier of said Queen Anne's County, in the said State of Maryland, at Public Sale in front of the Store House of James B. Rhodes, in the village of Winchester in Queen Anne's County, Maryland, for the sum of Four Hundred and Five Dollars, he being then and there the highest bidder therefore at and for the said sum of Four Hundred and Five Dollars, which said sale has been duly reported to the Circuit Court for Queen Annes County, in Equity, in said cause, and has been finally ratified by the Order of said Court passed in the said Cause on the Twenty sixth day of October, in the year Nineteen Hundred and Six, and the purchase money fully paid to the said Trustee. Now, therefore, this Deed Witnesseth that in consideration of the premisea and of the sum of one dollar, the said J.H.C. Legg, trustee as aforesaid, does grant and convey unto the said Thomas H. Collier, all the right, and title, interest andestate, of all the parties to the aforesaid cause in and to all that lot or parcel of land lying and being in Winchester in the Fifth Election District of Queen Annes County, in the State of Maryland, and being on the South side of the public road leading throught the town or village of Winchester in said Queen Anne's County, Maryland from Queenstown to Kent Island Narrows, and adjoining the lands of John T. Collier, Annie Summers, and being improved by a Frame Dwelling House and other outbuildings and containing two acres of land more or less, and being the same lot of land whereon Thomas J. Horney resided up to the time of his death. Together with the improvement thereon, and the rights and appurtenances there-to belonging or in any wise appertaining.

As witness my hand and seal.

Test: J. McK. Tilghman

J.H.C. LEGG Trustee (seal)

State of Maryland, Queen Anne's County, to wit:

I hereby certify that on this 25th day of July, in the year Nineteen Hundred and eight, before me, the subscriber, a Justice of the Peace of the State of Maryland, in and for Queen Annes County, aforesaid, personally appeared J. H. C. Legg, Trustee, as above set forth, and acknowledged the foregoing Deed to be his act and deed.

J. McK. Tilghman  
Justice of the Peace.

STATE OF MARYLAND,  
QUEEN ANNE'S COUNTY, TO WIT:

I HEREBY CERTIFY that the foregoing is truly taken and copied from Liber S. S. No. 5, folio 88, etc., a Land Record Book for Queen Anne's County aforesaid.

IN TESTIMONY WHEREOF I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County this Second day of November, in the year nineteen hundred and forty three.

Seals Place.

A. SYDNEY GADD JR. Clerk

Filed Nov. 2 , 1943.

.....  
SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
Filed Nov. 19th 1943.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO John Tyler Washington and Alberta L. Washington

Seals Place.

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the First Monday of December next, to answer the complaint of Thomas H. Collier against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins, Chief Judge of our said Court, the First Monday of November 1943.  
Issued the second day of November 1943.

A. SYDNEY GADD JR. Clerk

John Palmer Smith  
Solicitor for Complainant

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of December next, being the Return Day.

A. SYDNEY GADD JR. Clerk

.....  
COPY OF PETITION FOR INJUNCTION  
AND ORDER OF COURT TO BE SERVED  
AND RETURNED.  
Filed Nov. 3rd, 1943.

Thomas H. Collier,

vs

John Tyler Washington,  
Alberta L. Washington.

In the Circuit Court for  
Queen Anne's County, in Equity.

Chancery No. 3381

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Orator, complaining, says:

1. That on or about the 24th day of June, 1908, he purchased from one J.H.C. Legg, Trustee, a certain lot of ground located in the village of Grasonville, Queen Anne's County, Maryland, in fee simple, said lot of ground, which is improved by a frame dwelling house and outbuildings, is located on the south side of the State Highway leading through said village of Grasonville, and which lot of land is located on the west side of a private right of way running north and south from said State Highway, a certified copy of which deed is herewith filed as parr hereof, marked "Exhibit "A".

2. That a certain John Tyler Washington and Alberta L. Washington, his wife, owning or claiming to own a lot of ground situate on the east side of said right

of way, and which lot of ground formerly belonged to one Charles E. South and contains about four acres, has attempted to use, and has threatened to use said private right of way for the purpose of access to and egress from his said "South" Lot instead of using the private right of way appurtenant to his "South" lot which said private right of way to said "South" Lot is located on the east side of the said "South" lot and is appurtenant to said "South" lot.

3. That the aforesaid first private right of way is appurtenant to the lot and premises of your Orator and to other properties to whom the private right of way was granted as being appurtenant to said properties which are or were formerly part of the whole tract of one Thomas Horney.

4. That the "South" lot of the said defendants has no rights in the aforesaid first named private right of way, but because said private right of way but because said private right of way is more convenient to them than the private right of way lying east of their said "South" lot and which is appurtenant to their said lot, they are attempting and threatening to burden the first named right of way appurtenant to your Orator's property by using same to pass to and from their land, and that the said defendants have no rights in said private right of way appurtenant to your Orator's lot for such use or any other use appertaining to the defendant's "South" Lot.

5. That the said defendants are further attempting or threatening to use said first named private right of way for the purpose of moving a large and heavy building over it by a large and heavy truck and trailer and moving apparatus which will as a result tear up and destroy said private right of way appurtenant to your Orator's property due to the heavy and excess weight of said building and the moving equipment, and which said weight will destroy a tube or trunk in said right of way.

6. That the said John Tyler Washington and Alberta L. Washington, his wife, are negroes who contemplate erecting said house on the "South" lot and using said first named private right of way appurtenant to your Orator's property, and that their unlawful use of said private right of way will permanently injure the value of your Orator's property, and will further place an unlawful burden or an added burden on said private right of way.

7. That the use and trespass of the said John Tyler Washington and Alberta L. Washington upon the private right of way appurtenant to your Orator's property is not susceptible of adequate compensation in the ordinary course of law, but will cause irreparable damage thereto, unless the said John Tyler Washington and Alberta L. Washington are restrained therefrom by this Court.

To the end therefore:

1. That the said John Tyler Washington and Alberta L. Washington, their agents, servants and employees, they and each of them, may be enjoined from using said private right of way appurtenant to your Orator's property for the purpose of access to and egress from their "South" lot.

2. That the said John Tyler Washington and Alberta L. Washington, their agents, servants and employees, they and each of them, may be enjoined from using said private right of way appurtenant to your Orator's property for the purpose of moving a building over the same to their "South" lot,

3. That your Orator may have such other and further relief as his cause may require.

And as in duty bound,

John Palmer Smith  
Solicitor for Complainant.

THOMAS H. COLLIER  
Complainant.

State of Maryland, Queen Anne's County, to wit:

I hereby certify, that on this 2nd day of November, 1943, before the Subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Thomas H. Collier, the complainant above named, and made oath in due form of law that the matter and facts set forth in the foregoing petition are true to the best of his knowledge, information and belief.

Witness my hand and Notarial Seal.

Notary  
Public  
Seal.

DELHA DANCY ROLPH  
Notary Public  
My Commission expires: May 7, 1945.

Filed Nov. 2, 1943.

THOMAS H. COLLIER,

IN THE CIRCUIT COURT FOR

VS

QUEEN ANNE'S COUNTY, IN EQUITY.

JOHN TYLER WASHINGTON  
ALBERTA L. WASHINGTON

Chancery No. 3381

ORDER OF COURT

The foregoing Bill of Complaint having been read and considered, IT IS THEREUPON, this 2nd day of NOVEMBER, 1943, by the Circuit Court for Queen Anne's County, in Equity, and by the authority thereof, Ordered that the Defendants,



John Tyler Washington and Alberta L. Washington, show cause, if any they have, on or before the 15th day of November, 1943, why a writ of injunction should not be issued as prayed in said Bill of Complaint: Provided a copy of the said Bill of Complaint and of this Order be served upon the said Defendants, John Tyler Washington and Alberta L. Washington, on or before the 8th day of November, 1943,

WM. R. HORNEY  
Judge.

Filed November 2, 1943.

True Copy  
Test: A. SYDNEY GADD JR.  
Clerk

And on the back of the foregoing Petition is thus endorsed to wit:

I hereby certify that I served the within copy of Petition and Order of Court by reading same to John Tyler Washington and Alberta L. Washington, defendants, and by leaving a copy of same with them.

LOUIS B. PERKINS  
Sheriff.

Served: Nov. 2nd 1943.  
Filed Nov. 3rd 1943.

.....  
SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
Filed Nov. 19th 1943.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO John Tyler Washington and  
Alberta L. Washington

Seals  
Place.

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you/<sup>be</sup>and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the First Monday of December next, to answer the complaint of Thomas Hl Collier against you in said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins, Chief Judge of our said Court, the first Monday of November 1943.  
Issued the Second day of November 1943.

A. SYDNEY GADD JR. Clerk

John Plamer Smith

Solicitor for Complainant.

TO THE DEFENDANT: You are required to file your answer/<sup>or</sup>other defense in the office of the Clerk of this Court within fifteen days of the first Monday of December next, being the Return Day.

A. SYDNEY GADDJR. Clerk

And on the back of the foregoing is thus endorsed, to wit:

Summoned by reading same to John Tyler Washington and Alberta L. Washington and leaving copy of same with each.  
November 18, 1943.

LOUIS B. PERKINS Sheriff.

Filed Nov. 19th 1943.

.....  
ANSWER OF DEFENDANTS  
Filed Nov. 27th 1943.

THOMAS H. COLLIER ,

VS

JOHN TYLER WASHINGTON,  
ALBERTA L. WASHINGTON .

IN THE CIRCUIT COURT FOR  
QUEEN ANNE'S COUNTY, IN EQUITY.

Cause No. 3381

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The defendants, John Tyler Washington and Alberta L. Washington, by Richard T. Earle, their attorney, for answer to the bill of complaint against them in this cause exhibited, say:

1. The defendants admit the matters and facts set forth in paragraph No. 1 of the said Bill of Complaint.

2. The defendants answering paragraph No. 2 of the said Bill of Complaint, say, they are the owners of of the land described in said paragraph as "The South Lot" owning the same as tenants by the entireties, and that they have not only threatened to use what the complainant in said paragraph designates as a private right of way but have used the same ever since they have had title to "The said South Lot" and that they intend to continue to use the same until such time as they are forced to discontinue same on account of cause being shown and have not used the right of way described in said paragraph as appurtenant to the "South Lot".

3. In answer to paragraph 3 of the said Bill of Complaint, the defendants neither admit nor deny the matters and facts therein stated but demand strict proof thereof.

4. In answer to paragraph 4 of the Bill of Complaint, the defendants deny the matters and facts stated therein and state that they and their predecessors in title to the South Lot have openly, notoriously, continuously, adversely and under a claim of right used the aforesaid alleged private right of way, and by using the same in the manner above set forth for over twenty years have acquired the right to the use thereof.

5. In answer to paragraph 5 of the Bill of Complaint, the defendants admit that they intend to move a dwelling house over and upon said right of way but intend to move said house by means of and in such a skillful manner as not to damage nor destroy the alleged private right of way or any tube or trunk placed therein and should any damage be done to said right of way or the tube or trunk that they will repair and make good any such damage.

6. In answer to paragraph 6, the defendants admit they are negroes but that does not necessarily infer as the Bill of Complaint appears to intend that they would on that account use the aforesaid right of way in an unlawful manner and that they do not intend to use the same in such a manner but intend to make use of said right of way only in the manner which they have acquired by right of using the same.

7. The defendants in answer to paragraph 7 of the Bill of Complaint, again deny that they are trespassers on the alleged private right of way, but claim they on account of reasons herein before stated have a right of way will be irreparably damaged, in fact that the Complainant will suffer any damage whatsoever.

8. Answering further the defendants state that the granting of any injunction is a discretionary power will this Honorable Court and it is not a proper case in which to use said power when the rights in a right of way are in dispute but should be referred in a proper case to a Jury for its determination.

Having answered said Bill of Complaint the defendants pray to be discharged with their proper costs and that said injunction be not granted.

Respectfully submitted.

RICHARD T. EARLE  
Atty. for Defendants.

Filed Nov. 27th 1943.

.....  
DEMURRER  
Filed Dec. 16th 1943.

In the Circuit Court for Queen Anne's County, in Equity.

Thomas H. Collier

vs

Cause No. 3381

John Tyler Washington  
Alberta L. Washington

The defendants by Richard T. Earle, their Attorneys to the Bill of Complainant against them exhibited, demurrers generally to said bill of complaint, and for reason for said demurrers say, that the allegations of said Bill of Complaint are not sufficient to Give a Court of Equity jurisdiction.

RICHARD T. EARLE  
Atty. for defendants.

State of Maryland

Queen Anne's County, to wit:

I hereby Certify that on this 16th day of December, 1943, personally appeared Richard T. Earle, Atty, for defendants, and made oath in due form of law that the foregoing demurrers in his opinion is well founded and that same is not filed for delay.

A. SYDNEY GADD JR.  
Clerk

Filed Dec. 16, 1943.

OPINION AND ORDER OF COURT ON  
THE DEMURRER  
Filed Jan 10th 1944.

THOMAS H. COLLIER,

VS

JOHN TYLER WASHINGTON ,  
ALBERTA L. WASHINGTON.

IN THE CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY, IN EQUITY.

Cause No. 3381.

OPINION OF COURT

This is a suit by Thomas H. Collier against John Tyler Washington and Alberta L. Washington, his wife, in which the former seeks to enjoin the latter (a) from using all alleged private right of way and (b) from using said right of way for the purpose of moving a building over the same.

The bill in substance alleges (a) that the complainant is the owner of a certain lot of ground on the south side of the State highway in the village of Grasonville and on the west side of an alleged private right of way running in a southerly direction from said highway; (b) that the respondents own or claim to own another certain lot of ground on the east side of said right of way and have threatened and attempted to use said right of way first mentioned instead of using the private right of way appurtenant to their own ( the respondents) lot of ground located on the east side thereof; (c) that the first mentioned right of way is appurtenant to the premises of the complainant and the properties of others; (d) that the respondents have no rights in said first mentioned right of way but because it is more convenient to them than their own they are threatening and attempting to burden said first mentioned right of way by using the same to pass to and from their premises; (e) that the respondents are further attempting or threatening to use said first mentioned right of way for the purpose of moving a large and heavy building over it by a large and heavy truck and trailer and moving apparatus which will as a result tear up and destroy said first mentioned right of way and a tube or trunk therein; (f) that the respondents contemplate erecting said building on their said premises and using said first mentioned right of way, and that their use thereof will injure the value of the complainant's property and will place an added burden on said first mentioned right of way; and (g) that the use and trespass of the respondents upon said first mentioned right of way is not susceptible of adequate compensation in the ordinary course of law, but will cause irreparable damage thereto unless said respondents are restrained therefrom.

The respondents first filed an answer, but, with leave of the Court, withdrew the same, and filed a demurrer. This demurrer is not in the usual form but is perhaps sufficient for the purpose for which it was intended.

By this demurrer the respondents substantially admit (a) that they have threatened and attempted to use the first mentioned right of way instead of using the right of way appurtenant to their own premises; (b) that they have no rights in said first mentioned right of way; (c) that they intend to use said first mentioned right of way for the purpose of moving said building; and (d) that their use thereof ( to move said building) will injure said first mentioned right of way, and that their use thereof ( to pass to and from the public highway) will place an added burden thereon.

The case is now before the Court on the demurrer, arguments of counsel for the parties having been heard. The sole question raised by the demurrer is whether or not this Court has jurisdiction in the instant case. It will be noted that the demurrer is to the whole bill generally.

It is well settled that no injunction will lie in this State to restrain the commission of a mere trespass.

Ameling vs. Seekamp, 9.G. & J. 468, 472, and Subsequent cases.

Nor will an injunction lie to restrain interference with the use of a right of way by persons claiming a right to share in the use thereof, if no destruction of the easement is presented, since such a dispute is one to be litigated at law, by an action on the case, with a writ of injunction under Article 75, sections 134 - 146, of the Annotated Code of Maryland, if necessary.

Finglass vs. Frankee Company, 172 Maryland 135.

The Complainant does not allege in the instant case that the use by the respondents of the right of way appurtenant to his property for the purpose of passing to and from the public highway would destroy his easement, and it is not apparent how such use could bring about a destruction thereof. Besides the Complainant has a perfect remedy at law to determine the dispute as to the use of the right of way for such purposes as hereinbefore indicated.

However, the destruction of the right of way by moving a large and heavy building over the same is another matter, but it is not apparent from the allegations of the bill as now presented how the use thereof for this purpose would permanently destroy the use of said right of way and cause irreparable damages to the complainant.

For the Reasons assigned the demurrer must be sustained, but inasmuch as it is not clear whether or not the complainant is entitled to any relief in equity as to the alleged destruction of his easement, he will be granted leave to file an amended bill within fifteen days from the date of the filing of the order of this Court sustaining the demurrer.

WM. R. HORNEY  
Judge.

Filed Jan. 10th 1944.

ORDER OF COURT

In conformity with the foregoing opinion, IT IS ORDERED, this 8th day of January, 1944, that the demurrer of the respondents to the bill of complaint in this cause, be and the same is hereby sustained, but the complainant is hereby granted fifteen days from the date of the filing of this order in which to file an amended bill of complaint.

WM. R. HORNEY  
Judge.

Filed Jan. 10th 1944.

CAUSE NO. 3274.

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Twentieth day of May, in the year nineteen hundred and forty one, the following Order to Docket Suit was filed for record, to wit:-

Frank S. Dudley, Mortgagee, Plaintiff,	X	IN THE CIRCUIT COURT FOR QUEEN
	X	ANNE'S COUNTY,
versus	X	IN EQUITY.
James B. Hopkins, otherwise known as J. Batement Hopkins, Mortgagor, Defendant.	X	#3274
	X	

TO A. Sydney Gadd, Jr., Clerk:

YOU will docket suit as per the above Titling for foreclosure of the Mortgage from James B. Hopkins, to Frank S. Dudley, dated November 23, 1920, recorded in Liber J F R #5, folio 513, etc., a Land Record Book for Queen Anne's County, file in said Cause a certified copy of said Mortgage, and enter the appearance of the undersigned as Attorney for the Mortgagee, Plaintiff, default having occurred in the terms of said mortgage.

THOS. J. KEATING JR.  
ATTORNEY FOR MORTGAGEE,  
PLAINTIFF

Filed May 20th, 1941.

CERTIFIED COPY OF MORTGAGE  
Filed May 20, 1941.

#8199. Queen Annes County, to wit: Be it remembered that on the twenty third day of November, in the year Nineteen Hundred and twenty, the following Mortgage was brought to be recorded, to wit:

This Mortgage, made this twenty third day of November, in the year Nineteen Hundred and twenty, by James Bateman Hopkins of Queen Anne's County, in the State of Maryland, bachelor.

Whereas, the said James Bateman Hopkins is justly indebted unto Frank S. Dudley of Baltimore City in said State in the full sum of Three Thousand dollars, with interest from date hereof, for money loaned upon the condition precedent agreement that the payment thereof should be secured by the execution and delivery of this mortgage, and for which said sum of three thousand dollars and the interest to accrue thereon the said James Bateman Hopkins has drawn and passed unto the said Frank S. Dudley, his promissory note dated even with the date hereof and payable six months after date at The Centreville National Bank of Maryland for the said sum of Three Thousand dollars with interest from date and which said note note and any and every renewal thereof, including renewals of renewal and part renewal notes; the acceptance of renewal and part renewal notes to be at the option of the said Frank S. Dudley and to be secured by this mortgage.

Now, Therefore, this mortgage witnesseth that, for and in consideration of the premises and of the sum of one dollar, the receipt whereof is hereby acknowledged, the the said James Bateman Hopkins does hereby grant and convey unto the said Frank S. Dudley, his heirs and assigns, in fee simple, the following real estate, to wit: All that tract or those tracts of land or farm known as "Sudler's Purchase", "Sudler's Fortune", "The James Denny Farm" or by whatsoever other name or names the same may be called or known, situate on Kent Island in the Fourth Election District of Queen Anne's County, Maryland, on the road leading from the Stevensville, Kent Island Narrows road to the public landing on Thompson's Creek, adjoining the lands of William C. Legg and the lands of Elizabeth B. Neavitt, and on Thompson's Creek and Coxe's Creek, containing two hundred and Sixty three acres of land, more or less, being the same land described and conveyed in the deed to the said James Bateman Hopkins from Juliet M. Phillips and others dated June 29th, 1918, and recorded in Liber J. F. R. No. 1, folio 84, a Land Record Book for Queen Anne's County, Together with all the rights, roads, ways, waters, privileges and advantages thereto belonging or in any wise appertaining, and the building and improvements thereon erected and being. And it is hereby agreed that, in the event of a sale of the above described property under the power of sale hereinafter expressed, all annual crops, pitched, planted or growing upon said property at the time of sale shall pass to the purchaser of said property. Provided, that if the said James Bateman Hopkins his heirs, executors, administrators or assigns, shall well and truly pay to the said Frank S. Dudley, his successors, executors, administrators or assigns, the aforesaid sum of three thousand dollars and all interest to accrue thereon as represented by the aforesaid promissory note and any and all renewals and part renewals thereof, including renewals of renewals and part renewals as above set forth, and shall perform all the covenants, conditions and agreements herein on his and their part to be performed, then this mortgage shall be void; and until default be made in the premises, the said James Bateman Hopkins, his heirs and assigns, shall possess said property. And the said James Bateman Hopkins for himself, his heirs, executors administrators and assigns hereby covenants to pay, as they severally fall due, the debt and interest hereby intended to be secured, all taxes, assessments, public dues and charges levied or that may be levied thereon and on the property hereby conveyed, all costs and attorney's commissions and charges incurred in the collection of said debt and interest or any part of either, and to insure and pending this mortgage to keep insured, the improvements on said premises, to the amount of at least the insurable value thereof, in some Company or Companies approved by the said

Frank S. Dudley, his successors, executors, administrators or assigns, and to have the said policy or policies so framed or endorsed that the proceeds arising from said policy or policies, in case of loss, shall be applied to the payment of this mortgage, and to deliver, upon demand, to the mortgagee, his successors, executors, administrators or assigns, said policy or policies, and that no act or thing shall be done whereby said mortgaged premises may be depreciated or lessened in value, But, in case of default in payment of said debt, or the interest to accrue thereon, or any part of either, as they severally fall due, or in any covenant, condition or agreement in this mortgage, then the whole debt intended hereby to be secured and all moneys owing hereunder or secured hereby shall be due and demandable, and the said Frank S. Dudley, his successors, executors, administrators or assigns, or Thomas J. Keating their hereby duly constituted attorney or thepurpose, are hereby authorized and empowered to sell said premises upon giving twenty days previous notice of the time, place manner and terms of sale by advertisement in a newspaper printed and published in Queen Anne's County, Maryland, and such other notice as the party selling may deem expedient, for cash or for cash and credit, at the option of the person making the sale, the credit payments, if any to bear interest from day of sale and to be secured by the note or notes of the purchaser, with security to be approved by the person making the sale, and to apply the proceeds of sale to the payment of first, all expenses incident to such sale, including compensation to the person making the sale same as allowed to Trustees selling real estate under decree of the Circuit Court for Queen Anne's County, in Equity, second, all moneys owing hereunder or secured hereby, whether the same shall have then matured or not, and third, the balance to said James Batemen Hopkins or whoever may be entitled to the same, And it is hereby agreed that when default be made in any covenant or condition contained in this mortgage, and when suit has been docketed in the proper Court for the purpose of foreclosure of this mortgage under the power of sale above granted the said Frank S. Dudley, his executors, administrators, successors or assigns, or Thomas J. Keating their said Attorney, shall not be required to receive and accept the principal and interest of said mortgage indebtedness in satisfaction thereof, unless the tender of said mortgage indebtedness be accompanied by the payment of all expenses incurred under said foreclosure proceedings, including all costs of advertisement, Court costs and all expenses incurred to the time of said tender and a commission on the total amount of the mortgage indebtedness, principal and interest, equal to one half the commission allowed Trustees for making sale of real estate, under decree of the Circuit Court for Queen Anne's County, in Equity, and which said costs, expenses and commissions the said James Bateman Hopkins, for himself his heirs, executors, administrators and assigns, hereby covenant to pay.

Witness the hand and seal of the grantor the day and year first above written.

Test: E.M. FORMAN JAMES BATEMAN HOPKINS (SEAL)

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

I hereby certify that on this twenty third day of November, in the year nineteen hundred and twenty before the subscriber, a Justice of the Peace of the State of Maryland in and for Queen Anne's County, personally appeared James B. Hopkins, the above named mortgage, and he did acknowledge the foregoing mortgage to be his act and deed.

And at the same time before me personally appeared also Thomas J. Keating Agent for the Mortgagee, Frank S. Dudley, and made oath in due form of law that the consideration stated in the foregoing mortgage is true and bona fide as therein set forth, and the said Thomas J. Keating also further made oath in due form of law that he is the duly authorized agent of the said mortgagee to make the oath as to the consideration stated in this mortgage.

Seals Place. EZEKIEL M. FORMAN Justice of the Peace.

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

I hereby certify, that the foregoing is truly taken and copied from Liber J.F.R. No. 5 folio 513, &c., a Land Record Book for Queen Anne's County.

In Testimony Whereof, I hereunto subscribe my name and affix the seal of the Circuit Court for Queen Anne's County, this 20th day of May, A. D. 1941.

Seals Place. A. SYDNEY GADD JR. Clerk

ORDER TO FILE AFFIDAVITS OF THOMAS J. KEATING JR. Filed May 22nd 1941.

FRANK S. DUDLEY, MORTGAGEE, VS JAMES B. HOPKINS, otherwise known as J. Bateman Hopkins, MORTGAGOR. IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY, IN EQUITY.

TO A. Sydney Gadd Jr., Clerk

You will please file the attached Affidavits in the above entitled cause.

THOS. J. KEATING JR.  
ATTORNEY FOR PLAINTIFF.

Filed May 22nd 1941.

STATE OF MARYLAND, :  
: TO WIT:  
QUEEN ANNE'S COUNTY, :

THIS IS TO CERTIFY, that on this 22nd day of May, 1941, before the subscriber, a Notary Public, of the State of Maryland, and for Queen Anne's County, personally appeared Thomas J. Keating Jr., Attorney for the Plaintiff, and made oath in due form of law as follows:

THAT he is Attorney for the Plaintiff, Frank S. Dudley, in a suit in the Circuit Court for Queen Anne's County, in Equity, entitled "Frank S. Dudley, Mortgagee, versus James B. Hopkins, otherwise, known as J. Bateman Hopkins, Mortgagor".

THAT, as Attorney for said Plaintiff, he has made diligent inquiry and has ascertained to the best of his ability the following facts, which he believes to be true; That the said J. Bateman Hopkins, Mortgagor, is deceased, having died intestate, and that he left surviving him as his only heirs-at-law a brother, Danie Hopkins of Stevensville, Maryland, a sister, May A. Hopkins, of Colonial Beach, Virginia, a sister, Florence J. Hopkins of Colonial Beach, Virginia, a nephew, George R. Benton of Stevensville, Maryland, a nephew, John C. Benton of Stevensville, Maryland, a nephew, Gordon A. Benton of Baltimore City, Maryland, a nephew, Byron C. Benton of Baltimore City, Maryland, and a niece, Elizabeth B. Sattelmaier of Stevensville, Maryland;

THAT the said Daniel Hopkins is beyond the age of forty (40) years and is not now, nor has he been within the past three (3) months, in the military service of the United States of America, and is a widower;

THAT the said Mary A. Hopkins is beyond the age of forty (40) years and is not now, nor has she been within the past three (3) months, in the Military service of the United State of America, and is single;

That the said Florence J. Hopkins is beyond the age of forty (40) years and is not now, nor has she been within the past three (3) months, in the Military service of the United States of America, and is single;

THAT the said George R. Benton is beyond the age of forty (40) years and is not now, nor has he been within the past three (3) months, in the Military service of the United State of America, and is single;

THAT the said John C. Benton is beyond the age of forty (40) years and is not now, nor has he been within the past three (3) months, in the Military service of the United State of America, and is divorced;

THAT the said Gordon A. Benton is married unto Geraldine Benton, both of whom reside in Baltimore City, Maryland. That the said Gordon A. Benton, is about the age of thirty-eight (38) years and his wife's age is unknown. That neither the said Gordon A. Benton nor Geraldine Benton is now, nor have they been within the past three (3) months, in the Military service of the United States of America.

THAT the said Byron C. Benton is married unto Helen Benton, both of whom reside in Baltimore City, Maryland. That the said Byron C. Benton is about the age of thirty-two (32) years and has registered with Local Draft Board No. 1, Queen Anne's County, for induction into the Military service of the United States of America, but that, at the present time, neither the said Byron C. Benton nor the said Helen Benton, his wife, are in the Military service of the United States of America, nor have they been in the Military service of the United States of America within the past three (3) months:

THAT the said Elizabeth B. Sattelmaier is married unto Theodore Sattelmaier, both of whom are beyond the age of thirty-six (36) years, and both of whom reside in Stevensville, Maryland. That neither the said Elizabeth B. Sattelmaier nor Theodore Sattelmaier, her husband, are in the Military service of the United States of America, nor have they been in said Military service within the past three (3) months.

THOS. J. KEATING JR.  
ATTORNEY FOR PLAINTIFF

SUBSCRIBED and sworn to this 22nd day of May, 1941.

Seals Place.

MARY KER KEATING  
Notary Public

Filed May 22nd 1941.

STATE OF MARYLAND,

QUEEN ANNE'S COUNTY, TO WIT:

THIS IS TO CERTIFY, that on this 22nd day of May, 1941, before the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, personally appeared Thomas J. Keating, Jr., Attorney for the Plaintiff, and made oath in due form of law as follows:

THAT Hiram G. Dudley, Jr., is one of the Executors and Trustees of the estate of Hiram G. Dudley, deceased, together with the Plaintiff, Frank S. Dudley, and one Thomas J. Keating, and as such Trustee is the holder of a junior lien on the mortgaged premises of J. Bateman Hopkins, deceased. That the said Hiram G. Dudley, Jr., is beyond the age of forty (40) years and resides in Queen Anne's County, Maryland. That the said Hiram G. Dudley, Jr., is not now, nor has he been within the past three (3) months, in the Military service of the United States of America.

THAT Thomas J. Keating, is one of the Executors and Trustees of the estate of Hiram G. Dudley, deceased, together with the Plaintiff, Frank S. Dudley, and the said Hiram G. Dudley, Jr., and as such Trustee is the holder of a junior lien on the mortgaged premises of J. Bateman Hopkins, deceased. That the said Thomas J. Keating is beyond the age of forty (40) years and resides in Queen Anne's County, Maryland. That the said Thomas J. Keating is not now, nor has he been within the past three (3) months, in the Military service of the United States of America.

Seals  
Place.

THOS. J. KEATING JR.  
ATTORNEY FOR PLAINTIFF  
SUBSCRIBED AND sworn to this 22nd day of May, 1941.

Filed May 22nd, 1941

MARY KER KEATING  
NOTARY PUBLIC

.....  
CERTIFIED COPY OF BOND  
Filed June 12th 1941

Queen Anne's County, to wit: Be it remembered that on the on the 12th day of June, in the year Nineteen Hundred and forty one, the following Bond was filed for record, to wit:

UNITED STATES FIDELITY AND GUARANTY COMPANY

Baltimore, Maryland  
\$10,000.00

No.

Know all men by these Presents: Frank S. Dudley, of Baltimore City, Maryland, as Principal, and United States Fidelity and Guaranty Company, a Corporation of the State of Maryland, of Baltimore, Maryland, as Surety, are held and firmly bound unto the State of Maryland in the full and just sum of Ten Thousand Dollars (\$10,000) to be paid to the State of Maryland, or its certain attorney, to the payment whereof we hereby bind ourselves and each of us, our and each of our heirs, executors, administrators and successors, in the whole and for the whole jointly and severally, firmly by these presents, sealed withour seals and dated this 11th day of June, in the year Nineteen Hundred and forty one: Whereas, the said Frank S. Dudley, as Mortgagee in a certain Mortgage from James Bateman Hopkins to the said Frank S. Dudley, bearing date the 23rd day of November, 1920, recorded in Liber J.F.R. #5, folio 513, a Land Record Book for Queen Anne's County, is about to execute the Power of Sale contained in said Mortgage, default having occurred in the covenants contained therein, and has docketed suit the Circuit Court for Court for Queen Anne's County, in Equity, in a cause in said court entitled "Frank S. Dudley, Mortgagee, versus James B. Hopkins, otherwise known as J. Bateman Hopkins, Mortgagor" being No. 3274 on the Chancery Docket of said Court, Now, the condition of the above obligation is such that if the above bounden, Frank S. Dudley, do and shall well and faithfully abide by and fulfill any order or Decree which shall be made by any Court of Equity, in relation to the sale of said Mortgaged premises, or the proceeds thereof, then the above obligation shall be void, otherwise to be and remain in full force and virtue in law.

Signed, sealed and delivered  
in the presence of

FRANK S. DUDLEY (SEAL)  
Frank S. Dudley  
UNITED STATES FIDELITY AND GUARANTY  
COMPANY.

F. LEIF EARECKSON  
F. Leif Eareckson

By E. W. Levering Jr. Vice Pres-  
ident.  
E. W. Levering Jr.

Attest: Norman C. Keyes  
Assistant Secretary  
Norman C. Keyes.

CORPORATE  
SEAL  
PLACE

On the back of the foregoing Bond was thus endorsed, to wit:

Bond filed and Security approved June 12, 1941.

A. SYDNEY GADD JR. Clerk



STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

I hereby Certify that on the foregoing is truly taken and copied from Liber W. H. C. No. 1 folio 179 & 80 a Bond Record Book for Queen Anne's County.

(Seals Place) In Testimony Whereof I hereunto subscribe my name and affix the Seal of the Circuit Court for Queen Anne's County, this twelfth day of June A. D. 1941.

A. SYDNEY GADD JR. Clerk

\*\*\*\*\*

REPORT OF SALE  
Filed June 21st 1941.

FRANK S. DUDLEY, Mortgagee,  
versus

JAMES B. HOPKINS, otherwise  
known as J. Bateman Hopkins,  
Mortgagor,

IN THE CIRCUIT COURT FOR  
QUEEN ANNE'S COUNTY,  
IN EQUITY.

REPORT OF SALE

TO THE HONORABLE, the Judges of said Court:

THE REPORT OF SALE of the real estate made in this Cause by Frank S. Dudley, Mortgagee, respectfully shows unto your Honors:

THAT, default having occurred in the terms of the Mortgage from James B. Hopkins, otherwise known as J. Bateman Hopkins, to Frank S. Dudley, dated November 23, 1920, recorded in Liber J.F.R. #5, folio 513, etc., a Land Record Book for Queen Anne's County, by reason of the non-payment of the principal and interest covenanted in said Mortgage to be paid, the said Frank S. Dudley, Mortgagee, pursuant to the Power of Sale contained in said Mortgage, did, after docketing suit for the foreclosure of said Mortgage, and after filing in said Cause an Affidavit that after diligent inquiry, it was found that the Mortgagor, J. Bateman Hopkins, was deceased, and that the heirs-at-law, of the said J. Bateman Hopkins, were Daniel Hopkins, a brother, Mary A. Hopkins, a sister, Florence J. Hopkins, a sister, George R. Benton, John C. Benton, Gordon A. Benton, Byron C. Benton, and Elizabeth B. Sattlemair, nephews and a niece, respectively, and that their ages were approximately as set forth in said Affidavit, and their addresses were as therein set forth, and that none of said heirs-at-law were, or are, in the military service of the United States of America, nor had they been within three (3) months prior thereto, proceed to advertise the Mortgaged property for sale in the Queen Anne's Record-Observer, a weekly newspaper printed and published in Queen Anne's County, Maryland, once in each of four (4) successive weeks before the 17th day of June, 1941, as will appear by reference to the Certificate of the Publication of said Advertisement attached hereto;

THAT, your Mortgagee did, thereupon, file an approved Bond and attend in front of the Court House door in Centreville, Maryland, on Tuesday, June 17, 1941, between the hours of one and two o'clock, P.M., to wit: at one-thirty o'clock, P.M., and did then and there offer and expose the Mortgaged premises at public sale to the highest bidder, and, after crying said sale, for a considerable time, did sell said property unto Frank S. Dudley, Hiram G. Dudley, Jr., and Thomas J. Keating, Executors and Trustees of the Estate of Hiram G. Dudley, deceased, they being then and there the highest bidders therefore, at and for the sum of Eighty five Hundred Dollars (\$8,500.00).

THE terms of said sale were those set forth in the advertisement, to wit: a deposit of One Thousand Dollars (\$1,000.00) on the day of sale, and the balance in cash upon ratification of the sale, and also your Mortgagee announced that Purchaser would be required to pay the taxes for the year, 1941, and would be entitled to the present wheat crop standing on the farm, but would have to pay for the harvesting and threshing thereof; that the Purchaser was to get one-half ( $\frac{1}{2}$ ) of the present corn crop on the farm, and the other one half ( $\frac{1}{2}$ ) thereof, and all of the tomato crop being reserved by Daniel Hopkins, who is acting as temporary Tenant on the farm; that the Purchaser was to have possession of the farm on October 1, 1941, provided compliance had been made with the terms of sale.

THE Mortgaged property so sold is described in said Mortgage and in the Advertisement of Sale as follows:

ALL that tract, or those tracts, of land or farm known as "Sudler's Purchase", "Sudler's Fortune", "The James Denny Farm", or by whatsoever other name of names the same may be called or known, situated on Kent Island, in the Courth Election District of Queen Anne's County, Maryland, on the road leading from the Stevensville-Kent Island Narrows Road to the public landing on Thompson's Creek, adjoining the lands of William C. Legg, and the lands of Elizabeth B. Neavitt, and on Thompson's Creek and Coxes Creek, containing 263 Acres of land, more or less; being the same land described and conveyed in the Deed to the said James Bateman Hopkins from Juliet M. Phillips, and others, dated June 29, 1918, and recorded in Liber J.F.R.#1, folio 84, a Land Record Book for Queen Anne's County.

YOUR Mortgagee further reports that, as the estate of Hiram G. Dudley, the Purchaser, is the holder of a Mortgage junior in lien to the Mortgage under which the foreclosure proceedings are being conducted, he has not required the deposit of One Thousand Dollars (\$1,000.00) as specified in the terms of sale, but upon Ratification said sale, he believes that the entire purchase money will be paid, or satisfaction thereof made.

THE REPORT states the amount of sales to be Eighty-five Hundred Dollars (\$8,500.00).

Respectfully submitted,  
FRANK S. DUDLEY  
Mortgagee.

STATE OF MARYLAND,  
BALTIMORE CITY,

THIS IS TO CERTIFY, THAT on this 19th day of June 1941, before the subscriber, a Notary Public of the State of Maryland, in and for Baltimore City, personally appeared Frank S. Dudley, Mortgagee, and made oath in due form of law that the matters and facts set forth in the foregoing Report of Sale are true to the best of his knowledge and belief and that the sale was fairly made.

IN TESTIMONY WHEREOF, I hereunto set my hand and Notarial Seal affix the day and year herein last above written.

C. HOWARD STARR                      Notary  
NOTARY PUBLIC                          Public  
Seal.

Filed June 21st 1941.

.....  
CERTIFICATE OF ADVERTISEMENT OF SALE  
Filed June 21st 1941

MORTGAGEE'S SALE OF VALUABLE WATERFRONT FARM

UNDER AND BY VIRTUE OF THE POWER OF Sale contained in a Mortgage from James B. Hopkins, otherwise known as J. Bateman Hopkins, to Frank S. Dudley, bearing date the 23rd day of November, 1920, recorded in Liber J.F.R. No. 5, folio 513, etc., a Land Record Book for Queen Anne's County default having occurred in the terms of said Mortgage, the undesignated Mortgagee will offer and expose at public sale to the highest bidder, in front of the Court House door, in the town of Centreville, Queen Anne's County, Maryland, on TUESDAY, JUNE 17, 1941, between the hours of one and two o'clock P.M., all of the following described real estate, being the real estate described in said Mortgage, as follows, to wit:-

ALL that tract or those tracts, of land or farm, known as "Sudler's Purchase", "Sudler's Fortune", "The James Denny Farm", or by whatsoever other name or names the same may be called or known, situate, on Kent Island, in the Fourth Election District of Queen Anne's County, Maryland, on the road leading from the Stevensville-Kent Island Narrows Road to the public landing on Thompson's Creek, adjoining the lands of William C. Legg, and the lands of Eleizabeth B. Neavitt, and on Thompson's Creek and Coxes Creek, CONTAINING 263 ACRES of land, more or less being the same land described and conveyed in the Deed to the said James Bateman Hopkins and Juliet M. Phillips, and others, dated June 29, 1918, and recorded in Liber J.F.R. No. 1 folio 84, a Land Record Book for Queen Anne's County.

THE above described real estate offers an excellent opportunity for someone interested in waterfront property, and is conveniently located to the Town of Stevensville and to the Matapeake Ferry.

TERMS OF SALE: a Deposit of \$1000.00 will be required on the day of sale, and the balance of the purchase money will be payable in cash upon the ratification of the sale by the Circuit Court for Queen Anne's County, in Equity, Other particulars will be made known at the time of sale.

FRANK S. DUDLEY Mortgagee.

J. Elmer Anthony, Auctioneer  
Thomas J. Keating, Jr., Attorney.

QUEEN ANNEUS RECORD - OBSERVER

Centreville, Md. 6-17-1941

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING CO. hereby certifies that the Advertisement of Sale in the case of Frank S. Dudley, Mortgagee vs J. B. Hopkins, Mortgagor a true copy of which is hereto annexed, was inserted in the QUEEN ANNE'S RECORD - OBSERVER, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week for four successive weeks the first publication thereof having been made in said newspaper on the 22nd day of May 1941, being more than 20 days before the 17th day of June 1941.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO.

By: Evelyn S. Butler.

Filed June 21st, 1941.

.....  
N I S I  
Filed June 21, 1941.

N I S I

Frank S. Dudley, Mortgagee,  
vs

In the Circuit Court for  
Queen Anne's County in Equity.

James B. Hopkins, otherwise known  
as J. Bateman Hopkins, Mortgagor.

Chancery No. 3274.

ORDERED, This 21st day of June A. D., 1941, that the sale of the real estate made and reported in this cause by Frank S. Dudley, Mortgagee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 28th day of August next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 28th day of July next.

The Report states the amount of sales to be \$8,500.00.

A. SYDNEY GADD JR. Clerk

Filed June 21, 1941.

.....  
CERTIFICATE OF NISI OF SALE  
Filed Sept. 18, 1941.

N I S I

FRANK S. DUDLEY, Mortgagee,

In the Circuit Court for

vs

Queen Anne's County, in Equity.

JAMES B. HOPKINS, Otherwise  
known as J. BATEMAN HOPKINS,  
Mortgagor.

CHANGERY No. 3274.

ORDERED, This 21st day of June A. D., 1941, that the sale of the real estate made and reported in this cause by Frank S. Dudley, Mortgagee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 28th day of August next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 28th day of July next.

The Report states the amount of sales to be \$8,500.00.

A. SYDNEY GADD JR., Clerk

True Copy  
Test:

A. SYDNEY GADD JR. Clerk

Filed June 21, 1941.

QUEEN ANNE'S RECORD - OBSERVER  
Centreville, Md. September 18, 1941.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO. hereby certifies that the Nisi in the case of Frank S. Dudley, Mort. vs James B. Hopkins, Mortgagor a true copy of which is hereto annexed, was inserted in the QUEEN ANNE'S RECORD OBSERVER, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week for four successive weeks the first publication thereof having been made in said newspaper on the 26th day of June 1941, being more than four weeks before the 28th day of July 1941.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO.

By Evelyn S. Butler

Filed Sept. 18, 1941.

.....  
STATEMENT OF MORTGAGE DEBT  
Filed November 15th 1941.

FRANK S. DUDLEY, Mortgagee,

: IN THE CIRCUIT COURT FOR

versus

: QUEEN ANNE'S COUNTY,

JAMES B. HOPKINS, otherwise  
known as J. Bateman Hopkins,  
Mortgagor.

: IN EQUITY.  
:  
:

STATEMENT OF MORTGAGE DEBT.

PRINCIPAL amount of Mortgage debt due  
by J. Bateman Hopkins to Frank S. Dudley  
under Mortgage dated November 23, 1920,  
recorded in Liber J.F.R #5, folio 513, a  
Land Record Book for Queen Anne's County

\$3,000.00

Interest from Nov. 23/37 to June 17/41

\$535.00

TOTAL

3,535.00

STATE OF MARYLAND,

BALTIMORE COUNTY, TO WIT:

THIS IS TO CERTIFY that on this 20th day of September, 1941, before the subscriber, a Notary Public of the State of Maryland, in and for Baltimore County, personally appeared Frank S. Dudley, Mortgagee, and made oath in due form of law that the foregoing Statement of Mortgage debt is true and bona fide as therein set forth and that no part of the same has been paid.

IN TESTIMONY WHEREOF I hereunto set my hand and Notarial Seal affix the day and year herein last above written.

Notary Public  
Seal.

WALTER H. HISSEY  
Notary Public  
Baltimore County.

Filed Nov. 15, 1941.

.....  
FINAL ORDER OF RATIFICATION OF SALE  
Filed Nov. 25, 1941.

FRANK S. DUDLEY, Mortgagee, : IN THE CIRCUIT COURT  
: :  
versus : :  
: :  
JAMES B. HOPKINS, otherwise known as J. : IN EQUITY.  
Bateman Hopkins, Mortgagor. :

FINAL ORDER OF RATIFICATION OF SALE.

ORDERED, This 18th day of November 1941, by the Circuit Court for Queen Anne's County, in Equity, that the sale of the real estate made and reported in this Cause by Frank S. Dudley, Mortgagee, be and the same is hereby finally ratified and confirmed, no cause to the contrary thereof having been shown, although notice appears to have been given as required by the preceding Order Nisi, and the Mortgagee, Vendor, is allowed the usual commissions and such proper expenses, not personal, as he shall produce vouchers for to the Auditor.

STEPHEN R. COLLINS  
Judge.

Filed Nov. 25, 1941.

.....  
PETITION AND CONSENT  
Filed Dec. 30th 1941.

FRANK S. DUDLEY, : IN THE CIRCUIT COURT FOR  
Mortgagee, : :  
: :  
versus : :  
: :  
Chancery # 3274  
JAMES B. HOPKINS, otherwise known as :  
J. Bateman Hopkins, Mortgagor. :

TO THE HONORABLE, the Judges of said Court:

THE PETITION of Frank S. Dudley, Mortgagee and Vendor in this Cause, respectfully shows unto your Honors:

THAT, As will appear by reference to the Certified Copy of the Mortgage, the Advertisement of Sale, and the Report of Sale heretofore filed herein, the real estate exposed for sale and sold by your Mortgagee was described as follows:

ALL that tract, or those tracts, of land or farm known as "Sudler's Purchase", "Sudler's Fortune", "The James Denny Farm", or by whatsoever other name or names the same may be called or known, situated on Kent Island, in the Fourth Election District of Queen Anne's County, Maryland, on the road leading from the Stevensville-Kent Island Narrows Road to the public landing on Thompson's Creek, adjoining the lands of William C. Legg, and the lands of Elizabeth B. Neavitt, and on Thompson's Creek and Coxes Creek, containing 263 ACRES OF LAND, more or less; being the same land described and conveyed in the Deed to the said James Bateman Hopkins from Juliet M. Phillips, and others, dated June 29, 1918, and recorded in Liber J.F.R. #1, folio 84, a Land Record Book for Queen Anne's County.

THAT SINCE the aforesaid sale was finally ratified by your Honors, it has been discovered that, subsequent to the Execution of the Mortgage Foreclosure herein, a portion of the real estate covered thereby was conveyed away by the Mortgagor, J. Bateman Hopkins, during his lifetime, your Mortgagee joining in said conveyance;

THAT the portion of the mortgaged premises so conveyed away as aforesaid, consisted of a tract of land containing 30 ACRES, 2 ROADS and 11 PERCHES OF LAND, more or less, it having been conveyed unto CHARLES M. BRIGHT and CLARENCE SOPER by Deed dated February 11, 1929, recorded in Liber B. H. T. #9, folio 244, etc., a Land Record Book for Queen Anne's County, by the said J. Bateman Hopkins, your Mortgagee, Frank S. Dudley, as Mortgagee, and Frank S. Dudley, Hiram G. Dudley, Jr., and Thomas J. Keating, Executors and Trustees under the Will of Hiram G. Dudley, deceased, Mortgagees, holders of another Mortgage on said property;

THAT, in order to correct the amount of acreage sold in these proceedings, and the description of said real estate, your Petitioner desires to procure the authority of this Honorable Court to convey said real estate as described in the Report of Sale, SAVE AND EXCEPT that portion thereof which was conveyed away by Deed to the said Charles M. Bright and Clarence Soper as aforesaid, and to that end has procured the consent of the Purchasers at the Foreclosure Sale, to wit: Frank S. Dudley, Hiram G. Dudley, Jr., and Thomas J. Keating, Executors and Trustees of Hiram G. Dudley, deceased, to accept a conveyance of the correct acreage as aforesaid;

WHEREFORE, your Petitioner prays your Honors to pass an Order authorizing him, as Mortgagee and Vendor, or such other person as may be appointed Trustee in this Cause in the Place and stead of the said Frank S. Dudley, Mortgagee, to make a conveyance of the real estate mentioned and described in the proceedings heretofore had in this Cause, SAVE and EXCEPT that portion thereof, containing 30 ACRES, 2 ROADS and 11 PERCHES OF LAND, more or less, which was conveyed away unto Charles M. Bright and Clarence Soper as aforesaid, the terms of sale and the purchase price to remain unaltered as set forth in the Report of Sale.

Respectfully submitted,

FRANK S. DUDLEY  
Frank S. Dudley  
MORTGAGEE AND VENDOR.

CONSENT

THE UNDERSIGNED, Frank S. Dudley, Hiram G. Dudley, Jr., and Thomas J. Keating, Executors and Trustees of Hiram G. Dudley, deceased, the Purchasers of the real estate sold in this Cause, having read the aforesaid Petition, do hereby assent to the passage of an Order as prayed for therein.

FRANK S. DUDLEY  
(Frank S. Dudley)

HIRAM G. DUDLEY, JR.  
(Hiram G. Dudley, Jr.)

THOMAS J. KEATING  
(Thomas J. Keating)

EXECUTORS AND TRUSTEES OF Hiram G. Dudley, deceased.

Filed Dec. 30th 1941.

ORDER OF COURT  
Filed Jan 2nd. 1942.

ORDER OF COURT

UPON THE AFOREGOING PETITION of Frank S. Dudley, Mortgagee and Vendor, and the Assent thereto of Purchasers, Frank S. Dudley, Hiram G. Dudley, Jr., and Thomas J. Keating, Executors and Trustees of Hiram G. Dudley, deceased, IT IS by the Circuit Court for Queen Anne's County, in Equity, ORDERED this 31st day of December 1942, that the said Frank S. Dudley, Mortgagee and Vendor, be and he is hereby authorized to convey unto the Purchasers upon payment of the purchase money set forth in the Report of Sale, the real estate described in said Report of Sale with the exception of that portion thereof containing 30 acres, 2 roads and 11 perches of land, more or less, which was conveyed away by J. Bateman Hopkins, Mortgagor, during his lifetime unto Charles M. Bright and Clarence Soper by the Deed mentioned in the aforesaid Petition.

STEPHEN R. COLLINS  
Judge.

Filed Jan 2nd. 1942.

A U D I T  
Filed July 15, 1942.

In the Circuit Court for Queen Anne's County, in Equity.

Frank S. Dudley, mortgagee, : CHANCERY DOCKET  
: :  
versus : :  
: : CAUSE NO. 3274.  
James B. Hopkins, mortgagor. : :

To the Honorable, the Judges of said Court:-

The Report of Madison Brown, your auditor, unto Your Honors respectfully sets forth:

That these proceedings were instituted and have been had for the collection of a mortgage debt by sale of the mortgaged property and Frank S. Dudley, the mortgagee named above is the vendor who made the mortgage sale set forth in these proceedings.

The proceeds of the sale made by the vendor mentioned are more than sufficient to pay the commissions and costs of the sale per terms of the mortgage and the mortgage debt in full so that there is a balance arising from the sale so made undistributed by this audit which is to remain subject to the future order of this Court in the hands of the vendor to await proper proceedings for the distribution thereof.

In the within account the auditor has charged said vendor with the gross amount of the sale made and reported by him and then thereout has allowed unto the vendor as follows:

His commissions per terms of mortgage, court costs, of the cause, the cost of his bond, cost of advertising notices of the sale and the several orders nisi of the cause, the charges of the auctioneer for crying the sale and the fee of the auditor and also his mortgage claim per statement filed herein in full.

Respectfully submitted,

MADISON BROWN  
Auditor.

Filed June 30th 1942.

Filed July 15, 1942.

CAUSE NO. 3274

The proceeds of the sale of the mortgaged real estate of James Bateman Hopkins, the mortgagor making the mortgage mentioned in this Cause, in account with Frank S. Dudley, the Mortgagee named in said mortgage and the vendor making the sale set forth in the report of sale herein filed.

1941  
June

CR.

17 By amount of the gross sale of said real estate of above mentioned cause per said report of Sale, to wit: the sum of .....\$8,500.00

1941  
June

17 By Frank S. Dudley, the vendor making the sale, for his commissions for so doing, per the terms of said mortgage, the sum of .....\$385.00

To do., for the Court costs of these proceedings, per bill of costs made by Clerk as follows:  
Cost of Clerk, .....\$23.00  
appearance fee, plaintiff's attorney, ..  
10.00 \$ 33.00

To do., for the cost of premium of his bond filed in this Cause, per receipted account for same exhibited, the sum of ..... 40.00

To do., for costs of advertising notice of the sale, made in Centreville newspaper, per receipted account for same exhibited, the sum of ..... 39.39

To do., for cost of advertising in same newspaper the order nisi on sale per receipted account for same exhibited, the sum of ..... 5.00

To do., for charge of J. E. Anthony, auctioneer, for crying the sale made, per his receipt for same exhibited, the sum of ..... 25.00

To do., for the cost of advertising the order nisi to be passed as to this audit, the sum of ..... 3.50

To Madison Brown, auditor, for stating this account, the sum of ..... 9.00

	<u>\$539.89</u>	<u>\$8,500.00</u>
To amount carried forward	7,960.11	
	<u>8,500.00</u>	<u>8,500.00</u>

CAUSE NO. 3274

The proceeds of the sale of the mortgaged real estate of James Bateman Hopkins, the mortgagor making the mortgage mentioned in this cause, in account with Frank S. Dudley, the Mortgagee named in said mortgage and the vendor making the sale set forth in the report of sale herein filed.

CR.

By amount of the sale brought forward, to wit: ..... \$7,960.11

DR.

To Frank S. Dudley, the mortgagee named in the mortgage described in this Cause, in full payment of his mortgage claim, principal .....\$3,000.00 interest from Movember 23rd, 1937 to June 17th, 1941,..... 535.00

Total amount ..... 3,535.00 \$3,535.00 per statement of the mortgage debt filed by him in this Cause.

To this balance carried below ..... 4,425.11

7,960.11 \$7,960.11

CR.

By this balance brought down, the same to remain subject to the Order of this Court, in the hands of said vendor, to wit: ..... 4,425.11

1942-June 30th.

MADISON BROWN AUDITOR

Filed July 15th, 1942.

..... NISI RATIFICATION OF AUDIT Filed July 15, 1942

NISI RATIFICATION OF AUDIT

Frank S. Dudley, mortgagee, : IN THE CIRCUIT COURT FOR vs : QUEEN ANNE'S COUNTY, IN EQUITY. James B. Hopkins, Mortgagor. : Cause No. 3274.

ORDERED, This 15th day of July in the year nineteen hundred and forty two that the Report and Account filed in these proceedings by Madison Brown, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 8th day of August, 1942; provided a copy of this order be published once a week in each of two successive weeks before the 1st day of August, 1942, in some newspaper printed and published in Queen Anne's County.

A. SYDNEY GADD JR. Clerk

Filed July 15, 1942.

..... PETITION Filed Jan. 26, 1943.

FRANK S. DUDLEY, Mortgagee, : IN THE CIRCUIT COURT FOR Plaintiff, : QUEEN ANNE'S COUNTY, IN EQUITY. versus : JAMES BATEMAN HOPKINS, Mortgagor, : CHANCERY No. 3274. Defendant.

TO THE HONORABLE, the Judges of said Court:

THE PETITION of Frank S. Dudley, Hiram G. Dudley, Jr., and Thomas J. Keating, Executors and Trustees of the estate of Hiram G. Dudley, deceased unto your Honors, respectfully shows:

1. THAT the Auditor's Report and Account heretofore filed in this Cause on July 15, 1942, shows an undistributed balance (after payment of commissions, costs of foreclosure proceedings, and the Mortgage debt and interest due under the Mortgage to Frank S. Dudley, individually, under which the mortgaged property was sold) of Four Thousand Four Hundred Twenty-five Dollars and Eleven Cents (\$4,425.11) held by the said Mortgagee subject to the future Order of this Court;

2. THAT your Petitioners, in their representative capacity, hold a Second Mortgage lien on the farm and premises sold in these proceedings, said Mortgage having been executed by the aforesaid James Bateman Hopkins, now deceased, to your Petitioners on the thirteenth day of September, in the year 1924, and recorded in Liber B.H.T.#2, folio 359, etc., a Land Record Book for Queen Anne's County, to secure the principal sum of Five Thousand Dollars (\$5,000.00)-----

and interest to accrue thereon at the rate of six (6) percent per annum, principal payable one (1) year from date, and interest payable semi-annually.

That there is now due and owing unto your Petitioners under said Second Mortgage the said principal sum of Five Thousand Dollars (\$5,000.00), -----with interest from January 1, 1941, at 5% making an indebtedness for principal and interest of Five thousand one hundred, Fifteen and 98/100 Dollars (\$5115.98) together with the usual Attorney's commissions thereon as provided in the Mortgage, and your Petitioners herewith file a certified copy of their said Mortgage as " Exhibit A".

3. THAT your Petitioners are advised and charge that they are entitled to have the aforesaid surplus proceeds of sale applied towards payment of their aforesaid Mortgage debt and interest and the proper costs incident to the collection thereof, as a preference claim against said surplus.

4. THAT your Petitioners therefore pray that an Order may be passed by this Honorable Court authorizing and empowering Madison Brown, Esquire, Auditor of this Court, to give notice by publication in some newspaper published in Queen Anne's County, Maryland, at all lienors, judgment creditors and assignees of said James Bateman Hopkins, deceased, and to all persons claiming any interest in the Equity of Redemption in the property sold in these proceedings and therein mentioned and described, to file their claims, properly authenticated, with the Auditor, who will state an Audit, in conformity with the rules of this Court, distributing said surplus proceeds of sale.

Respectfully submitted,

FRANK S. DUDLEY

HIRAM G. DUDLEY JR.

THOS. J. KEATING  
EXECUTORS & TRUSTEES OF HIRAM G. DUDLEY, deceased.

SWORN TO, this 11th day of Jan in the year nineteen hundred and forty 3 by Frank S. Dudley, one of the Petitioners aforesaid.

F. D. MC CARTHY  
Notary Public

Filed Jan. 26, 1943.

Notary  
Public

.....  
EXHIBIT No. "A"  
Filed Jan 26, 1943.

J. Bateman Hopkins to Frank S. Dudley, Hiram G. Dudley junior and Thomas J. Keating, executors and trustees under the last will and testament of Hiram G. Dudley, deceased, ..... DR.:

To amount of principal now due and owing under the mortgage given by said J. Bateman Hopkins to the said Frank S. Dudley, Hiram G. Dudley junior and Thomas J. Keating, executors and trustees of the estate of Hiram G. Dudley, deceased, dated September 13, 1924, and recorded in Liber B.H.T.No. 2, a land record book of Queen Anne's County, at folio 359, etc., the sum of .....\$5000.00

To the interest due on said principal debt from January 1, 1941 at 5% per annum to June 17, 1941, the date of the mortgage sale heretofore made in cause No. 3274 of the Circuit Court for Queen Anne's County, in Equity, \$ 115.98  
to the interest due thereon ..... \$5,115.98

To which should be added the usual attorney's commission of 5% due unto Thomas J. Keating junior, in whose hands said mortgage was heretofore placed for collection,

A Certified copy of this mortgage marked Exhibit A heretofore filed in cause No. 3274 and the claim of the above named mortgagees is based on said exhibit.

State of Maryland, Queen Anne's County, to wit:

I hereby certify that on this twenty eighth day of August, 1943, before me, the subscriber, personally appeared Frank S. Dudley one of the above named executors & Trustee, and made oath in due form of law that the foregoing account is just and true as stated and that no part of the same has been paid or any security or satisfaction for the said account has been given to the best of his knowledge and belief.

Sworn to subscribed and before me, the auditor of the Court:

MADISON BROWN  
AUDITOR

Filed with me on Aug. 28, 1943  
Madison Brown.  
Auditor.



#10,883                    Q U E E N   A N N E ' S   C O U N T Y ,   T O   W I T : Be it remembered that on the thirtieth day of September, in the year nineteen hundred and twenty four, the following Mortgage was brought to be recorded, to wit:-

THIS MORTGAGE, made this thirteenth day of September, in the year nineteen hundred and twenty four, by J. Bateman Hopkins, of Queen Anne's County, in the State of Maryland, single man.

WHEREAS, the said J. Bateman Hopkins has borrowed from Frank S. Dudley, Hiram G. Dudley, Jr. and Thomas J. Keating, Executors and Trustees under the last will and testament of Hiram G. Dudley, deceased, the sum of five thousand and 00/100 dollars, which said amount he has agreed, and does hereby agree, to repay unto them, their successors and assigns, at the expiration of one year from the date hereon and to pay interest thereon, in the meantime, semi-annually, from said date at the rate of six per cent per annum.

And Whereas it was agreed, as a condition precedent to the making of said loan that the payment thereof and of the interest to accrue thereon as aforesaid should be secured by the execution and delivery of these presents.

NOW, THEREFORE, This Mortgage witnesseth, that for and in consideration of the premises and of the sum of one dollar, the said J. Bateman Hopkins does hereby grant and convey unto the said Frank S. Dudley, Hiram G. Dudley, Jr. and Thomas J. Keating, Executors and trustees under the last will and testament of Hiram G. Dudley, deceased, their successors in said trust, and their assigns, in fee simple, the following real estate to wit: All that tract of land or farm, known as Sudler's Purchase, Sudler's Fortune, the James Denny Farm, or by whatsoever other name or names the same may be known or called, situate on Kent Island, in the Fourth election district of Queen Anne's County, State of Maryland, on the road which leads from the Stevensville-Kent Narrows Road to the public landing on Thompson's Creek, bounded on the north side by the lands formerly of Charles M. Bright, on the east by Cores Creek, on the south by the Neavitt lands formerly the Hopkins lands, and on the west by the aforesaid road to said public landing, and by said Thompson's Creek, containing two hundred and sixty three acres of land, more or less, being the same and all the land described and conveyed in the deed to the said J. Bateman Hopkins, from Juliet M. Phillips and others dated the 29th day of June, in the year nineteen hundred and eighteen, and recorded in Liber J.F.R. NO.1 folios 84, etc. a land record book for Queen Anne's County, Maryland, to which deed and the references therein contained reference is hereby specially made.

TOGETHER with all the rights, roads, ways, waters, privileges, and advantages thereto belonging or in anywise appertaining, and the building and improvements thereon erected and being. And it is hereby agreed that, in the event of a sale of the above described property under the power of sale hereinafter expressed, all annual crops, pitched, planted or growing upon said property at the time of sale shall pass to the purchaser of said property.

PROVIDED, that if the said J. Bateman Hopkins, his heirs, executors, administrators or assigns, shall well and truly pay to the said Frank S. Dudley, Hiram G. Dudley, Jr. and Thomas J. Keating, their successors and assigns, the aforesaid sum of five thousand dollars and all interest to accrue thereon, when and as the same shall become due and payable as above set forth, and shall perform all the covenants, conditions and agreements herein on his or their part to be performed, then this mortgage shall be void; and until default be made in the premises the said J. Bateman Hopkins, his heirs and assigns, shall possess said property.

AND the said J. Bateman Hopkins, for himself, his heirs, executors, administrators, and assigns, hereby covenants to pay as they severally fall due, the debt and interest, hereby intended to be secured, all taxes, assessments, public dues and charges <sup>levied or that may</sup> be levied thereon, and on the property hereby conveyed, all costs and attorney's commissions and charges incurred in the collection of said debt and interest or any part of either, and to insure, and pending this mortgage to keep insured the improvements on said premises, to the amount of at least the insurable value thereof, in some Company of Companies approved by the said Executors and Trustees, their successors, or assigns, and to have the said policy or policies so framed or endorsed that the proceeds arising from said policy or policies in case of loss, shall be applied to the payment of this mortgage, and to deliver, upon demand to the mortgagees, their successors or assigns, said policy or policies, and that no act or thing shall be done whereby said mortgaged premises may be depreciated or lessened in value. But, in case of default in payment of said debt, or the interest to accrue thereon, or any part of either, as they severally fall due, or in any covenant, condition or agreement in this mortgage, then the whole debt intended hereby to be secured and all moneys owing hereunder or secured hereby shall be due and demandable, and the said Frank S. Dudley, Hiram G. Dudley, Jr. and Thomas J. Keating, Executors and Trustees as aforesaid, their successors or assigns, or H.B.W. Mitchell their hereby duly constituted attorney for the purpose, are hereby authorized and empowered to sell said premises upon giving twenty days previous notice of the time, place, manner and terms of sale by advertisement in a newspaper printed and published in Queen Anne's County, Maryland, and such other notice as the party selling may deem expedient, for cash, or for cash and credit, at the option of the person making the sale, the credit payments, if any, to bear interest from day of sale, and to be secured by the note or notes of the purchaser with security to be approved by the person making the sale, and to apply the proceeds of sale to the payment, of, first, all expenses incident to such sale, including compensation to the person making sale the same as allowed to trustees selling real estate under decree of the Circuit Court for Queen Anne's County, in Equity, second, all moneys owing hereunder or secured hereby whether the same shall have then matured or not, and third, the balance to said J. Bateman Hopkins, or whoever may be entitled to the same.

AND it is hereby agreed that when default be made in any coven- and, or condition contained in this mortgage and when suit has been docketed in the proper Court for the purpose of the foreclosure of this mortgage under the pow- er of sale above granted, the said Executors, and trustees, their successors or assigns, or H.B.W. Mitchell, their said attorney, shall not be required to receive and accept the principal and interest of said mortgage indebtedness in satisfaction thereof, unless the tender of said Mortgage indebtedness be accompanied by the pay- ment of all expenses incurred under said foreclosure proceedings, including all costs of advertisement, Court costs and all expenses incurred to the time of said tender and a commission on the total amount of the mortgage indebtedness principal and interest, equal to one-half the commission allowed trustees for making sale of real estate under decree of the Circuit Court for Queen Anne's County, in Equity, and which said costs, expenses and commissions the said J. Bateman Hopkins, for him- self, his heirs, executors, administrators and assigns hereby covenants to pay.

Witness the hand and seal of the grantor the day and year first above written.

Witness: Jeannette Fleischer J. BATEMAN HOPKINS (SEAL)

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

I hereby certify that on this 13th. day of September, in the year nineteen hundred and twenty four, before the subscriber, a Notary Public of the State of Maryland, in and for Baltimore City, duly commissioned and qualified, personally appeared J. Bateman Hopkins, the grantor above named temporarily in the said city, and did acknowledge the foregoing Mortgage to be his act and deed. And at the same time before me also personally appeared Frank E. Dudley, one of the aforesaid Executors and trustees and made oath in due form of law that the con- sideration stated in the foregoing mortgage is true and bona fide as therein set forth.

Witness my hand and Notarial seal the day and year first above written.

Notary Public Seal. Jeannette S. Fleisher Notary Public

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

I HEREBY CERTIFY that the foregoing is truly taken and copied from Liber B.H.T. No. 2, folios 359, etc., a Land Record Book for Queen Anne's County.

(Seals Place) IN TESTIMONY WHEREOF I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County this 26th day of January, in the year nineteen hundred and forty three.

A. SYDNEY GADD JR. Clerk

ORDER OF COURT Filed Jan 26, 1943.

ORDER OF COURT

THE AFOREGOING PETITION and Affidavit having been read and con- sidered, IT IS, thereupon, this 26th day of January, in the year 1943, ORDERED by the Circuit Court for Queen Anne's County, in Equity, that the papers in this Cause be and they are hereby referred to the regular Auditor of this Court and said Auditor is directed to give notice by publication in some newspaper printed and published in Queen Anne's County, once a week for four (4) successive weeks, to all judgment creditors, lienors and/or assignees of said James Bateman Hopkins, now deceased, and to all persons claiming an interest in the Equity of Redemption in the property in these proceedings mentioned and described, and sold therein, to file their claims, with proper vouchers therefor, with the Auditor on or before a certain day named in said Notice and which shall not be less than sixty (60) days from and after the date of the first publication of said Notice.

AND IT IS FURTHER ORDERED that the Auditor may take such testi- mony as may be necessary to establish said claims, and he shall thereafter state and return to this Court his Report and Account distributing the surplus proceeds of sale in this Cause to the Claimants thereof as their rights thereto may appear.

WM. R. HORNEY Judge.

Filed Jan 26, 1943.

.....  
 COPY OF ADVERTISEMENT OF  
 NISI RATIFICATION OF AUDIT  
 Filed Aug. 23rd 1943.

NISI RATIFICATION OF AUDIT

Frank S. Dudley, mortgagee : In the circuit Court for  
 vs : Queen Anne's County,  
 James B. Hopkins, Mortgagor. : in Equity. Cause No. 3274

ORDERED, This 15th day of July in the year nineteen hundred and forty-two that the Report and Account filed in these proceedings by Madison Brown, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 8th day of August, 1942; provided a copy of this order, be published once a week in each of two successive weeks before the 1st day of August, 1942, in some newspaper printed and published in Queen Anne's County.

A. SYDNEY GADD JR. Clerk

True Copy

Test: A. SIDNEY GADD JR. Clerk

Filed July 15, 1942.

QUEEN ANNE'S RECORD - OBSERVER  
 Centreville, Md. \_\_\_\_\_ 19\_\_.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING CO. hereby certifies that the Nisi Ratification of Audit in the case of Frank S. Dudley, mortgagee vs James B. Hopkins, mortgagor, a true copy of which is hereto annexed, was inserted in the QUEEN ANNE'S RECORD - OBSERVER, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week for two (2) successive weeks the first publication thereof having been made in said newspaper on the 16th day of July 1942, being more than two weeks before the 1st day of August 1942.

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO.

By Myrtle M. Lewis

.....  
 A U D I T  
 Filed Aug. 31st 1943.

In the Circuit Court for Queen Anne's County, in Equity.

Frank S. Dudley, mortgagee, Chancery Docket,

versus

Cause No. 3274.

James B. Hopkins, mortgagor.

To the Honorable, the Judges of said Court:-

The report of Madison Brown, your Auditor, unto Your Honors respectfully sets forth:-

That the proceedings of this cause were instituted for the collection of a Mortgage debt due by James B. Hopkins as mortgagor to Frank S. Dudley as mortgagee, by a sale of the mortgaged property set forth in the mortgage and the proceeds of the sale were more than sufficient to pay the mortgage debt and all costs under the sale so that by the audit heretofore filed in this cause in which the mortgage debt and the costs of sale were allowed there remains of the proceeds of the sale undistributed and in the hands of Frank S. Dudley, the vendor, the sum of \$4,425.11.

That Frank S. Dudley, Hiram G. Dudley junior and Thomas J. Keating, the executors and trustees of Hiram G. Dudley, who will hereinafter be called "executors and trustees", filed in this cause on January 26, 1943, their petition stating that they held a mortgage on the mortgaged land second in lien to the mortgage under which the sale of this cause was made; that under their second mortgage there was due to them, principal and interest, the sum of \$5,115.98, together with commissions of collection due to their attorney; that they were entitled to have the balance of the mortgage sale mentioned above as undistributed, distributed unto them towards the payment of their mortgage claim and they filed with their petition a certified copy of their second mortgage, marked Exhibit A.

That on this petition the papers of the cause were against referred to this auditor who by the order of reference passed January 26, 1943, was directed to give a certain notice to the creditors of the mortgagor by publication in a newspaper, to file their claims and the auditor gave that notice and filed herewith as part of this account a copy of said notice as published certified to as to publication by the publishers of the Queenstown News, the newspaper in which the notice was published.

That under said notice to creditors only one claim has been filed with the auditor and that is the claim of said executors and trustees, called Exhibit A, which was filed with the auditor on August 28, 1943, by Frank S. Dudley, one of said executors and trustees, with a statement of the amount due thereby attached verified by the oath of said Frank S. Dudley, This Exhibit A and said account attached thereto have been

marked filed with the auditor and will be returned with this audit.

In the within account the vendor is charged with the amount due by him by the first audit and the auditor then allows thereout, as follows: Unto the said vendor costs of advertising notice to creditors, clerk's costs, cost of advertising the order nisi to be passed as to this audit and the fee of the auditor and unto said executors and trustees, the balance of the amount charged remaining after these allowances in part payment of the claim due under Exhibit A to them.

Which is respectfully submitted,

MADISON BROWN  
Auditor.

August 30, 1943.

CAUSE NUMBER 3274

Frank S. Dudley, mortgagee named in the mortgage under which the sale of this Cause was made and as such mortgagee, the vendor, who made the sale described in the proceedings of this cause, IN ACCOUNT WITH the proceeds of the sale so made by him.

1942 DR.  
July  
15 To amount of the balance of said sale due by him under the audit filed in this cause on July 15, 1942 and which by said audit was left in his hands undistributed, subject to the order of this Court, to wit: -  
the sum of .....\$4,425.11

1942  
July  
15 To Frank S. Dudley, as said vendor, for the payment of the notice to creditors given by the auditor under the order of this court passed herein on January 26, 1943, in Queenstown News, per bill exhibited, to wit: the sum of .....\$5.00  
To do., for the payment of the court costs of this cause arising after the filing of the audit mentioned above and under the petition filed in this cause on January 26, 1943, per the statement of same made by the clerk of the court and exhibited to the auditor, to wit: the sum of .....\$13.70  
To do., for the payment of the cost of advertising the order nisi to be passed as to this audit, the sum of .....\$ 3.50  
To Madison Brown, auditor, for stating this account and giving notice to creditors, the sum of .....\$ 9.00  
\$31.20

To Frank S. Dudley, Hiram G. Dudley junior and Thomas J. Keating, executors and trustees under the last will and testament of Hiram G. Dudley, on account of the mortgage claim against the land sold in this cause, filed by them with the auditor as Exhibit A, this balance which is not sufficient to pay the claim in full, to wit: the sum of .....4,393.91

4,525.11      \$4,525.11

August 30, 1943.

MADISON BROWN,  
Auditor.

CAUSE NO. 3274

STATEMENT OF MORTGAGE DEBT:

J. Bateman Hopkins, mortgagor, to Frank S. Dudley, Hiram G. G. Dudley junior and Thomas J. Keating, executors and trustees of the estate of Hiram G. Dudley, deceased, mortgagees named in the mortgage from him to them dated September 13, 1924 and recorded in Liber B. H. T. No. 2, folios 359, etc., a land record book for Queen Anne's County,.....DR.

To amount of principal due under said mortgage on June 17, 1941 per Exhibit A and statement of amount due thereunder attached, filed in this cause, to wit: the sum of .....\$5,000.00

To amount of interest due thereon from January 1, 1941, per petition filed in this cause January 26, 1943, ..... 115.98  
\$5,115.98

To attorney's commissions of five per cent thereon due to Thomas J. Keating jr., attorney, in whose hands said mortgage has been placed for collection, the sum of .....\$ 255.80

To total mortgage debt due. .... \$5,371.78

CR. by amount distributed to said mortgagee per the within and foregoing account, to wit: the sum of ..... \$4,525.11

To balance due by said mortgagor to said mortgagee ..... \$ 846.67

August 30, 1943.  
Filed Aug. 31, 1943.

Madison Brown  
Auditor





## C A U S E N U M B E R 3374

Q U E E N A N N E ' S C O U N T Y , T O W I T : Be it remembered that on this Second day of August in the year nineteen hundred and forty three, the following BILL OF COMPLAINT was brought to be recorded, to wit:

In the Circuit Court for Queen Anne's County, in Equity.

Winder Emory,	:	
Collins Emory,	:	
Ulysses G. Emory,	:	
Tilghman Emory, complainants,	:	
versus	:	Chancery Cause
Daisy S. Emory, widow,	:	
Daisy N. Emory,	:	No. 3374
Hattie F. Emory,	:	
Lollie E. Roberts, Mary Emory,	:	
Charles S. Roberts, defendants	:	

To the Honorable, the Judges of said Court:-

Your orators, complaining, say:-

- (1) That by a deed bearing date August first, 1923, and duly recorded among the land record books of Queen Anne's County aforesaid, in Liber J.F.R. No. 11 at folio 139, Henry M. Chamberlain and Malesia Chamberlain, his wife, granted and conveyed unto Henrietta Emory and Frank Emory, as joint tenants in fee a lot of land situated in the town of Centreville in Queen Anne's County, State of Maryland, on east side of the south end of Libert Street of said town, as will appear from a certified copy of said deed, marked "Exhibit No. 1" filed with this bill as part of the same.
- (2) That said lot of land contains a frame dwelling house, is bounded on the north by the land of James Fowler, on the east by the land of William Mitchell, on the south by the property of the heirs of Grant Emory and is now called or known as "The Henrietta Emory Property".
- (3) That the said Frank Emory named in said deed as one of the grantee "Joint Tenants" thereof, died in the town of Centreville aforesaid on the 31st day of January, 1942, leaving Henrietta Emory, the other "Joint Tenant Grantee" named in said deed surviving, whereupon the said Henrietta Emory became the sole owner in fee of said property.
- (4) That the said Henrietta Emory died a resident of Queen Anne's County on the the Fifth day of April, 1943, leaving a last will and testament bearing date September 27, 1927, which was on the sixth day of July, 1943 duly admitted to probate before the Orphans' Court of Queen Anne's County, a certified copy of said last will and testament, marked "Exhibit No. 2" is filed with this Bill as part of the same.
- (5) That the said Henrietta Emory, by her said last will and testament, after providing for payment of her debts and funeral expenses, did devise all her estate, real and personal, unto her brother the said Frank Emory, as will appear by reference to her said last will and testament.
- (6) That the said Henrietta Emory at the time of her death as above recited was seised and possessed of the land described above as "The Henrietta Emory Property", and the same was devised by her under the terms of her said will unto said Frank Emory as part of the residuary estate devised by her unto the said Frank Emory as aforesaid.
- (7) That your orators are advised the devise of said property so made unto the said Frank Emory by the said Henrietta Emory did not lapse by reason of the death of the said Frank Emory in the lifetime of said testatrix but said devise and said land, the subject of said devise, passed under said will unto those persons who were and constituted the heirs-at-law of the said Frank Emory on the day of the death of the said testatrix, Henrietta Emory.
- (8) That on the day of the death of said Henrietta Emory, the testatrix, the heirs-at-law of said Frank Emory consisted of your orator, Winder Emory, his brother, Your orator, Collins Emory, his brother, and the heirs-at-law of his brother, Grant Emory, who died in lifetime of said Frank Emory, consisting of Daisy S. Emory, widow of Grant Emory, and five children your orator, Ulysses G. Emory, his son, your orator, Tilghman Emory, his son, the defendant, Daisy N. Emory, his daughter, the defendant, Hattie F. Emory, his daughter, the defendant, Lollie E. Roberts, his daughter.
- (9) That all of the said heirs-at-law of Frank Emory are now living and all of them are adults except the said Hattie F. Emory who is an infant under the age of twenty one years.
- (10) That the land above mentioned is now owned by said Winder Emory to extent of 15/45 parts, by said Collins Emory to extent of 15/45 parts, by said Daisy S. Emory to extent of 5/45 parts, by said Ulysses G. Emory to extent of 2/45 parts, by said Tilghman Emory to extent of 2/45 parts, by said Daisy N. Emory to extent of 2/45 parts, by Hattie F. Emory to extent of 2/45 parts, by Lollie E. Roberts to extent of 2/45 parts.
- (11) That the land above described cannot be divided among the parties entitled thereto according to their respective rights as set forth in preceding paragraph without loss or injury to them and your orators are advised that they are entitled to have said land sold under a decree of this Court and a division of the money arising from such sale had among the parties mentioned according to their respective rights.
- (12) That the said Winder Emory has a wife named Mary Emory and the said Lollie E. Roberts has a husband named Charles S. Roberts, and
- (13) that your orators are advised that at the sale mentioned above they are entitled to have said land sold free of the respective marital rights therein of said Mary Emory and Charles S. Roberts.
- (14) That all the defendants either live or can be found in Queen Anne's County aforesaid.

To the end therefore:

1. That the land above described and mentioned may be sold under the decree of this Court for partition, and





.....  
CERTIFIED COPY OF LAST WILL  
AND TESTAMENT OF HENRIETTA EMORY  
Exhibit No. 2  
Filed Aug. 16th 1943.

IN THE NAME OF GOD AMEN:

I, Henrietta Emory, of Queen Anne's County, State of Maryland, do publish and declare this, as and for my last will and testament in manner and form, as follows, to wit:-

Item 1 - I do hereby direct that all my just debts and funeral expenses shall be paid by my Executor hereinafter appointed.

Item 2 - After the payment of all my debts I do give, devise and bequeath all my estate, real, personal and mixed, wherever same may be situated, unto my brother, Frank Emory, as and for his own, absolutely and in fee.

Item 3 - I do hereby appoint my brother, Frank Emory, as Executor of this, my last will and testament and request that he not be required to give bond.

In testimony whereof I hereunto set my hand and affix my seal this twenty seventh day of September in the year nineteen hundred and twenty seven.

her  
Henrietta X Emory (SEAL)  
mark

Signed, sealed, published and declared by the above named Testatrix, as and for her last will and testament, in our presence, and in the presence of each of us, who, at her request and in her presence and in the presence of each of us have hereunto set our hands as witnesses hereunto.

Edwin H. Brown, Jr.  
Lida Hopkins

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

On this 22nd day of June A. D., 1943, came Daisy N. Emory, custodian of the within and foregoing instrument of writing, purporting to be the last will and testament of Henrietta Emory, late of Queen Anne's County, deceased and she made oath in due form of law that the said Henrietta Emory died in the town of Centreville, Queen Anne's County, Maryland on April 5th, 1943; that she, this affiant, is a niece of the said Henrietta Emory; that she, the said Daisy N. Emory received the foregoing last will and testament of the said Henrietta Emory from the said Henrietta Emory in her lifetime shortly before her death for safe keeping; that the foregoing last will and testament is a true and whole will of the said Henrietta Emory which as come to the hands or possession of the said Daisy N. Emory; that she, the said Daisy N. Emory does not know nor has she heard of any other last will and testament of the said Henrietta Emory; and that Frank Emory named in the last will and testament of said Henrietta Emory as devisee and legatee of the property of the said Henrietta Emory died in the lifetime of Henrietta Emory, to wit: on January 31, 1942.

Sworn in open Court.  
Test:

Edward E. Coursey  
Register of Wills of Queen Anne's County.

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

I hereby certify that on this 3rd day of July, in the year nineteen hundred and forty-three, came before me, the Register of Wills for Queen Anne's County, at my office in said County, Lida Hopkins, whose name is signed to the foregoing instrument of writing purporting to be the last Will and Testament of Henrietta Emory, deceased, the said Lida Hopkins, being at this time by marriage Lida Hopkins Parker and she did make oath in due form of law that she did see the said Henrietta Emory, sign and seal said will by making her mark thereon, in the presence of herself and of Edwin H. Brown, Jr., the other subscribing witness; that at that time she hear said Henrietta Emory, publish, pronounce and declaring the same to be her last will and testament, and that at the time of her so doing she, Henrietta Emory, was to the best of the apprehension of her, said affiant, of sound and disposing mind, memory and understanding and that she, said affiant, together with Edwin H. Brown, Jr., and the other subscribing witness, subscribed their names as witnesses to said will at the request of said Henrietta Emory and in her presence and in the presence of each other; that she knew Edwin H. Brown, Jr. the other subscribing witness to said will; that she is well acquainted with the handwriting of said Edwin H. Brown, Jr., that he is now dead and that the signature of said Edwin H. Brown, Jr. to said will as witness thereto is the true handwriting and signature of said Edwin H. Brown, Jr., and that she say him sign the same.

Edward E. Coursey  
Register of Wills

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, TO WIT:

On this 6th day of July, 1943, came Madison Brown, a witness of lawful age and made oath in due form of law that he knew Edwin H. Brown, Jr., whose name appears on the paper writing dated September 27, 1927, purporting to be the last will and testament of Henrietta Emory, late of said County, deceased, now shown to the said affiant, Madison Brown, that he said affiant, is well acquainted with the handwriting of said Edwin H. Brown, Jr., and that he saw said Edwin H. Brown, Jr., sign his name many times in his lifetime; that said Edwin H. Brown, Jr. is now dead; that the name Edwin H. Brown, Jr. signed as witness to the paper writing purporting to be the last will and testament of Henrietta Emory is the true signature and handwriting of said Edwin H. Brown, Jr.

Sworn in open Court.

Edward E. Coursey  
Register of Wills

STATE OF MARYLAND, IN THE ORPHANS' COURT FOR QUEEN ANNE'S COUNTY:

The foregoing Instrument of Writing, purporting to be the last Will and Testament of Henrietta Emory, late of Queen Anne's County, deceased, having been exhibited for probate, and no objection thereto having been made, although notice according to law, appears to have been given to the next relations of said deceased, the Court, after having examined the said Instrument of Writing and also the evidence adduced as to its validity, ORDERS and DECREES, this 6th day of July, A.D., 1943, that the same be admitted in this Court as the true and genuine last Will and Testament of the said Henrietta Emory deceased.

H.F. Callahan  
C. Tilghman Bishop  
Henry C. Bowen  
Judges of the Orphans' Court for Queen Anne's County.

IN THE ORPHANS' COURT FOR QUEEN ANNE'S COUNTY, MARYLAND, SCT:

The Register of Wills for Queen Anne's County, Maryland, does hereby certify that the within and foregoing is a true copy of the Last Will and Testament of Henrietta Emory, late of Queen Anne's County, deceased as filed and passed in this office on July 6th 1943 and recorded in Liber N.S. D. No. 1 folio 314 in the Orphans' Court for Queen Anne's County, Maryland. Will Record Book.

In Testimony Whereof I hereunto subscribe my name and affix the seal of my office this 29th day of July 1943

EDWARD E. COURSEY  
Register of Wills for Queen Anne's County, Maryland.

.....  
SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
DAISY S. EMORY, widow.

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND  
TO Daisy S. Emory, widow,

Seal's  
Place.

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the First Monday of September, next, to answer the complaint of Winder Emory, et al., against you in said court exhibited. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins, Chief Judge of our said Court, the First Monday of August 1943.  
Issued the Second day of August 1943.

A. SYDNEY GADD JR. Clerk

Madison Brown

Solicitor for Plaintiffs

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of September next, being the Return Day.

TRUE COPY  
TEST:

A. SYDNEY GADD JR. CLERK

A. SYDNEY GADD JR. Clerk

.....  
SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
DAISY N. EMORY  
Filed \_\_\_\_\_

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND  
TO Daisy N. Emory

Seal's  
Place.

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the First Monday of September next, to answer the complaint of Winder Emory et al., against you in said court exhibited. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins, Chief Judges of our said Court, the First Monday of August 1943.  
Issued the Second day of August 1943.

A. SYDNEY GADD JR. Clerk

Madison Brown

Solicitor for Plaintiffs

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of September next, being the Return Day.

A. SYDNEY GADD JR. Clerk

True Copy  
Test: A. SYDNEY GADD JR. Clerk

.....  
SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
LOLLIE E. ROBERTS

QUEEN ANNE'S COUNTY, TO WIT: THE STATE OF MARYLAND

TO Lollie E. Roberts  
Seals  
Place. OF QUEEN ANNE'S COUNTY , GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a court of Equity, at Centreville, in said County, on the First Monday of September next, to answer the complaint of Winder Emory, et al, against you in said court exhibited.

Hereof fail not, as you will answer the contrary & your peril.  
WITNESS, The Honorable Stephen R. Collins, Chief Judge of our said Court, the First Monday of August 1943.  
Issued the Second day of August 1943.

A. SYDNEY GADD JR. Clerk

Madison Brown  
Solicitor for Plaintiffs

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of September next, being the Return Day.

A. SYDNEY GADD JR. Clerk  
True Copy  
Test; A. SYDNEY GADD JR. Clerk

.....  
SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
MARY EMORY

QUEEN ANNE'S COUNTY, TO WIT: THE STATE OF MARYLAND

TO Mary Emory  
Seal's  
Place OF QUEEN ANNE'S COUNTY, GREEING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the First Monday of September next, to answer the complaint of Winder Emory, et al., against you in said court exhibited.  
Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins, Chief Judge of our said Court, the first Monday of August 1943.  
Issued the Second day of August 1943.

A . SYDNEY GADD JR. Clerk

Madison Brown  
Solicitor for Plaintiffs

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of September next, being the Return Day

A. SYDNEY GADD JR. Clerk  
True Copy  
Test: A. SYDNEY GADD JR. Clerk

.....  
SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER  
CHARLES S. ROBERTS

QUEEN ANNE'S COUNTY, TO WIT: THE STATE OF MARYLAND

TO Charles S. Roberts  
Seal's  
Place. OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Centreville, in said County, on the First Monday of September next, to answer the complaint of Winder Emory, et al. against you in said Court exhibited.  
Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins, Chief Judge of our said Court, the First Monday of August 1943.  
Issued the Second day of August 1943.

A. SYDNEY GADD JR. Clerk

Madison Brown  
Solicitor for Plaintiffs

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first

Monday of September next, being the Return Day.

.A SYDNEY GADD JR. Clerk  
True Copy  
Test: A. Sydney Gadd Jr. Clerk

.....  
ANSWER OF DAISY S. EMORY AND DAISY  
N. EMORY, LOLLIE E. ROBERTS  
Filed Aug. 2nd 1943.

In the Circuit Court for Queen Anne's County, in Equity.  
Winder Emory et al., complainants, Chancery Docket

versus Cause NO. 3374

Daisy S. Emory et al., defendants

To the Honorable, the Judges of said Court:-

The joint and several answer of Daisy S. Emory, widow, Daisy N. Emory and Lollie E. Roberts to the bill of complaint of Winder Emory and others against them in the Court in the above entitled cause exhibited. These defendants admit the several matters and things set forth in the bill of complaint to be true and they hereby consent to the passage of such decree as may be right and proper in the premises.

DAISY S. EMORY  
Daisy S. Emory  
DAISY N. EMORY  
Daisy N. Emory  
LOLLIE E. ROBERTS  
Lottie E. Roberts

Filed Aug. 2nd, 1943.

.....  
SUBPOENA FOR RESPONDENT TO APPEAR  
AND ANSWER OF HATTIE F. EMORY, Infant

QUEEN ANNE'S COUNTY, TO WIT: THE STATE OF MARYLAND

TO Hattie F. Emory , infant

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANDED, That all excuses set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, at Cenreville, in said County, on the First Monday of September next, to answer the complaint of Winder Emory, et al., against you in said court exhibited. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, The Honorable Stephen R. Collins, Chief Judge of our said Court, the First Monday of August 1943.  
Issued the Second day of August 1943.

A. SYDNEY GADD JR. Clerk

Madison Brown  
Solicitor for Plaintiffs.

TO THE DEFENDANT: You are required to file your answer or other defense in the office of the Clerk of this Court within fifteen days of the first Monday of September next, being the Return Day.

A. SYDNEY GADD JR. Clerk

On the back of the foregoing is thus endorsed, to wit:

Served by reading same to Hattie F. Emory and Daisy S. Emory and leaving copy with each. August 4, 1943.

LOUIS B. PERKINS. Sheriff.

.....  
PETITION OF PLAINTIFFS FOR APPOINTMENT OF  
GUARDIAN AD LITEM FOR HATTIE EMORY, Infant  
defendant and Order of Court  
Filed Aug. 6, 1943.

In the Circuit Court for Queen Anne's County, in Equity.

Winder Emory et al. .... Plaintiffs

versus

Daisy S. Emory, et al..... Defendants

Chancery Docket, Cause No.  
3374

To the Honorable, the Judges of said Court:

The petition of Winder Emory and the other plaintiffs of this cause, by Madison Brown, their attorney, unto Your Honors respectively sets forth:

1. That the process of subpoena heretofore issued in this cause against Hattie Emory, the infant defendant named in the bill of complaint herein, has been returned by the sheriff of this county served according to law as will appear from the original writ now on file with the other proceedings in this cause.
2. The said Hattie Emory has no legal guardian residing within the jurisdiction of this court so that it becomes necessary that a person be appointed as guardian ad litem for said infant defendant with authority to defend the suit instituted against her by the bill filed in this cause.
3. You petitioners therefore pray Your Honors to pass an order appointing some person as guardian ad litem of the said Hattie Emory to appear for her in this cause, to answer said bill for her and to defend this cause for her.

Which is respectfully submitted,

Filed August 6th 1943.

MADISON BROWN  
Attorney for petitioner.

ORDER OF COURT

The foregoing petition has been read and considered.

It is thereupon on this 7th day of August, 1943, by the Circuit Court for Queen Anne's County, in Equity, ORDERED that Delha D. Rolph of this county be and she is hereby appointed as the guardian ad litem for Hattie Emory, infant defendant named in the bill of complaint filed in this cause, with directions and authority to appear in this cause for said infant, answer said bill of complaint for her and to defend this suit for her.

WM. R. HORNEY  
Judge.

Filed August 7, 1943.

.....  
ANSWER OF HATTIE EMORY infant  
Filed August 7, 1943.

In the Circuit Court for Queen Anne's County, in Equity,  
Winder Emory et al.....plaintiffs, Chancery Docket,  
versus  
Daisy S. Emory et al.....defendants. Cause No. 3374

To the Honorable, the Judges of said Court:

The answer of Hattie Emory, infant under the age of twenty one years, defendant named in the bill of complaint filed in this cause, by Delha D. Rolph her guardian ad litem appointed by the order of this court passed in this cause, to the said bill of complaint of Winder Emory and others against her in this court in this cause exhibited.  
This defendant cannot admit any of the matters and things alleged in said bill and being an infant of tender years submits her rights to the protection of this court. Which is respectfully submitted,

DELHA D. ROLPH  
guardian ad litem, for Hattie  
Emory, infant.

State of Maryland Queen Anne's County, to wit:

I hereby certify that on this seventh day of August, 1943, before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared Delha D. Rolph above named guardian ad litem of Hattie Emory and made oath in due form of law that the matters and things stated in the foregoing answer are true as therein stated to the best of her knowledge and belief.

A . SYDNEY GADD JR. Clerk

Filed August 7, 1943.

.....  
ANSWER OF MARY EMORY AND  
CHARLES S. ROBERTS  
Filed August 9, 1943.

In the Circuit Court for Queen Anne's County, in Equity.  
Winder Emory et al., complainants, Chancery Docket,  
versus  
Daisy S. Emory, et al., defendants. Cause NO. 3374.

To the Honorable, the Judges of said Court:-

The joint and several answer of Mary Emory and Charles S. Roberts, two of the defendants named in the bill of complaint filed in above cause, against them and others, exhibited.  
These defendants admit the several matters and things set forth in said bill of complaint to be true and they hereby consent to the passage of the decree prayed for free and clear of their several marital rights and in the land mentioned in the bill of Complaint.

MARY EMORY  
Mary Emory  
CHARLES S. ROBERTS  
Charles S. Roberts

Filed August 9, 1943.

.....  
T E S T I M O N Y  
Filed Aug. 16th 1943.

In the Circuit Court for Queen Anne's County, in Equity.  
Winder Emory and others, Chancery Docket  
versus  
Daisy S. Emory, and others. Cause 3374

To the Honorable, the Judges of said Court:-

The subscriber, one of the regular Examiners for this Honorable Court, having been notified by the parties to the above entitled cause of their desire to take testimony, in said cause, did attend at the office of Madison Brown, esquire, counsel for the petitioners, in the town of Centreville, Queen Anne's County, Maryland, on Saturday the seventh day of August, 1943, at 2'o'clock P. M. and proceeded to take the following testimony, Mr. Madison Brown, counsel for the petitioners and Mrs. Delha D. Rolph, guardian ad litem being present.

The first witness of lawful age produced on the part of the plaintiff being duly sworn and examined deposes and says:

At request of counsel for petitioners for appointment of clerk to Examiner, your Examiner appointed Mrs. Delha D. Rolph as clerk and after duly qualifying her as such, proceeded as follows:

Walter Berryman, a witness of lawful age was the first witness produced on the part of the plaintiff and after having first been duly sworn by me, he did depose and say in answer to questions asked by Mr. Madison Brown, as follows:

Question 1:

Please state your name, your age, your place and residence and your occupation.

Answer:

My name is Walter Berryman, I am 57 years of age, I reside in the town of Centreville, Maryland, a plasterer and general worker. I have lived in the neighborhood of Centreville all my life.

Question 2:

You have been asked to testify in this suit which has been brought by Winder Emory, Collins Emory, Ulysses G. Emory and Tilghman Emory as plaintiffs, Do you know any of these parties and which of them and how long have you known them.

Answer:

I know them all and have known them for a long time.

Question 3:

This suit is brought by these plaintiffs against Daisy S. Emory Daisy N. Emory, Hattie F. Emory, Lollie E. Roberts, heirs at law of Grant Emory against May Emory, the wife of Winder Emory and against Charles S. Roberts, the husband of Lollie E. Roberts. State if you know these parties or any of them and if so for how long you have known them, also give their places of residence,

Answer:

I know all the parties and have known them for over fifteen years at least. I say fifteen years because Hattie F. Emory is not 21 years of age and I have known her ever since she was born. All of these defendants named by you are of full age except Hattie F. Emory.

Answer to Question 3 continued:

Daisy S. Emory is the widow, Daisy N. Emory is her daughter and is a single person, Lollie E. Roberts is the daughter of Daisy S. Emory and is the wife of Charles S. Roberts mentioned by you. Mary Emory mentioned by you is the wife of Winder Emory of whom I have already spoken.

Mr. Brown now files with the Examiner a paper writing marked Exhibit No. 1 which has been filed in the case heretofore as the Exhibit to the Bill.

Question 4:

I now hand you for your examination a paper writing marked Exhibit No. 1 filed in this cause. The same purports to be a certified copy of a deed dated August 1, 1923 given by Henry M. Chamberlain and Malesia Chamberlain to Henrietta Emory and Frank Emory as joint tenants in fee for a lot of land situate in the town of Centreville, Queen Anne's County, Maryland fronting on Liberty Street and on the east side thereof and bounded by said street and by the land of Mr. Fowler and by the land of others. Will you please take this paper and examine it.

Answer:

It is a copy of a deed from Henry M. Chamberlain and his wife to Henrietta Emory and Frank Emory as joint tenants in fee. I have read this paper since you handed it to me. I knew all the parties to this deed and I know the property described in the deed.

Question 5:

This deed is given by Henry Chamberlain and his wife to Henrietta Emory and Frank Emory and you have just stated that you knew all the parties to this deed. You stated that you knew the parties therefore you knew Henrietta Emory and Frank Emory named in this deed. State if you know whether they living or dead and if dead when and where they died.

Answer:

Both of these parties are dead. Frank Emory named in this deed died in January 1942 and Henrietta Emory named in this deed died in April of this year, 1943.

Question 6:

State if you know who owned the property described in the deed you have just examined at the time of the death of Henrietta Emory.

Answer:

She was the owner of this property. She lived there at the time of her death and I know that she owned the property. This property is situated on the south end of Liberty Street in the town of Centreville and on the east side of Liberty Street and is bounded on the north by the land of James Fowler; on the east by the land known as "The William Mitchell Property" and is bounded on the south by the property of the heirs of Grant Emory and the property is now called and known as and has been called and known as for sometime "The Henrietta Emory Property".

Question 7:

Will you give a brief description of the property as to size and improvements.

Answer:

The lot of land is from 35 to 40 feet wide and has depth I would judge of about 200 to 250 feet and is improved by a frame dwelling house.

Mr. Brown now files with the examiner a paper writing marked Exhibit No. 2 which was filed with the bill of complaint in this case and which purports to be a certified copy of the last will and testament of Henrietta Emory.

Question 8:

Did you or not know one Grant Emory, late of Queen Anne's County and if so state whether he is living or dead and if dead when he died in relation to said Henrietta Emory and Frank Emory and state if you know what relation he was if any, to Frank Emory and Henrietta Emory.

Answer:

I knew Grant Emory well. He was the brother of Both Frank Emory and Henrietta Emory. He is dead and he died before both Frank Emory and Henrietta Emory.

Question 9:

State if you know whom Grant Emory left surviving him as his heirs at law at the time of his death, assuming that he died without a last will and testament.

Answer:

He left a widow who is Daisy S. Emory and a party to this suit. He left five children all of them parties to this suit and their names are Ulysses G. Emory, Tilghman, Daisy N. Emory, Hattie F. Emory and Lollie E. Roberts.

Question 10:

State if you know who represented and constituted the heirs at law of Frank Emory

of whom we have already spoken, at the time of the death of Henrietta Emory, his sister.

Answer:

The persons who represented and constituted the heirs at law of Frank Emory on the day of the death of his sister, Henrietta Emory are the following persons:

Winder Emory, his brother, and plaintiff of this cause.

Collins Emory, his brother and a plaintiff of this cause.

And the heirs at law of his brother Grant Emory, that is to say: Daisy S. Emory, Ulysses G. Emory, Tilghman Emory, Daisy N. Emory, Hattie F. Emory and Lollie E. Roberts. These people I have already named.

Question 11:

Assuming that Winder Emory is now the owner of one undivided third part of said land, that Collins Emory is now the owner of one undivided third part of said land and that the other one third part is owned by the heirs at law of Grant Emory. Then state if in your opinion the land left by Henrietta Emory can be divided among these parties who now own the same as stated by you according to their respective rights without loss or injury to them.

Answer:

Of course it cannot be divided. The frontage is small and the property could not be divided without loss or injury among two people let alone among so many as now own it.

Examiner's Special Question:

Answer:

I do not know anything more.

WALTER BERRYMAN

Lollie E. Roberts, a person of lawful age is the next witness produced on the part of the plaintiffs, And she was first duly sworn by me and then did depose and say in answer to the questions asked by Mr. Brown, as follows, to wit:

Question 1:

Please state your name, your age and where you reside, your job.

Answer:

My name is Lollie E. Roberts, I am 31 years of age and I reside in the town of Centreville, Maryland, I am a household worker.

Question 2:

You have been asked to testify in this suit which has been brought by four people as plaintiffs. These plaintiffs are Winder Emory, Collins Emory, Ulysses G. Emory, and Tilghman Emory. State if you know them or any of them and if so how long.

Answer:

I know all these plaintiffs. Winder Emory and Collins Emory are my uncles. Ulysses G. Emory and Tilghman Emory are my brothers. I have known them ever since I can remember.

Question 3:

These plaintiffs have brought this suit against these following named persons, to wit: Daisy S. Emory, Daisy N. Emory, Hattie F. Emory, Lollie E. Roberts, Mary Emory and Charles S. Roberts. State if you know these parties or any of them and if so for how long.

Answer:

I know them all. I am the person called Lollie E. Roberts. Daisy S. Emory is my mother. Daisy N. Emory is my sister, Hattie F. Emory is my sister, Mary Emory is the wife of Winder Emory, plaintiff and Charles S. Roberts is my husband. I have known them all a long time.

Question: 4

Please look at a paper writing marked Exhibit No. 1, already filed by the examiner, and examine it and state what you find it to be.

Answer:

It purports to be a certified copy of the deed given August 1, 1923 by Henry M. Chamberlain and his wife to Henrietta Emory and Frank Emory as joint tenants in fee for a lot of land situate in the town of Centreville, Queen Anne's County, Maryland on the east side of the south end of Liberty Street.

Question 5:

As you state this paper writing is a deed made to Henrietta Emory and to Frank Emory as joint tenants in fee. State if you knew this Henrietta Emory and this Frank Emory. and state if you know whether they are living or dead and if dead when and where did they die.

Answer:

I knew both of these parties. Henrietta Emory was my aunt and Frank Emory was my uncle. Henrietta Emory died in the town of Centreville Emory on the 5th day of April 1943. Frank Emory, my uncle, died first and he died on the 31st day of January, 1942 in the town of Centreville.

Question 6:

State if you know it, a description of the property described in the deed mentioned.

Answer:

This property is a lot of land on the east side of Liberty St. and at the south end of Liberty St. It is bounded on the west by Liberty St., on the north by the property of James Fowler and on the south by the property now owned by the heirs of Grant Emory.

Question 7:

By what name is this property now known, and why.

Answer:

This property is now known as the Henrietta Emory Property and this is because my aunt Henrietta Emory owned this property in fee simple when she died on the 5th of April, 1943.

Question 8:

State if you know if your Aunt, Henrietta Emory, left when she died a last will and testament and state how you know this.

Answer:

She did leave a last will and testament, I know this because Daisy Emory, my sister and myself examined the contents of the home of my aunt, Henrietta Emory after she died for the purpose of finding out whether she left a last will and testament or not.

We found a last will and testament and the same was carried by my sister, Daisy Emory to the Orphans' Court of Queen Anne's County for probate.

Question 9:

Please look at a paper writing I now hand to you marked Exhibit No. 2 and tell me what it is.

Answer:

It is a certified copy of the last will and testament of my aunt, Henrietta Emory. I recognize and remember the contents of the will.

Question 10:

State if you know the names of those persons who were and who constituted the heirs at law of you Uncle Frank Emory on April 5, 1943, the date of the death of your aunt, Henrietta Emory.

Answer:

The following persons constituted and were the heirs at law of my uncle, Frank Emory on the day of the death of Henrietta Emory, his sister and my aunt, to wit: Winder Emory, the brother of said Frank Emory, who is the plaintiff of this suit. Collins Emory, the brother of Frank Emory and a plaintiff to this suit. The heirs at law of Grant Emory, my father, and a brother of Frank Emory and who died before Frank Emory died and their names are as follows: Daisy S. Emory, the wife of Grant Emory and my mother. Ulysses G. Emory, a son of Frank Emory and a plaintiff to this suit. Tilghman Emory, a son of Grant Emory and a plaintiff of this suit. Daisy N. Emory, the daughter of Grant Emory and a defendant of this suit. Hattie F. Emory, the daughter of Grant Emory and a plaintiff of this suit, Myself, Lollie E. Roberts, the daughter of Grant Emory and a defendant to this suit.

Question 11:

Which of the heirs of Frank Emory on the day of the death of Henrietta Emory are now living and which of them, if any, are under 21 years of age.

Answer:

All the persons who constituted the heirs at law of Frank Emory on the day of the death of Henrietta Emory are now living and are parties to this suit. All of them are of full age except Hattie F. Emory, my sister. She is either 18 or 19 years of age and is a single person.

Question 12:

Which of these heirs at law mentioned by you are married people and if any of them are married give the names of their spouses.

Answer:

My uncle, Winder Emory, has a wife named Mary Emory and I have a husband named Charles S. Roberts. These are the only married persons.

Question 13:

If you are familiar with the property which is described in Exhibit No. 1 and which has been mentioned by you as being known as The Henrietta Emory Property and assuming that Winder Emory owns 1/3 part thereof and that Collins owns 1/3 part thereof and that the balance is owned by the heirs at law of Grant Emory and that these people own undivided parts of said land state if in your opinion the land mentioned by you can be divided among these parties without loss or injury.

Answer:

The lot of land is according to my judgment between 35 and 40 feet wide and has a depth of from 200 to 250 feet. It would be impossible to divide this land in two equal parts to say nothing about dividing it into as many parts as there are now owners of the same.

Question 14:

State if you know whether or not your sister Hattie Emory has a legal guardian residing in the jurisdiction of the Circuit Court for Queen Anne's County, in Equity.

Answer:

I know that she has no legal guardian residing any place.

Examiner's Special Question:

Answer:

I do not know anything.

LOLLIE E. ROBERTS

There being no further witnesses present at that time to be examined and no further time being desired for the production of evidence, you examiner herewith respectfully makes his return together with the Exhibits Nos. 1 and 2 filed with him as a part of the evidence taken and certifies that he was engaged as such examiner two days making cost chargeable to the plaintiffs, as follows: to wit: (two witnesses examined)

Charles E. Tucker, Examiner, .....\$ 8.00  
Delha D. Rolph, Clerk, to the Examiner, ..... 3.00  
Walter Berryman, witness, ..... .75  
Lollie E. Roberts, witness, ..... .75

Total .....\$12.50

Respectfully submitted,

CHARLES E. TUCKER  
Examiner.

Filed Aug. 16th 1943.

.....

EXHIBIT No. 1  
Filed Aug. 16th 1943.

SAME Recorded in same Liber on folio 584.

.....

EXHIBIT NO. 2  
Filed Aug. 16, 1943

Same Record in same Liber on folio 585





and by the authority of this Court, ADJUDGED, ORDERED AND DECREED, as follows, to wit:

- (1) That the real estate of Henrietta Emory in the proceedings of this cause mentioned be sold for the purpose of partition between such of those parties to said cause who may be entitled to the same.
- (2) That Madison Brown of said county, be and he is hereby appointed a trustee to make such sale.
- (3) That the manner and course of his proceedings shall be as follows:
  - (a) He shall first file with the Clerk of this Court a bond to the State of Maryland to be executed by himself and a surety or sureties to be approved by this Court or by said Clerk in the penal sum of Two Thousand Dollars if the sureties (2) shall be natural persons, and in the penal sum of One Thousand Dollars if the surety thereon shall be a corporation authorized by its charter or by law to become the sole surety on bonds of trustees, for the faithful performance of the trust reposed in him by this decree or which may be reposed in him by any future decree or order in the premises.
  - (b) He shall then proceed to make sale of said real estate having given at least three weeks previous notice of the time, place, manner and terms of sale by advertisement inserted in some weekly newspaper published in Queen Anne's County.
- (4) That the terms of such sale shall be as follows: One third of the purchase money to be paid in cash at time and place of sale, the balance to be paid in two equal installments payable six and twelve months respectively from the day of sale or all cash at time of sale if the purchaser shall so elect. The credit payments, if any, to bear interest from the day of sale and to be secured to the satisfaction of said trustee. The state, county and town taxes against the land and property shall be adjusted as of the day of sale.
- (5) That as soon as may be convenient after such sale, the said trustee shall return to this Court a full and particular account of his proceedings relative to such sale with an affidavit annexed thereto of the truth thereof and of the fairness of said sale.
- (6) That after said sale has been ratified by this Court and after the whole purchase money shall have been paid, ( and not before the said trustee shall by good and sufficient deed, to be executed and acknowledged by him according to law, convey to the purchaser or purchasers, his, her and/or their heirs and assigns, the property or estate to him, her or them sold, free, clear and discharged of and from all claims of the parties, to this cause and decree, plaintiffs and defendants, and of all persons claiming by, from or under them or any of them.
- (7) That said trustee shall bring into this Court the money arising from said sale to be distributed under the direction of this Court to such of those parties whom this Court shall determine to be entitled to the same, after deducting therefrom the costs of this suit and such commissions to said trustee as this court shall think proper to allow in consideration of the skill, attention and fidelity where-with he shall appear to have discharged his trust.
- (8) That at the time of the advertisement of said sale the trustee is hereby directed to give notice to the creditors of HENRIETTA EMORY -- mentioned in said proceedings to file their claims against her (with the proper vouchers thereof) with the Clerk of this Court within ninety days from August 19th, 1943.

WM. R. HORNEY  
Judge.

Filed Aug. 17th 1943.

.....  
CERTIFIED COPY OF BOND  
Filed Sept. 10, 1943.

QUEEN ANNE'S COUNTY, TO WIT: BE it remembered that on this Tenth day of September in the year nineteen hundred and forty three, the following Bond was brought to be recorded, to wit:

State of Maryland, Queen Anne's County, to wit:

KNOW ALL MEN BY THESE PRESENTS, that we, Madison Brown, of Queen Anne's County in the State of Maryland as principal and the AMERICAN SURETY COMPANY OF NEW YORK, a corporation created and existing under the laws of the State of New York with due authority by its charter and in law to become the sole surety on bonds of trustees, are held and firmly bound unto the State of Maryland in the full and just sum of One Thousand Dollars, lawful money of the United States, to be paid to the said State of Maryland or its certain attorney, to which payment well and truly to be made and done we bind ourselves and each of us, our and each of our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

Sealed with our seals and dated this ninth day of September in the year nineteen hundred and forty three.

WHEREAS, by a decree of the Circuit Court for Queen Anne's County sitting as a Court of Equity, bearing date on the seventeenth day of August, 1943, passed in a cause in said Court wherein Winder Emory and others are Complainants and Daisy S. Emory and others are defendants, being Cause No. 3374 on the Chancery Docket of said Court, the above bounded Madison Brown has been appointed trustee to make sale of certain real estate in the proceedings in said cause mentioned.

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bound Madison Brown does and shall well and faithfully perform the trust reposed in him by said decree or that may be reposed in him by any future decree or order in the premises then the above obligation to be void; otherwise to remain in full force and virtue in law.

\_\_\_\_\_  
MADISON BROWN (SEAL)



.....  
 CERTIFICATE OF PUBLICATION OF  
 PUBLIC SALE.  
 Filed Sept. 15, 1943.

PUBLIC SALE OF HOUSE AND LOT IN CENTREVILLE

Public Sale of House and Lot in Centreville, Maryland . By virtue of a decree of Circuit Court for Queen Anne's County, in Equity, passed in Cause No. 3374 of Winder Emory et al. versus Daisy S. Emory et al., the undersigned trustee named in said decree will sell at public sale in front of the Court House Door in town of Centreville, Maryland, on SATURDAY, SEPT. 11, 1943. at 4.00 o'clock P.M.

All that lot of land called "Henrietta Emory Property" situated in Centreville, Maryland on east side of south end of Liberty Street between the property of Captain Fowler on one side and the Grant Emory Property on the other.

The lot has a frontage on Libert Street of 35 feet, more or less and a depth of about 260 feet.

Improvements consist of a two story frame dwelling house with town water, sewage and electric light connections.

TERMS OF SALE: One third of the purchase money to be paid in cash at the time and place of sale and the balance in two equal installments payable six and twelvemonths from the day of sale or all cash at the time of sale if the purchaser shall so elect.

Credit payments, if any, to bear interest from the day of sale and to be secured to the satisfaction of the undersigned. State, county and town taxes against the property to be adjusted as of day of sale. Title papers and revenue stamps for same to be paid by the purchaser.

Possession can be taken by the purchaser as soon as the terms have been complied with.

MADISON BROWN , Trustee.

J.E. Anthony, Auctioneer

NOTICE TO CREDITORS

Pursuant to said decree notice is hereby given to the creditors of Henrietta Emory, deceased, to file their claims against her with the proper vouchers thereof with the clerk of the Circuit Court for Queen Anne's County within ninety days from August 19th 1943.

MADISON BROWN Trustee.

QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. Sept. 13th 1943.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, A body corporate, does hereby certify that the Public Sale of House & Lot in Centreville, Md in the case/estate of Winder Emory et al., versus Daisy S. Emory Cause No. 3374 of Circuit Court for Queen Anne's County in Equity a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD-OBSERVER, A weekly newspaper printed and published at Centreville, in Queen Anne's County, Maryland, once a week for four successive weeks before the 11th day of September 1943, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD -OBSERVER was on the 19th day of August 1943, and the last insertion on the 9th day of September 1943.

THE QUEEN ANNE'S RECORD AND OBSERVER  
 PUBLISHING COMPANY

By John H . Price

Filed Sept. 15, 1943.

QUEEN ANNE'S RECORD OBSERVER  
 Centreville, Md. Nov. 19th 1943.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, A body corporate, does hereby certify that the Notice to Creditors in the case / estate of Henrietta Emory a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD OBSERVER, a weekly newspaper printed and published at Centreville, in Queen Anne's County, Maryland, once a week for four successive weeks before the 11th day of September 1943, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD OBSERVER was on the 19th day of August 1943, and the last insertion on the 9th day of September 1943.

THE QUEEN ANNE'S RECORD AND OBSER-  
 VER PUBLISHING COMPANY

By John H. Price.

Filed Sept. 15th 1943.

.....  
 ORDER NISI  
 Filed Sept. 15, 1943.

N I S I

Winder Emory et al.,  
 vs  
 Daisy E. Emory et al.

In the Circuit Court for  
 Queen Anne's County, in Equity.  
 Chancery No. 3374.

ORDERED, This 15th day of September A. D., 1943, that the sale of real estate made and reported in this cause by Madison Brown, Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 16th day of November next, provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 16th day of October next.

The Report states the amount of sales to be \$900.00.

Filed September 15, 1943.

A. SYDNEY GADD JR. Clerk

.....  
COPY OF ADVERTISEMENT OF  
ORDER NISI ON SALE.  
Filed Nov. 19th 1943.

N I S I

Winder Emory et al.,  
vs  
Daisy E. Emory et al.

In the Circuit Court for Queen  
Anne's County in Equity.  
Chancery No. 3374.

ORDERED , This 15th day of September A. D., 1943, that the sale of real estate made and reported in this cause by Madison Brown, Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 16th day of November next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 16th day of October next.

The Report states the amount of sales to be \$900.00.

Filed September 15, 1943.

True Copy A. SYDNEY GADD JR. Clerk  
Test: A. SYDNEY GADD JR. Clerk

THE QUEENSTOWN NEWS

Queenstown, Md. Sept. 28, 1943.

THE QUEENSTOWN NEWS, trading as a co-partnership between Michael W. Aker and George J. Steinfeld, do hereby certify that the Nisi in the case of Winder Emory et al., vs. Daisy E. Emory et al. Chancery No. 3374 a true copy of which is annexed hereto, was published in THE QUEENSTOWN NEWS, a weekly newspaper printed and published at Queenstown, in Queen Anne's County, Maryland, once a week for 4 successive weeks before the 16th day of October 1943, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 17th day of September 1943.

THE QUEENSTOWN NEWS

By George J. Steinfeld

Filed Nov. 19, 1943.

.....  
ORDER OF COURT  
Filed Nov 1943.

In the Circuit Court for Queen Anne's County, in Equity.

Winder Emory  
versus  
Daisy Emory et al.

Cause No. 3374.

It is on this 19th day of November in the year nineteen hundred and forty three by the Circuit Court for Queen Anne's County, sitting as a court of Equity and by the authority of this Court that the sale of the real estate of Henrietta Emory, deceased, made by Madison Brown as the trustee named in the decree of this Court filed in said cause above mentioned and by him in the within and foregoing report of sale filed by him described and set forth, be and the same is hereby finally ratified and confirmed, no cause to the contrary thereof having been shown, although it appears that notice has been given in accordance with the order nisi heretofore passed in this cause in relation to said sale. And it is further ordered that as said Madison Brown is the regular auditor of this Court that the papers and proceedings of this cause be and the same are hereby referred unto Charles E. Tucker as special auditor with instructions to him to state and return to this Court an account between the proceeds of the sale of this cause and said Madison Brown as said trustee, who is allowed the usual commission on amount of said sale and all expenses not personal.

WM. R. HORNEY  
Judge.

Filed Nov. 1943.

.....  
A U D I T  
Filed March 15, 1944.

In the Circuit Court for Queen Anne's County, in Equity.

Winder Emory et al.,  
versus  
Daisy S. Emory, et al.,

CHANCERY DOCKET,  
CAUSE NO. 3374

To the Honorable, the Judges of said Court:-

The Report of Charles E. Tucker, Special Auditor, appointed in this cause to state the within account unto Your Honors respectfully sets forth:-

1. That before proceeding to act as the Special Auditor in this case, he took before the clerk of this Court that oath prescribed by law to be taken by auditors before they are qualified to act.
2. That it appears from the proceedings of this cause that Henrietta Emory, the subject of the Bill of Complaint of this cause, died on April 5th, 1943, seised and possessed on the land sold in this cause; that she left a last will and testament which was admitted to probate before the Orphans' Court of this County, shortly after her death; that the land described in these proceedings was devised by said will to Frank Emory, the brother of said testatrix, and that he pre-deceased the testatrix; that the devise so made did not lapse but passed under the law preventing the lapsing of devises to those persons who constituted the heirs at law of said Frank Emory on the day of the death of the said Henrietta Emory.
3. That your Auditor from an examination of the law above mentioned and from the examination of the testimony filed in this cause has determined that those persons who constituted the heirs at law of Frank Emory on the day of the death of said Henrietta Emory constituted the following named parties to the Bill of Complaint of this cause, to wit:  
Winder Emory, hks brother; Collins Emory, his brother;  
Ulyses G. Emory; Tilghman Emory; Daisy N. Emory; Hattie F. Emory and Lollie E. Roberts, the children of Grant Emory, brother of said Frank Emory, who pre-deceased said Frank Emory, and to these persons the net proceeds of the sale of this cause shown by the within account is distributed according to their respective rights.
4. That Daisy S. Emory, party defendant to the bill and the wife of said Grant Emory is erroneously stated in the bill to be an heir of said Frank Emory.
5. That the Trustee of this cause has informed the auditor that said Collins Emory, party plaintiff, died on November 8, 1943, before the sale of this cause was ratified and while this auditor has ascertained the share of Collins Emory, your Auditor calls the Court's attention to the death of said Collins Emory, so that his share can remain subject of the future order of the Court.
6. That it appears that the trustee of this cause when he advertised the sale made by him, gave notice of the creditors of Henrietta Emory to file with the clerk of this court, their claims against her to the extent that such claims might be paid out of the proceeds of the sale of this cause.  
One claim against Henrietta Emory, to wit: that of Daisy S. Emory, has been filed and from this claim it appears that there is now due by said claim to the said claimant a balance of \$56.63 and this sum is allowed to said claimant out of the proceeds of sale by the within account.
7. That the Register of Wills of Queen Anne's County has filed in this cause the claim of the State of Maryland for the payment unto the said State by the heirs at law of Henrietta Emory of the Collateral Inheritance Tax, (7 1/2 per cent) upon the value, (\$750.00) of said land as ascertained by appraisers appointed by said Court after the death of Henrietta Emory.  
As this tax is payable only upon the clear value of the land subject of the tax, the auditor has deducted from the appraised value, \$750.00, the said claim of Daisy Emory, \$56.63, and the difference, \$593.37, will represent the clear value of said land upon which said tax should be paid, and the amount of said tax ascertained upon this clear value has been allowed the State of Maryland in the within account.
8. That this auditor has stated the within account by first charging the trustee making the sale with the amount of the gross sale so made by him and has then thereout allowed as follows:  
Unto the trustee, his commissions, Court costs, Costs of Advertising sale, the several orders nisi of the cause and other expenses of the sale, taxes paid by the trustee on the land sold.  
Unto said Daisy S. Emory, the amount of her claim, \$56.63;  
unto the State of Maryland, the amount of said collateral inheritance tax above mentioned before distribution of sale to the heirs at law.  
Unto the persons named above as the heirs at law of Henrietta Emory according to their respective rights, the net proceeds of the sale of this cause.  
Which is respectfully submitted,

CHAS E. TUCKER  
SPECIAL AUDITOR

March 15, 1944.

CAUSE NUMBER 3374

The proceeds of the sale of the real estate of Winder Emory and others named in the proceedings of this cause, IN ACCOUNT WITH MADISON BROWN, the trustee appointed by the decree filed in this cause to make the sale mentioned.

1943  
Sept.  
11

CR.

By amount of the gross sale made by said trustee on this date, per his Report of Sale filed in this cause, to wit:  
the sum of .....\$900.00

DR.

1943  
Sept.  
11

By Madison Brown, said trustee for his commissions for making the sale mentioned, the sum of .....\$67.50

Proceeding continued on folio 603 in this same Liber.

I hereby certify that on this 14th day of August, 1943, personally appeared before me, the subscriber, a Notary Public of the State of Maryland in and for Cumberland County, Frank Eddins and made oath in due form of law that the matters and facts set forth in the within and foregoing petition are true as therein stated to the best of his knowledge and belief, and at the same time, personally appeared George H. McCracken, a disinterested witness, who made oath in due form of law that he is fully acquainted with above facts, as to name, residence and relationship of the parties mentioned in the above petition, and that he knows that the facts set forth in said petition relative to above matters are true as therein stated, to the best of his knowledge and belief. In witness whereof I have hereunto subscribed my name and affixed my notarial seal.

BETTY JUNE WEIMER  
Notary Public

Filed August 16, 1943.  
Notary Public  
Seal.

.....  
O R D E R O F C O U R T  
Filed August 16, 1943.

ORDER OF COURT

The foregoing petition having been read and considered, it is thereupon, ORDERED this 16th day of August, 1943, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that the papers in this cause be referred back to Charles E. Tucker, Special Auditor, appointed in this cause, for the purpose of distribution the sum of \$3,059.63 balance remaining in the hands of the said assignee, and that said special auditor is authorized and directed to take such testimony as he deems necessary in order to ascertain the proper parties to whom to make said distribution thereof.

WM. R. HORNEY  
Judge.

Filed August 16, 1943.

.....  
S U P P L E M E N T A L R E P O R T A N D A C C O U N T  
Filed Sept. 6th 1943.

Harry C. Butler, Assignee,  
  
vs  
  
Robert W. Eddins and  
Annie W. Eddins, his wife.

In the Circuit Court for Queen  
Anne's County, in Equity.  
  
Cause No. 3342.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report and Account of Charles E. Tucker, Special Auditor in this Cause, to your Honors respectfully shows:

The Auditor satisfied himself that the parties named in the petition, on which the order of this Court was passed referring the papers in this cause to him to state a supplemental audit, are the only heirs at law of Robert W. Eddins and Annie W. Eddins, his wife, and therefore are the proper distributees to receive the net surplus mortgage proceeds to be distributed under this supplemental audit.

The auditor deducts from said net proceeds the expenses incidental to the stating of this audit.

The Auditor finds that upon the death of Robert W. Eddins, September 12th, 1933, an undivided one half equity of redemption in the real estate sold herein passed to three sisters of the said deceased and to four children of James Eddins, a brother of the said deceased and who died prior to the said deceased, subject nevertheless to collateral inheritance tax of 5% on the value thereof as ascertained by an appraisal of said Equity of redemption by appraisers appointed in the estate of the said deceased and therein ascertained to be \$179.04.

The auditor further finds that the other one half undivided equity of redemption at that time passed to Annie W. Eddins, widow, of the deceased, and was not subject to inheritance tax.

The auditor satisfied himself, since the estate of Annie W. Eddins, is not closed, after swearing Harry C. Butler, one of the administrators of Annie W. Eddins, that the personal property of the estate of Annie W. Eddins is sufficient to pay any claims against her estate.

The Auditor further finds that upon the death of Annie W. Eddins, September 30th., 1942, her undivided one half equity of redemption, in this real estate, passed to her heirs at law, subject to collateral inheritance tax of 7-1/2 they being a sister and a daughter of a deceased sister.

The Auditor therefore, after deducting said incidental expenses distributes said net proceeds in accordance with.

Respectfully submitted  
  
CHAS. E. TUCKER  
Special Auditor.

Brought forward from folio 370

Harry C. Butler, Assignee

vs

Robert W. Eddins and  
Annie W. Eddins, his wife.

.....  
PETITION FOR SUPPLEMENTAL AUDIT  
Filed Aug. 16, 1943.

HARRY C. BUTLER, ASSIGNEE,

VS

ROBERT W. EDDINS AND  
ANNIE W. EDDINS, HIS WIFE.

IN THE CIRCUIT COURT FOR QUEEN

ANNE'S COUNTY, IN EQUITY.

Cause No. 3342

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Frank Eddins to your Honors, respectfully shows:

1. That at the time of the institution of the foreclosure of the real estate mortgage in this cause, the mortgagor and owner of the equity of redemption, Robert W. Eddins was dead, and the audit filed in this cause by Charles E. Tucker, Special Auditor appointed by an Order of this Court, discloses that after the payment of the mortgage indebtedness, principal and interest, and all costs incident to said foreclosure, there remains in the hands of the assignee the sum of THREE THOUSAND AND FIFTY NINE DOLLARS AND SIXTY THREE CENTS (\$3,059.63) awaiting distribution under the further order of this Court.

2. That Robert W. Eddins, mortgagor, died intestate in February, 1933, that letters of administration were granted on his estate in December, 1933, that notice to creditors in said estate were duly given and published and that only one claim, and that being an open account, in the sum of \$18.00 was entered on the Claim Docket of The Orphans' Court for Queen Anne's County, which Court had jurisdiction of the said estate and your petitioner alleges, and that the said surplus proceeds from said mortgage foreclosure is not required to pay the debts of the said mortgagor, your petitioner being informed said claim has been paid.

3. That Robert W. Eddins, left the following heirs-at-law, to wit:

Annie W. Eddins, his widow, now deceased:

Alice Eddins Hiner, a sister, 85 years of age, resident of Keyser, West Virginia;  
Nina Eddins Parron, a sister, 82, years of age, resident of Cumberland, Maryland;  
Mary Eddins Chick, a sister, 80 years of age, resident of New Portland, Maine;  
and the following children and only heirs-at-law of James Eddins, a brother of the said Robert W. Eddins, who predeceased him, and died intestate, to wit:  
Charles Eddins, 60 years of age, resident of Coatesville, Pennsylvania;  
Lelia Eddins Brooks Wasson, 55 years of age, resident of Cumberland, Maryland;  
Robert Sydenty Eddins, 45 years of age, resident of Coatesville, Pennsylvania;  
Frank Eddins, your petitioner, 42 years of age, resident of Cumberland, Maryland.

4. That Annie W. Eddins died intestate in September, 1942, and that letters of administration on her estate have been granted by The Orphans' Court for Queen Anne's County to Edward S. Walls and Harry C. Butler, and your petitioner is advised by said administrators that said personal estate of Annie W. Eddins is sufficient to pay any debts that she might have owned at the time of her death and the costs of administration, and that any money due her in this cause is not required to pay her debts, that the said Annie W. Eddins, left the following heirs-at-law, to wit:  
Fanny W. Walls, a sister of about 70 years of age, resident of Queen Anne's County Maryland;  
Anne Mae Adams, formerly Fallowfield, child and only heir-at-law of Sadie Fallowfield, a sister of Annie W. Eddins, who predeceased the said Annie W. Eddins, that Anna Mae Adams is about 50 years of age and resides at Allentown, State of Pennsylvania.

5. That your petitioner desires to have said surplus proceeds from said foreclosure distributed to those entitled.

To the end, that:

The papers in this cause be return to Charles E. Tucker, Special Auditor, heretofore appointed by this Court in this cause, to state and file a supplemental audit, distributing the aforesaid sum of \$3,059.63 to those whom are entitled thereto and in order to ascertain same be directed and empowered to take such testimony as he deems necessary.

Respectfully submitted,

FRANK L. EDDINS  
Frank Eddins

GEORGE R. HUGHES  
George H. Hughes

RICHARD T. EARLE  
Richard T. Earle,  
Attorneys.

STATE OF MARYLAND, CUMBERLAND COUNTY, TO WIT:



Harry C. Butler, Assignee,  
vs

In the Circuit Court for Queen Anne's County,  
in Equity.

Robert W. Eddins, and  
Annie W. Eddins, his wife.

Cause No. 3342.

The Auditor charges Harry C. Butler, Assignee, with the net proceeds of the Mortgage sale as shown by Audit dated April 14th., 1943 -----\$3,059.63

Allows Assignee for costs of stating this supplemental audit as follows, to wit:

A. S. Gadd, Jr., Clerk of Court -----	\$15.25	
Advertising Nisi to Ratification of this Audit	3.50	
Charles E. Tucker, Special Auditor	<u>13.50</u>	<u>\$ 32.26</u>
For distribution		\$3,027.38

Which sum on account of vesting at two different times and subject to inheritance tax at time of vesting, is divided into two equal portions of ----- \$1,513.69

State of Maryland ----- \$ 8.95  
Collateral Inheritance tax at 5% on an undivided half interest passing on Feb. 12th, 1933.

Alice Eddins Hiner ----- 376.19  
Sister of Robert W. Eddins, a 1/4 interest

Nina Eddins Parrons ----- 376.19  
Sister of Robert W. Eddins, a 1/4 interest

Mary Eddins Chick ----- 376.19  
Sister of Robert W. Eddins a 1/4 interest.

To Four children of James Eddins a deceased brother a 1/16 interest each.

Charles Eddins ----- 94.04

Lelia Eddins Brooks Wassen ----- 94.05

Robert Sidney Eddins ----- 94.04

Frank Eddins ----- 94.04 \$1,513.69

One half of said amount 1,513.69

State of Maryland ----- \$47.76  
Collateral Inheritance tax of 7-12 on \$636.80 being Equity of redemption

Fanny W. Walls ----- 732.97  
Sister of Annie W. Eddins

Amounts forwarded \$780.73 \$1,513.69

Anna May Adams ----- 732.96

Only heir at law of Sadie Falowfield ,  
a deceased sister of Annie W. Eddins

\$1,513.69      \$ 1,513.69

Respectfully submitted

CHAS. E. TUCKER  
Special Auditor.

Filed Sept. 7th, 1943.

.....  
N I S I O F A U D I T  
Filed Sept. 7th 1943.

N I S I R A T I F I C A T I O N O F A U D I T

Harry C. Butler, Assignee

In the Circuit Court for

vs

Queen Anne's County. in Equity.

Robert W. Eddins and Annie W.  
Eddins, his wife.

Chancery No. 3342.

ORDERED, This 7th day of September in the year nineteen hundred and forty three, that the Report and Account filed in these proceedings by Chas. E. Tucker, Special, Auditor, be ratified and confirmed, unless cause to the contrary

thereof be shown on or before the 30th day of September, 1943; provided a copy of this order be published once a week in each of two successive weeks before the 23rd day of September, 1943, in some newspaper printed and published in Queen Anne's County.

A. SYDNEY GADD JR. Clerk

Filed September 7, 1943.

.....  
CERTIFICATE OF ADVERTISEMENT  
OF NISI RATIFICATION OF AUDIT  
Filed October 2, 1943.

NISI RATIFICATION OF AUDIT

Harry C. Butler, Assignee  
vs

In the Circuit Court for Queen  
Anne's County, in Equity.  
Chancery No. 3342

Robert W. Eddins and Annie  
W. Eddins, his wife.

ORDERED, This 7th day of September in the year nineteen hundred and forty-three, that the Report and Account filed in these proceedings by Chas. E. Tucker, Special Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 30th day of September, 1943; provided a copy of this order be published once a week in each of two successive weeks before the 23rd day of September, 1943, in some newspaper printed and published in Queen Anne's County.

A. SYDNEY GADD JR. Clerk

Filed September 7, 1943.

True Copy  
Test:

A. SYDNEY GADD JR. Clerk

QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. October 2nd 1943.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Nisi Ratification of Audit in the case estate of Harry C. Butler, Assignee vs. Robert W. Eddins and Annie W. Eddins, his wife, Chancery No. 3342, a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD - OBSERVER, a weekly newspaper printed and published at Centreville, in Queen Anne's County, Maryland, once a week for two successive weeks before the 23rd day of September 1943, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD - OBSERVER was on the 9th day of September 1943, and the last insertion on the 16th day of September 1943.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY

By JOHN H. PRICE  
Asst. Sec.

Filed Oct. 2, 1943.

.....  
ORDER OF COURT  
Filed Oct. 8th 1943.

ORDERED this 8th day of October in the year nineteen hundred and forty three by The Circuit Court for Queen Anne's County, in Equity that the within and aforegoing report and account filed by Charles E. Tucker, Special Auditor, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown although notice appears to have been given in accordance with the previous order nisi, and the Assignee is directed to make distribution in accordance with said report and account, and to pay the collateral inheritance tax (herein distributed to the State of Maryland) to the Clerk of this Court in accordance with law.

WM. R. HORNEY  
Judge.

Filed Oct. 8th 1943.

Brought forward from folio 598

Winder Emory et al.,  
versus  
Daisy S. Emory, et al.

Cause No. 3374.

To the same trustee for the Court costs of this cause,  
per statement made by the Clerk of the Court  
exhibited:  
Costs of A. S. Gadd, clerk.....\$41.45  
Costs of Register of Wills,..... 3.50  
Costs of Sheriff Queen Anne's Co.... .75  
Cost before Examiner, Testimony .....  
Cost of C. E. Tucker, Examiner..... 8.00  
Cost of clerk to Examiner, ..... 3.00  
Fees of Witnesses, ..... 1.50  
Fee of Guardian ad litem..... 4.00  
Appearance fee of Madison Brown, .... 10.00  
Total of these costs allowed..... 72.20 72.20

To same trustee for costs of advertising notices  
of sale in Centreville newspaper, per receipted  
account for same exhibited, the sum of ..... 38.25

To the same trustee for the costs of his bond as  
trustee filed in this cause, per receipted  
account for same exhibited, the sum of ..... 10.00

To the same trustee for costs of advertising the  
order nisi on the sale in Queenstown News,  
per receipted account for same exhibited, the sum  
of ..... 5.00

To the same trustee for amount paid J. E. Anthony  
for crying the sale made, per his account with  
receipt thereon exhibited, the sum of ..... 15.00

To same trustee for the costs of advertising the  
order nisi to be passed as to this report  
and account, to wit: the sum of ..... 3.50

Amounts carried forward, to wit: the sum of ..... 211.45 \$900.00

CAUSE NO. 3374

Amounts brought forward, ..... DR 211.45 CR \$900.00

DR.

To Madison Brown, trustee, for amount of State, County  
and Town taxes assessed against the property sold  
by him, paid by him according to the terms of the  
sale made, per statement with receipts attached,  
exhibited, to wit: the sum of ..... \$ 12.52

To Charles E. Tucker, Special Auditor, for stating  
this account, the sum of ..... \$ 13.50

To balance carried down, ..... \$237.47  
\$662.53

..... \$900.00 \$900.00

CR.

-By balance brought down from above, ..... 662.53

DR.

To Daisy S. Emory in payment of the balance due to her  
on her claim filed in this cause against Henrietta  
Emory under the notice given by the trustee to  
the creditors of Henrietta Emory to file their claims  
against her as appears from said claim exhibited  
to the auditor, to wit: the sum of ..... \$56.63

To Balance carried down, the sum of ..... \$605.90  
\$662.53

..... \$662.53 \$662.53

CR.

By balance brought down from above, to wit: ..... \$605.90

DR.

To Madison Brown, trustee, to be paid by him to the  
Register of Wills of Queen Anne's County, for use  
of the State of Maryland, as the amount of the  
collateral inheritance tax of 7 1/2 per cent due by  
the heirs at law of Henrietta Emory named below on  
the clear value of the land passing from her by  
descent to said heirs sold in this cause, the sum of ...  
..... \$ 52.00

To balance carried to next page..... \$553.90  
\$605.90

..... \$605.90 \$605.90

CAUSE NUMBER 3374

CR.

By balance of sales brought over, to wit: the sum of ..... \$553.90

DR.

Distribution among those persons who constituted the heirs at  
law of Frank Emory on the day of the death of Henrietta Emory, the  
testatrix named in this bill of complaint.

To Winder Emory, the brother of Frank Emory, 1/3  
or 15/45 of said balance, to wit: sum of ..... \$184.63





Winder Emory et al.,  
versus  
Daisy S. Emory et al.

CAUSE NO. 3374.

NOTICE TO CREDITORS AND OTHER CLAIMANTS

Notice is hereby given to all the executors, administrators, heirs-at-law, devisees, legatees, lienors and creditors of Collins Emory, plaintiff named in the above cause, now deceased and to all other persons who may claim an interest in that part of the proceeds of sale made and reported in the above entitled cause to which said Collins Emory was entitled at the time of his death to file with the clerk of the above named court their claims, the vouchers legally authenticated on or before the 2nd day of June, 1944, provided that a copy of this notice be published as an advertisement in one of the weekly newspapers published in Queen Anne's County once a week for four weeks, before the 9th day of May, 1944.

WM. R. HORNEY  
Judge.

Filed Mar. 24, 1944.

.....  
ORDER NISI AUDIT  
CERTIFICATE OF ADVERTISEMENT  
Filed April 8, 1944.

NISI RATIFICATION OF AUDIT

Winder Emory et al.,  
vs  
Daisy S. Emory, et al.

In the Circuit Court for  
Queen Anne's County, in Equity.  
Cause No. 3374.

ORDERED, This 15th day of March in the year nineteen hundred and forty-four, the Report and Account filed in these proceedings by Charles E. Tucker, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 8th day of April, 1944; provided a copy of this order be published once a week in each of two successive weeks before the 1st day of April 1944, in some newspaper printed and published in Queen Anne's County.

A. SYDNEY GADD JR.  
Clerk of the Court

True Copy  
Test:

Filed March 15th, 1944.

A. SYDNEY GADD JR.  
Clerk.

THE QUEENSTOWN NEWS  
Queenstown, Md. March 31, 1944.

THE QUEENSTOWN NEWS, trading as a co-partnership between Michael W. Aker and George J. Steinfeld, do hereby certify that the Nisi Ratification of Audit in the case of Winder Emory et al. vs. Daisy S. Emory et al. Cause No. 3374 by the Circuit Court a true copy of which is annexed hereto, was published in THE QUEENSTOWN NEWS, a weekly newspaper printed and published at Queenstown, in Queen Anne's county, Maryland, once a week for 2 successive weeks before the 1st day of April, 1944, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 17th day of March, 1944.

THE QUEENSTOWN NEWS  
By M. W. AKer.

Filed April 8, 1944.

.....  
CONSENT OF DAISY S. EMORY TO  
RATIFICATION OF AUDIT FILED  
MARCH 15, 1944.  
Filed April 10, 1944.

In the Circuit Court for Queen Anne's County, in Equity.

Winder Emory et al.,  
versus  
Daisy S. Emory et al.

CHANCERY DOCKET, Cause No. 3374.

To the Honorable, the Judges of said Court:

I hereby agree that the report and account of Charles E. Tucker, as Special Auditor, filed in this Cause on 15th day of March, 1944, shall be ratified and confirmed by this Court without objection thereto on my part.

Test:  
DELHA DANCY ROLPH  
Filed April 10, 1944.

DAISY S. EMORY  
Daisy S. Emory

.....  
AFFIDAVIT OF DAISY S. EMORY AS  
TO AGE OF HATTIE EMORY  
Filed April 10, 1944.

In the Circuit Court for Queen Anne's County, in Equity.

Winder Emory et al.,  
versus  
Daisy S. Emory, et al.                      Chancery Docket,  
Cause No. 3374.

State of Maryland, Queen Anne's County, to wit:

I hereby certify that on this 8th day of April, 1944 before me, the subscriber, a Notary Public of the State of Maryland in and for Queen Anne's County aforesaid, duly commissioned and qualified according to law with authority by law to administer oaths, personally appeared Daisy S. Emory, of said county, who being first duly sworn by me did depose and say:

My name is Daisy S. Emory. I am the mother of Hattie F. Emory named in the proceedings of the above entitled cause and she is the daughter of Grant Emory, my deceased husband and myself. The said Hattie F. Emory is over 18 years of age and was born on the 16th day of Mary in the year 1924. Further deponent saith not.

DAISY S. EMORY  
Daisy S. Emory.

IN TESTIMONY WHEREOF, I the subscribing Notary Public have hereunto set my hand and affixed my Notarial Seal the day and year first above written.

Notary  
Public  
Seal.  
Filed April 10, 1944.

DELHA DANCY ROLPH  
Delha Dancy Rolph  
Notary Public

.....  
ORDER OF COURT  
Filed April 10, 1944.

In the Circuit Court for Queen Anne's County, in Equity.

Winder Emory et al.                                      Chancery Docket,  
vs    Cause No. 3374.  
Daisy S. Emory et al.

Ordered, on this 10th day of April in the year nineteen hundred and forty four by the Circuit Court for Queen Anne's County in Equity and by the authority of this Court that the within and foregoing report and account of Charles E. Tucker as Special auditor be and the same is hereby finally ratified and confirmed, no cause to the contrary thereof having been shown although it appears that notice has been given with regard thereto by the order nisi heretofore passed in reference to said report and account and Madison Brown, the trustee making the sale of this cause, be and he is hereby directed to apply the proceeds accordingly.

And it is further ordered by this Court that said Madison Brown, trustee as aforesaid, be and he is hereby authorized to pay unto Hattie F. Emory named in said report and account the sum of \$36.93 by said account distributed unto her, the Court being satisfied that the said Hattie F. Emory is over the age of eighteen years from the affidavit of Daisy N. Emory filed in the proceedings of the above entitled cause.

Filed April 10, 1944.

WM. R. HDRNEY  
Judge.

.....  
TESTIMONY TAKEN BEFORE CHARLES E.  
TUCKER, EXAMINER IN MATTER OF  
PETITION FOR DISTRIBUTION OF SHARE  
OF COLLINS EMORY  
Filed June 9, 1944.

In the Circuit Court for Queen Anne's County, in Equity.

Winder Emory et al.,                                      :                      Chancery Docket  
versus    :  
Daisy S. Emory, et al.                                      :                      Cause NO. 3374.

In the Matter of a Petition filed in the above Cause by Winder Emory and others to have paid over to them the share of Collins Emory by the audit heretofore filed in said Cause.

The under-signed, Charles E. Tucker, one of the standing Examiners of this Court for the taking of testimony, received notice from Madison Brown, the Attorney of Winder Emory, Ulyses G. Emory, Tilghman Emory, Daisy N. Emory and Lollie E. Roberts, the petitioners who filed the above mentioned Petition that the petitioners desired to take testimony before me to sustain the allegation of the petition, in accordance with the Order of the Court passed on said Petition.

I, the undersigned Examiner, in accordance with said notice, did attend on the 9th day of June, 1944, at the office of said Madison Brown and did then and there proceed to take the following testimony in the presence of the said Madison Brown. DAISY N. EMORY was produced before me as the witness in the matter and I did then at the time and place above mentioned proceed to take her testimony, the questions to the witness being asked by said Madison Brown.

Question No. 1:

You will recall of course the proceedings brought in this Court by Winder Emory, Collins Emory and others against you and others for the sale of certain real Estate left by Henrietta Emory and conducted in a Cause in the Circuit Court for Queen Anne's County, in Equity, hearing the No. 3374.

The testimony you have been asked to give before me, the Examiner arises under the Petition filed by Winder Emory, you and others, for the payment unto the heirs of Collins Emory of the share of Collins Emory allowed him or mentioned as his share of the sale of this land in the audit in above case.

State whether or not said Collins Emory is now living or dead and if dead, when and where he died.

Answer: Collins Emory is dead and died in the City of Philadelphia on November 8, 1943.

Question No. 2: What relation, if any, did Collins Emory bear to you.

Answer: Collins Emory and Grant Emory, my father, were brother. Grant Emory, my father died in the lifetime of Collins Emory. He was my uncle

Question No. 3: State whether or not you were acquainted with said Collins Emory and if so how long you knew him.

Answer: I was acquainted with him and knew him ever since I can remember.

Question No. 4: Do you or not know if your Uncle, Collins Emory died with or without leaving a will?

Answer: It is my understanding that he died without leaving a will

Question No. 5: State if you know whether or not Collins Emory left surviving him at the time of his death a widow, children or other descendants.

Answer: He left no widow to survive him and he left no children nor other descendants to survive him.

Question No. 6: State whom said Collins Emory left surviving him at the time of his death as his only heirs at law.

Answer: Collins Emory left surviving him at the time of his death the following persons as his only heirs at law: Winder Emory, who was his brother and the children of Grant Emory his brother mentioned above, whose names are as follows:

Ulyses G. Emory, Tilghman Emory, Daisy N. Emory, Lollie E. Roberts and Hattie F. Emory; I am one of these children. He left no other person as an heir at law.

Question No. 7: Please state the ages of the persons you have named as the heirs at law of Collins Emory.

Answer: All the male heirs at law named by me are above twenty one year of age and all the female heirs at law are over twenty one years of age except my sister, Hattie F. Emory, who is now over 18 years of age and who is a party to the proceedings which were had for the sale of the real estate of Henrietta Emory.

Examiner's Special Question:

Mr. Brown stated that he has no further questions to ask the witness and at this point the Examiner asked the witness the usual Examiner's question and to this question the witness answered no.

DAISY N. EMORY

I, then closed the taking of testimony and now return the testimony of the above named witness to the Court.

Witness my hand and seal this 9th day of June, 1944.

CHAS. E. TUCKER (SEAL)  
Examiner.

In the taking of the above mentioned testimony I procured the services of Delha D. Rolph as clerk and stenographer to take down the questions and answers and to write this return.

Costs are as follows:

Costs of C. E. Tucker, as Examiner,	\$4.00
Costs of service of the clerk,	2.00

Filed June 18, 1944.

NOTICE TO CREDITORS AND  
OTHER CLAIMANTS  
Filed June 10, 1944.

WINDER EMORY ET AL.,  
versus

DAISY S. EMORY, et al.

In the Circuit Court for

Queen Anne's County, in Equity.

Cause No. 3374.

Notice is hereby given to all the executors, administrators, heirs-at-law, devisees, legatees, lienors and creditors of Collins Emory, plaintiff named in the above cause, now deceased and to all other persons who may claim an interest in that part of the proceeds of sale made and reported in the above entitled cause to which said Collins Emory was entitled at the time of his death to file with the clerk of the above named court their claims, the vouchers legally authenticated on or before the 2nd day of June, 1944; provided that a copy of this notice be published as an advertisement in one of the weekly newspaper published in Queen Anne's County once a week for four weeks, before the 9th day of May, 1944.

WM. R. HORNEY  
Judge.

True Copy  
Test: A. SYDNEY GADD JR.  
Clerk

Filed March 24, 1944.

THE QUEENSTOWN NEWS

Queenstown, Md. June 9, 1944.

THE QUEENSTOWN NEWS, trading as a co-partnership between Michael





Proceedings brought forward from folio 100

Charles H. Rhodes, et al.  
vs  
Edward Rhodes, et al.

STATE OF MARYLAND, TALBOT COUNTY, TO WIT:

I hereby certify that on this 26th day of January, 1943, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared G. Elbert Marshall, one of the Trustees named in the foregoing Report of Sale, and made oath in due form of law that the matters and facts stated in the foregoing Report are true to the best of his knowledge and belief and that the sale was fairly made.

Witness my hand and Notarial Seal.

Notary  
Public  
Seal.

ELIZABETH W. LISTER  
Notary Public

STATE OF VIRGINIA, HENRICO COUNTY, TO WIT:

I hereby certify that on this 3rd day of Feb. 1943, before me, the subscriber, Adjutant of the 327th. Fighter Group, Army Air Forces, Army of The UNITED STATES, personally appeared Thomas J. Keating, Jr., on the Trustees named in the foregoing Report of Sale, and made oath in due form of law that the matter and facts stated in the foregoing Report are true to the best of his knowledge and belief and that the sale was fairly made.

Witness my hand the day herein last above written.

JOHN M. STRYKER  
Notary Public

Filed Feb 6, 1943.

John M. Stryker, 2nd Lieut. A.C.  
Adjutant 327. Fighter Group.

.....  
REPORT OF SALE EXHIBIT NO. 1  
Filed Feb. 6, 1943.

SUBJECT TO RATIFICATION BY THE COURT

G. Elbert Marshall and Thomas J. Keating, Jr., Trustees in the case of Rhodes vs. Rhodes, being Chancery proceeding No. 3191, in the Circuit Court for Queen Anne's County, in Equity, hereby sell and agree to convey, and William Edgar Byrd and Bertha G. Byrd, his wife, acting through William Edgar Byrd, their attorney hereby purchasers and agrees to pay for all the reversionary interest in fee simple and the ground rent issuing thereout, on the property situate, lying and being in the City of Baltimore and State of Maryland, more particularly described as Parcel No 12 in the Bill of Complaint and testimony filed in the aforementioned Chancery proceedings, and being the property further described as No. 5508 Wesley Avenue, annual rent \$90.00, as conveyed in a deed from John A. Rhodes and M. Loretta Clark, administrators, dated November 3, 1934, and recorded in S. C.L. No. 5490, folio 285, the purchaser price as herein agreed being the sum of One Thousand Dollars (\$1,000.00)

Concurrently with the execution of this agreement the purchaser has paid the sum of \$100.00, receipt of which is hereby acknowledged by the said Trustees as sellers, and the purchaser further promises and agrees to pay the full balance of said purchase price upon ratification of the said sale by the Court and compliance by the purchaser with all the terms of this agreement, including full payment of the purchase price. The Trustees will execute, upon tender thereof by the purchaser, a deed conveying said property of which the purchaser will pay all expenses including revenue Stamps.

The ground rent on said property will be adjusted by the Trustees and the purchaser as of the date of this agreement, to wit: January, 1943.

The purchaser is to pay interest at the rate of 6% per annum on the deferred balance of the purchase price hereunder accounting from the date of this agreement to date of said payment.

In connection with this sale it is understood that the Trustees do not have, and shall not assume, any duty or responsibility in respect to unpaid public dues, assessments, taxes or other charges against said property.

Dated on this 25th day of January, 1943.

WILLIAM EDGAR BYRD  
William Edgar Byrd  
BERTHA G. BYRD  
Berth G. Byrd  
WILLIAM EDGAR BYRD, atty  
William Edgar Byrd, their Attorney  
Filed Feb. 6, 1943.

G. ELBERT MARSHALL (SEAL)  
THOMAS J. KEATING JR. (SEAL)  
Trustees - Rhodes vs Rhodes,  
Chancery No. 3191

.....  
N I S I  
Filed Feb. 6, 1943.

N I S I

Charles Rhodes, et al.,  
vs  
Edward W. Rhodes, et al.

In the Circuit Court for  
Queen Anne's County, in Equity.  
Chancery No. 3191

ORDERED, This 6th day of February A. D., 1943, that the sale of real estate made and reported in this cause by G. Elbert Marshall and Thomas J. Keating, Jr., Trustees, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 13th day of April next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 13th day of March next.  
The Report states the amount of sales to be \$1,000.00.

A. SYDNEY GADD JR. Clerk

Filed February 6, 1943.

.....  
CERTIFICATE OF PUBLICATION OF ORDER NISI  
Filed April 23, 1943.

N I S I

Charles Rhodes, et al.,  
vs  
Edward W. Rhodes, et al.

In the Circuit Court for Queen  
Anne's County in Equity.  
Chancery No. 3191

ORDERED, This 6th day of February A. D., 1943, that the sale of real estate made and reported in this cause by G. Elbert Marshall and Thomas J. Keating, Jr., Trustees, be ratified and confirmed, unless cause to the contrary thereof be shown/or before the 13th day of April next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 13th day of March next.  
The Report states the amount of sales to be \$1,000.00.

A, SYDNEY GADD JR. Clerk

Filed Feb. 6, 1943.

True Copy  
Test:

A. SYDNEY GADD JR. Clerk

QUEEN ANNE'S RECORD -OBSERVER  
Centreville, Md. April 23, 1943

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, A BODY corporate, does hereby certify that the G. Elbert Marshall and Thomas J. Keating, Jr., Trustees in the case/estate of Charles Rhodes, et al. vs Edward W. Rhodes, et al. a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD OBSERVER, a weekly newspaper printed and published at Centreville, in Queen Anne's County, Maryland, once a week for 4 successive weeks before the 13th day of March 1943, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD OBSERVER was on the 11th day of February 1943, and the last insertion on the 4th day of March 1943.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY

By Glenn T. James

Filed April 23, 1943.

.....  
ORDER OF COURT  
Filed April 24, 1943.

CHARLES RHODES, et al.

IN THE CIRCUIT COURT FOR

vs  
EDWARD W. RHODES, et al.

QUEEN ANNE'S COUNTY, IN EQUITY.  
No. 3191 Chy.

ORDERED, by the Circuit Court for Queen Anne's County, in Equity this 24th day of April, A. D., 1943, that the sale made and reported by G. Elbert Marshall and Thomas J. Keating, Jr., Trustees, as aforesaid, be, and the same is hereby, finally ratified and confirmed, no cause to the contrary having been shown, although due notice appears to have been given as required by the Order Nisi passed in said cause; and the said Trustees are allowed the usual commissions and such proper expenses as they shall produce vouchers for to the Auditor.

WM. R. HORNEY  
Judge.

Filed April 24, 1943.

.....  
Audit No. 3  
Report and Account of the Auditor  
Filed Oct. 31, 1944.

In the Circuit Court for Queen Anne's County, in Equity.

Charles Rhodes, et al.,  
versus  
Edward W. Rhodes, et al.

Chancery Docket,  
Cause No. 3191

To the Honorable, the Judges of said Court:-

The Report of Madison Brown, your Auditor, unto Your Honors respectfully sets forth:

That this Audit is the third audit of this cause and is intended to deal with the assets received by the trustees since filing of Audit No. 2 and not heretofore accounted for and the Auditor understands that this audit will be the last audit and will distribute all the remaining assets of the Trust Estate.

In the within Account the Trustees are charged with the proceeds of the sale of land of the Trust Estate described in their Sixth Report of Sales and with certain money received by them from the purchaser of said Real Estate as net interest on the credit part of the sale made to him.

In this Account the Trustees of the cause are allowed their commissions, costs of their bond, costs of advertising order nisi to be passed as to this Audit, Clerk's costs, the fee of the Auditor, the amount of the Collateral Inheritance Tax due by the Devisees under the Will of above mentioned Testator on the appraised value of the land mentioned in the Sixth Report of Sale and the interest due by said Devisees on the amount of said Collateral Inheritance Tax.

The amount of the charges made against said Trustees in this account remaining after deduction therefrom of the above mentioned allowances constitutes the sum of money for distribution to the Devisees under the will of John A. Rhodes of the property devised to them and described in the Sixth Report of Sale and this sum is distributed among said Devisees in the annexed Account according to their respective rights. The plan of distribution of this Balance is the same plan of distribution set forth in Audit No. 1 and is the same plan set forth in Audit No. 2 heretofore filed in this cause and reference is made to the Report of the Auditor attached to Audit No. 1 for explanation of the distribution herein made.

Which is respectfully submitted,

MADISON BROWN

AUDITOR

October 25th, 1944.

CAUSE NUMBER 3191  
ADDIT No. 3:

The proceeds of the sales of the real estate of Charles Rhodes, Edward W. Rhodes and other persons as devisees under the will of John A. Rhodes, the testator, whose will is the subject of this cause, IN ACCOUNT WITH G. Elbert Marshall and Thomas J. Keating, Jr., Trustees appointed by the decree passed in this cause to sell said real estate.

1943

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By amount of the sale of that part of said real estate which is described as Item No. 12 in the Bill of Complaint and which constituted the property described as 550 Wesley Avenue, Baltimore City, Maryland, per the 6th Report of Sale filed in this cause on February 6, 1943, to wit: the sum of ..... \$1,000.00

By amount of net interest received by the Trustees from purchaser of said property on final settlement, per report of the trustees to the auditor, to be charged herein, to wit: the sum of ..... 11.30  
Total amount to be charged to the said trustees, ..... \$ 1,011.30

1943

Jan.

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To G. Elbert Marshall and Thomas J. Keating Jr., said trustees for their commissions on the amount charged to them above, to wit: ..... \$ 68.10

To the same trustees for the amount of the costs of their bond paid or to be paid to the corporate surety on said bond for a period since Audit No. 2 to the present time, to wit: the sum of ..... \$ 30.00

To the same trustees for the amount of the costs due to A.S. Gadd, the Clerk of the Court for recording, filing etc. since the last Audit up to and including the costs arising under this Audit and recording release (final) from distributees herein named, per statement of costs exhibited to the Auditor, as follows:

Clerk of said Court, ..... \$32.70

Clerk of said Court, for papers

furnished Circuit Court No. 2, Baltimore City, for recording, ..... \$ 6.50

Total of costs mentioned ..... \$39.20 ..... \$39.20

To the same trustees for the costs of advertising the order nisi to be passed as to this Audit, the sum of ..... \$ 3.50

Amount of disbursements carried to next page ..... 140.00

Continued on folio 615

Proceedings brought forward from folio 609

Winder Emory et al.

vs

Daisy S. Emory, et al.,

It is thereupon on this 13th day of June, 1944 by the Circuit Court for Queen Anne's County, in Equity, and by the authority of this Court ADJUDGED, ORDERED and DECREED as follows; to wit:

- (1) That Madison Brown be and he is hereby allowed out of the sum of \$184.63, now in his hands as the share of Collins Emory, deceased party plaintiff, in the net sales of this cause for his services in the preparation and filing of the Petition of March 23, 1944, and conducting the proceedings thereunder, the sum of Twenty Dollars (\$20.00)
- (2) That the said Madison Brown, trustee pay out of said sum of \$184.63 unto A. S. Gadd Clerk his costs, amounting to .....\$ 10.00  
unto Charles E. Tucker, Examiner, his costs of ..... 6.00  
and the costs of advertising notice to creditors,  
amounting to .....\$ 5.00
- (3) That the said Madison Brown, trustee pay out of said sum of \$184.63 the claim of Josephine Anderson filed as aforesaid for..... \$ 7.63 and the claim of the Philadelphia General Hospital filed as aforesaid for ..... 63.00
- (4) That the said Madison Brown, Trustee shall distribute the balance of said sum of \$184.63 remaining in his hands after the payment out of said sum of \$184.63 of the items above mentioned in the following manner, to wit:

He shall pay unto Winder Emory, brother of said Collins Emory, one half of said balance and he shall pay the other half of said balance unto Ulyses G. Emory, Tilghman Emory, Daisy N. Emory, Lollie E. Roberts, and Hattie F. Emory, nephews and nieces of said Collins Emory, in equal parts.

And it is further ordered, that the Trustee, be and he is hereby directed to file in this proceeding a report of the disbursements made by him under this order.

WM. R. HORNEY  
Judge.

Filed June 13th 1944.

.....  
FINAL REPORT OF MADISON BROWN,  
TRUSTEE  
Filed July 13, 1944.

In the Circuit Court for Queen Anne's County, in Equity.

Winder Emory, et al., Chancery Docket,

versus

Cause NO. 3374.

Daisy S. Emory et al.,

To the Honorable, the Judges of said Court:-

By the audit filed in this cause March 15, 1944, there is distributed unto Collins Emory the sum of \$184.63, which was not paid but was held subject to the order of this court because said Collins Emory was dead when the audit was filed.

By the order of this court passed in this cause June 13, 1944, on the petition of Madison Brown, trustee of this cause, filed in this cause June 12, 1944, the said Madison Brown was directed to distribute said sum of \$184.63 in the manner in said order set forth and itemized. The said Madison Brown has distributed said sum of \$184.63 in accordance with said order of court and he now makes to the court his report of these disbursements and states that the following payments constitute the disbursements so made by him, to wit:

The said Madison Brown has paid unto himself the fee	\$ 20.00
allowed in said order in him of	
unto A.S. Gadd, clerk, the cost mentioned in said	10.00
order due to him, the sum of	
unto Chas. E. Tucker, Examiner, the cost due to	6.00
him mentioned in said order, the sum of	
unto the newspaper publishing the notices to creditors	5.00
the costs thereof mentioned in said order of	
unto Josephine Anderson, her claim filed against	
Collins Emory of	
unto the Philadelphia General Hospital, claim filed by	63.00
it against Collins Emory of	
Total of these payments	<u>\$ 111.37</u>
That this trustee has also paid unto Winder Emory	

the sum of	\$36.62	
unto Ulyses G. Emory, the sum of	7.33	
unto Tilghman Emory, the sum of	7.33	
unto Daisy N. Emory, the sum of	7.33	
unto Lollie E. Roberts, the sum of	7.32	
unto Hattie F. Emory, the sum of	7.33	
total of these payments	<u>73.26</u>	<u>\$73.26</u>
		<u>\$184.63</u>

That this trustee has filed in the above entitled cause releases from Winder Emory, Ulyses G. Emory, Tilghman Emory, Daisy N. Emory, Lollie E. Roberts and Hattie F. Emory and the Philadelphia General Hospital and for all the other payments so made as above set forth this trustee has in hand receipts for same.

Respectfully submitted,

MADISON BROWN--TRUSTEE

State of Maryland, Queen Anne's County, to wit: I hereby certify that on this 13th day of July before me, the subscriber, the clerk of the circuit court for Queen Anne's County in Equity, personally appeared Madison Brown, trustee named above and he made oath in due form of law that the matters and things set forth in the foregoing report are true as therein set forth to the best of his knowledge and belief.

A. SYDNEY GADD JR.  
CLERK OF CIRCUIT COURT FOR QUEEN ANNE'S COUNTY.

Filed July 13, 1944.

.....  
ORDER OF COURT  
Filed July 17, 1944.

The foregoing report is hereby ratified and confirmed, this 17th day of July, 1944.

WM. R. HORNEY  
Judge.

Filed July 17, 1944.

Brought forward from folio 612

CAUSE NUMBER 3191  
AUDIT No. 3

DR.

To amount of disbursements brought from preceding page .....\$140.80

To G. Elbert Marshall and Thomas J. Keating Jr., the same trustees,  
to be paid by them to the Register of Wills, of Queen Anne's County,  
for the use of the State of Maryland as the amount of the collateral  
inheritance tax due by the Residuary Devisees of said Testator on the  
appraised value of the real estate hereinbefore mentioned and described  
bevised to them by said Testator,  
7/1/2 per cent of \$150.00, (amount of said appraised  
value , to wit: the sum of .....\$112.50

To the same trustees, to be paid by them to the Register of Wills  
for Queen Anne's County for the use of the State of Maryland  
as the amount of the interest due by the above mentioned  
Residuary Devisees on the amount of said Collateral Inheritance  
Tax from February 21, 1939 to April 21, 1943, to wit:  
the sum of ..... 28.12

To Madison Brown, Auditor, for stating this Audit sum of ..... \$ 221.50

Total amount of disbursements, ..... \$303.92

RECAPITULATION:

CR. \$ 1,011.30

By amount charged against said trustees, brought forward  
from page 2 of this Account, to wit: .....

DR.

To total amount of disbursements shown above, to wit: ..... \$ 303.92

DR.

By this balance which will be carried forward for distribution  
among the said Devisees, to wit: the sum of ..... \$ 707.38CAUSE NUMBER 3191  
AUDIT NO. 3 .

CR.

By balance brought forward from page 3 of this account.....\$ 707.38

DR.

Distribution among Residuary Devisees  
of John A. Rhodes, Testator:

Living Brothers &amp; Sister of Testator:

To Charles Rhodes, brother is distributed 1/7 of  
said balance, to wit: the sum of .....\$ 101.05

To Edward W. Rhodes, brother is distributed  
1/7 of said balance, to wit: the sum of ..... 101.05

To Mary Ann Rhodes, sister is distributed  
1/7 of said balance, to wit: the sum of ..... 101.05

Children of Henry Rhodes, brother of  
Testator, who predeceased latter:

To George W. Rhodes, is distributed 1/14 of said  
balance, to wit: the sum of ..... 50.53

To Edna Connolly, is distributed 1/14 of said  
balance, to wit: the sum of ..... 50.53

Children of Samuel T; Rhodes, brother of  
Testator who predeceased latter:

To Gertrude Rhodes, is distributed 1/35 of said  
balance, to wit: the sum of ..... 20.21

To Helen R. Goldsborough, is distributed 1/35 of said  
balance, to wit: the sum of ..... 20.21

To Catherine Harrison , is distributed 1/35 of said  
balance, to wit: the sum of ..... 20.21

To Virginia R. Tragesser, is distributed 1/35 of said  
balance, to wit: the sum of ..... 20.21

To Samuel T. Rhodes, Jr., is distributed 1/35 of said  
balance, to wit: the sum of ..... 20.21

CAUSE NUMBER 3191  
Audit No. 3.

Distribution to Residuary Devisees continued:

Children of Josiah Rhodes, brother of  
Testator who predeceased later;

To Nora Appleford is distributed 1/63 of said balance, to wit;	
the sum of .....	\$11.23
To Milton Rhodes is distributed 1/63 of said balance, to wit;	
the sum of .....	11.23
To Tilghman Rhodes is distributed 1/63 of said balance, to wit;	
the sum of .....	11.23
To Lillian Dickerson is distributed 1/63 of said balance, to wit;	
the sum of .....	11.23
To Stella Rhodes is distributed 1/63 of said balance, to wit;	
the sum of .....	11.23
To Avis Rhodes is distributed 1/63 of said balance, to wit;	
the sum of .....	11.23
To Blanche Bradley is distributed 1/63 of said balance, to wit;	
the sum of .....	11.23
To Harry Rhodes is distributed 1/63 of said balance, to wit;	
the sum of .....	11.23
To Arthur Rhodes is distributed 1/63 of said balance, to wit;	
the sum of .....	11.23

Martha Magdelene Durney  
Testator's sister who died after him:

To the executors of the last will and testament of Martha Magelene Durney is distributed 1/7 of said balance, to wit: the sum of .....	\$101.05
Total amount distributed above is the sum of .....	\$707.38
Amount brought forward for distribution from page 3 .....	\$707.38

Balance.  
October 25, 1944.

Filed Oct. 31, 1944.

MADISON BROWN  
Auditor

.....  
NISI RATIFICATION OF AUDIT  
Filed Oct. 31, 1944.

NISI RATIFICATION OF AUDIT

Charles Rhodes, et al.,

IN THE CIRCUIT COURT FOR

vs.

QUEEN ANNE'S COUNTY, IN EQUITY.

Edward W. Rhodes, et al.

Cause No. 3191

ORDERED, This 31st day of October in the year nineteen hundred and forty four, that the Report and Account filed in these proceedings by Madison Brown, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 24th day of November, 1944; provided a copy of this order be published once a week in each of two successive weeks before the 17th day of November, 1944, in some newspaper printed and published in Queen Anne's County.

Filed October 31, 1944.

A. SYDNEY GADD JR. Clerk

.....  
CERTIFICATE OF NISI RATIFICATION OF AUDIT  
Filed Dec. 15, 1944.

NISI RATIFICATION OF AUDIT

Charles Rhodes, et al.,

In the Circuit Court for Queen

vs.

Anne's County, In Equity.

Edward W. Rhodes, et al.

Cause No. 3191

ORDERED this 31st day of October in the year nineteen hundred and fourty-four, that the Report and account filed in these proceedings by Madison Brown, Auditor, be ratified and confirmed, unless cause to the contrary be shown on or before the 24th day of November, 1944, provided a copy of this order be published once a week in each of two successive weeks before the 17th day of November 1944, in some newspaper printed and published in Queen Anne's County.

Filed October 31, 1944.

A. SYDNEY GADD JR. Clerk

True Copy  
Test:

A. SYDNEY GADD JR. Clerk



QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. December 15th 1944.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Nisi Ratification of Audit in the case/estate of Charles Rhodes, et al. vs. Edward W. Rhodes, et al. In The Circuit Court for Queen Anne's County, In Equity Cause No. 3191 a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD OBSERVER, a weekly newspaper printed and published at Centreville, in Queen Anne's County, Maryland, once a week for two successive weeks before the 17th day of November, 1944, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD - OBSERVER was on the 2nd day of November 1944, and the last insertion on the 9th day of November, 1944.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY  
By John H. Price.

Filed Dec. 15, 1944.

.....  
FINAL ORDER OF RATIFICATION  
Filed December 16, 1944.

FINAL ORDER OF RATIFICATION

ORDERED, This 16th day of December, 1944, by the Circuit Court for Queen Anne's County, in Equity, that the Report and Account filed in these proceedings by Madison Brown, Auditor, be and the same is hereby finally ratified and confirmed, no cause to the contrary thereof having been shown although notice appears to have been given as required by the preceding Order Nisi; and the Trustees are directed to apply the proceeds accordingly, with a due proportion of interest, as the same has been or may be received.

WM. R. HORNEY  
Judge.

Filed December 16, 1944.

