

C A U S E N U M B E R 3469

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 January, in the year nineteen hundred and forty six, the following BILL OF COMPLAINT was filed for record, to wit:

MARGARET D. McKENNEY,  
MARIA M. McKENNEY and  
JOHN McKENNEY,  
Complainants,

vs.

WILLIAM McKENNEY, 3rd,  
MARJORIE L. McKENNEY, his wife,  
JAYNE McK. MEREDITH,  
G. GIBSON MEREDITH, her husband,  
MARJORIE McK. SLAYSMAN, and  
CLARENCE L. SLAYSMAN, her husband,  
and DONALD GIBSON MEREDITH, infant,  
Defendants.

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

Cause No. 3469

BILL OF COMPLAINT.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Orators, complaining, say:

1. That William McKenney, 2nd, late of Queen Anne's County, State of Maryland, departed this life on the 4th day of June, 1921, leaving a last will and testament bearing date the 30th day of November, 1911, which said last will and testament was duly admitted to probate by the Orphans' Court of Queen Anne's County on June 14, 1921, and recorded among the will records of said County in Liber W. T. B. No. 1, folios 240, etc., a certified copy of which said last will and testament and probate thereof, marked "Exhibit A" is filed herewith and hereby made a part hereof.

2. That in accordance with the direction contained in Item 2 of the aforesaid last will and testament, proceedings were had in this Court for the division and allotment of the estate of said William McKenney, 2nd, entitled "Margaret D. McKenney, et al., Plaintiffs vs. William McKenney, 3rd, et al., Defendants," being Cause No. 2463 on the Chancery Docket of this Court; and that on September 26, 1924, a final decree of partition was passed by this Court in said cause, a certified copy of that portion of said final decree of partition which is pertinent to this Bill of Complaint, marked "Exhibit B", being filed herewith and hereby made a part hereof.

3. That as will appear by reference to the said "Exhibit B", a tract of land known as "The Nicholson Farm", containing 259.146 acres of land, more or less, and designated as Parcel No. 7 in the Report and Return of the Commissioners appointed by this Court in said Cause No. 2463 by decree dated March 24, 1924, was allotted unto Margaret D. McKenney, for and during the term of her natural life and no longer, with remainder in fee simple to the children of said William McKenney, 2nd, living at the time of the death of the said Margaret D. McKenney, in equal proportion, the issue of any deceased child to take the part the parent would take if living.

4. That the parties to this suit are all the parties in being who are entitled to any interest in the said "Nicholson Farm", the interest of each said party being derived as follows, that is to say:

a. Margaret D. McKenney, one of your orators, is the widow of William McKenney, 2nd, an adult, and the life tenant in said real estate as aforesaid.

b. Maria M. McKenney, one of your orators, is a child of William McKenney, 2nd, single, and an adult.

c. John McKenney, one of your orators, is a child of William McKenney, 2nd, single, and an adult.

d. William McKenney, 3rd, one of the Defendants, is a child of William McKenney, 2nd, an adult, and Marjorie L. McKenney, one of the Defendants, an adult, is his wife.

e. Jayne McK. Meredith, one of the Defendants, is a child of said William McKenney, 3rd, an adult, and G. Gibson Meredith, one of the Defendants, an adult, is her husband, and Donald Gibson Meredith, one of the Defendants, is the infant son of said two last named Defendants.

f. Marjorie McK. Slaysman, one of the Defendants, is a child of said William McKenney, 3rd, an adult, and Clarence L. Slaysman, one of the Defendants, an adult, is her husband.

5. That a more particular description of said "Nicholson Farm" is as follows, to wit:

ALL that tract of land or farm known as the "Nicholson Farm", "Welsh Ridge", or by whatsoever name or names the same may be called or known, situate, lying and being in the Third Election District of Queen Anne's County, in the State of Maryland, on the south side of the public road leading from Centreville to Starr, adjoining the "Peters' Farm", formerly of the elder William McKenney, deceased (and later a part of the Trust Estate of Maria M. McKenney), and the lands formerly of William J. Price, Thomas R. L. Price, Clayton Wright and Lizzie Frazier, and contained with the following metes and bounds, courses and distances, according to a plat and certificate of survey

thereof made by S. Chester Coursey, Surveyor, dated July 1, 1915, and made a part of the Report and Return of the commissioners appointed to divide and allot the real estate of the said William McKenney, deceased, in a cause in this Court entitled "William McKenney, et al., vs. Maria M. McKenney, et al.", and being Cause No. 2120 on the Chancery Docket of said Court, to wit: "Beginning at the northwest corner of the farm along the Clayton Wright farm a distance of 48.36 rods from the beginning stone of the Clayton Wright farm and also a corner for the W. J. Price farm and running with the Price farm South sixty-eight (68) degrees fifteen (15) minutes East two hundred twenty-four (224) rods to the public road at the bend and in front of the gate leading into this farm; thence with the North side of the public road South sixty-four (64) degrees fifteen (15) minutes East fifty-three and four-tenths (53.4) rods to a stake where a stone is to be placed, (on the opposite side of the road is a pine tree and stone, a corner for Lizzie Frazier); thence with the Frazier lot South two (2) degrees forty-five (45) minutes West one hundred twelve and four-tenths (112.4) rods to a stake and stone along the Peters line and a corner for Lizzie Frazier; thence with the Peters line North eighty-six (86) degrees forty-five (45) minutes West two hundred fifty-nine and six-tenths (259.6) rods to T. R. L. Price's land and a corner for the Peters farm; thence with the Price and Wright land, North two (2) degrees forty-five minutes (45) East two hundred three and five-tenths (203.5) rods to the place of beginning, containing 259.146 acres of land."

6. That one John Cannon, of Centreville, Queen Anne's County, Maryland, has made a written offer unto your orators and one of the Defendants in this suit, to purchase the aforesaid property known as the "Nicholson Farm" for the sum of Twenty-One Thousand Dollars (\$21,000.00), which said written offer, marked "EXhibit C", is filed herewith and hereby made a part hereof.

7. That your orators deem it advisable to make said sale of said property known as the "Nicholson Farm" to the said John Cannon, at and for the sum of Twenty-One Thousand Dollars (\$21,000.00), as said offer is a very good offer for said property and it would be advantageous to all the parties to this Cause to sell the said land, and to invest the proceeds thereof in some productive fund or funds for their benefit.

8. That your orators are advised that they are entitled to make application to this Honorable Court by virtue of the provisions of Section 252 of Article 16 of the Annotated Code of the Public General Laws of Maryland, 1939 Edition, for a decree for a sale of said real estate if it shall appear to be advantageous to the parties concerned.

9. That this Honorable Court, upon the sale of said real estate, direct the investment of the proceeds of sale so as to enure in like manner as by the said last will and testament of William McKenney 2nd, to the use of the same parties who would be entitled to the land so sold by virtue of the provisions of the said last will and testament of William McKenney, 2nd, aforesaid.

10. That the said William McKenney, 3rd, and Marjorie L. McKenney, his wife, are residents of Queen Anne's County, State of Maryland.

11. That the said Jayne McK. Meredith and G. Gibson Meredith, her husband, are residents of Harford County, State of Maryland, as is their infant son, Donald Gibson Meredith.

12. That the said Marjorie McK. Slaysman and Clarence L. Slaysman, her husband, are residents of Baltimore City, State of Maryland.

TO THE END, THEREFORE:

1. That the said real estate may be sold, and the proceeds thereof reinvested under the authority of this Court.

2. That a Trustee may be appointed by this Honorable Court to sell and convey the hereinabove described property and premises known as the "Nicholson Farm" unto said John Cannon, after the payment in full of said purchase price, by a good and sufficient deed conveying the fee simple title of, in and to said tract of land or farm free, clear and discharged of and from the rights of all the parties to this Bill of Complaint.

3. That said Trustee may be vested with the power and authority to collect and receive said purchase money and bring the same into this Honorable Court for distribution under its order and direction.

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 said William McKenney, 3rd and Marjorie L. McKenney, directed to the Sheriff of Queen Anne's County; against the said Jayne McK. Meredith and G. Gibson Meredith, directed to the Sheriff of Harford County; and against the said Marjorie McK. Slaysman and Clarence L. Slaysman, directed to the Sheriff of Baltimore City, 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.,

GIBSON AND WOOD

By WILLIAM McK. GIBSON  
Solicitors for Complainants

MARGARET D. McKENNEY  
Margaret D. McKenney.

MARIA M. McKENNEY  
Maria M. McKenney.

JOHN McKENNEY  
John McKenney.

Complainants.

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

I HEREBY CERTIFY that on this 21st. day of January, 1946, before me the subscriber, the Clerk of the Circuit Court for Queen Anne's County, Maryland, personally appeared Margaret D. McKenney, Maria M. McKenney and John McKenney, Complainants in the cause, and each made oath that the matters and facts stated in the foregoing BILL OF COMPLAINT are true and bona fide to the best of his or her knowledge and belief.

A. SYDNEY GADD, JR.

Filed Jan. 29th, 1946.

Clerk of the Circuit Court.

EXHIBIT A  
Filed Jan. 29, 1946.

I, William McKenney of Queen Anne's County, State of Maryland, do make, publish and declare this to be my Last Will and Testament, that is to say:

After the payment of my just debts and funeral expenses, I do give, devise and bequeath my estate and property real, personal and mixed, as follows:

ITEM 1. I do give and devise unto my wife, Margaret D. McKenney, should she survive me, an equal proportion of all my estate and property with the proportion my children shall receive under the provisions of this Will; said proportion, however, to be held by and enjoyed by my said wife for and during the term of her natural life and no longer, and from and after her death such proportion shall be equally divided, distributed and paid over to my children living at the time of her death, in equal proportions, the issue of any deceased child to take the part of which the parent would be entitled if living: should my wife predecease me nothing shall pass to my children under this clause.

ITEM 2. All the rest, residue and remainder of my estate and property real, personal and mixed I do give, devise and bequeath unto my children, to be held in trust, however, for the following purposes, and upon the following trusts, that is to say: I do will and direct that the same shall be divided and allotted to my children living at the time of my death in equal proportion each, and that said respective allotments shall be held in trust for my respective children by a trustee or trustees to be appointed by the Circuit Court for Queen Anne's County, in Equity, for that purpose.

I do will and direct that the trustee or trustees of my respective children shall have, hold, manage, invest, and re-invest the several trust estates received by said trustee or trustees, and shall pay over, semi-annually, the net rents, profits, issues and income to the cestui que trust personally during the continuance of the trust estate and the said trustee is authorized and directed to pay over one fourth of the principal of the trust estate to his or her cestui que trust upon his or her arrival at the age of twenty one years, and is further authorized to pay over to the cestui que trust an additional one fourth at his or her arrival at the age of thirty years, and the remainder of the estate, remaining in the hands of the trustee after the payments as aforesaid, shall remain in trust during the remainder of the life of the cestui que trust who shall receive the rents, profits, issues and income for and during the term of his or her natural life: at the death of the cestui que trust the trustee shall pay over and convey the trust estate remaining in the hands of the trustee to the issue of the cestui que trust if there be issue and if there be no issue, then and in that event, to the survivor or survivors of my children; should any of my children predecease me and leave issue living at the time of his or her death, the issue shall receive the part to which the parent would be entitled if living, free, clear and discharge of any trust. The division and allotment of my estate to be made by a commission of three male citizens of Queen Anne's County, to be appointed by the Circuit Court for Queen Anne's County, in Equity, upon the petition of any person interested in the distribution and allotment of my estate: the division to be reported to said Court for its rejection or confirmation.

ITEM 3. I do authorize the trustee or trustees, to be appointed to carry out the provisions of this Will, to make sale of any portion of the trust estate held by such trustee to enable him to carry into effect the provisions of this Will in reference to the payments to his cestui que trust, or to make sale under an order of the Circuit Court for Queen Anne's County, in Equity, if, upon proof, a sale will be for the interest and advantage of the trust estate and the proceeds, in the event of sale for the interest and advantage of the trust estate, shall remain subject to all the provisions of my Will in reference to the original trust.

ITEM 4. I do hereby revoke all other Wills and Testaments and Codicils heretofore made by me and do hereby constitute and appoint my wife, Margaret D. McKenney, and Thomas J. Keating to be the executors of this my Last Will and Testament.

ITEM 5. I do will and direct that the provisions of this Will shall apply to all my individual property and estate and to all property and estate over which I have the power of disposition by and under the terms of the Last Will and Testament of my deceased father, William McKenney, bearing date the twelfth day of May, in the year eighteen hundred and eighty three, and all Codicils to said Last Will and Testament, all of which have been duly admitted to probate by the Orphans' Court for Queen Anne's County, Maryland, and are now of record in the office of the Register of Wills for Queen Anne's County, Maryland, in Liber F. R. No.-2, folio 29&c., a Will Record Book for Queen Anne's County, Maryland; and I do hereby execute the power of disposition given me in said Last Will and Testament and all Codicils thereto as aforesaid.

In testimony whereof I have hereunto subscribed my name and affixed my seal this thirtieth day of November, in the year nineteen hundred and eleven.

Wm McKenney (SEAL).

Signed, sealed and delivered by the above named Testator, William McKenney, 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 their names as witnesses thereto.

William L. Holton

Henry T. Deaver

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

On the fifteenth day of June A.D. 1921 came William McKenney Jr. Custodian of the within and foregoing instrument of writing, purporting to be the last will and testament of William McKenney 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 hand and possession, and that he does not know nor has he heard of any other and that he received the same from safe of William McKenney, deceased, on or about the eighth day of June A.D. 1921.

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 fifteenth day of June 1921 came William L. Holton and Henry T. Deaver, subscribing witnesses to the foregoing last Will and Testament of William McKenney 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 apprehension, of sound and disposing mind, memory and understanding, and that they together 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, SCT:  
IN THE ORPHANS' COURT  
FOR QUEEN ANNE'S COUNTY:

The foregoing Instrument of Writing, purporting to be the last Will and Testament of William McKenney 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 fourteenth day of June A.D., 1921, that the same be admitted in this Court as the true and genuine last Will and Testament of the said William McKenney deceased.

W. Hopper Gibson

John R. Benton

Chas E Cannon

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

COMPLAINANTS' Exhibit "B"  
Filed Jan. 29, 1946.

EXCERPT FROM FINAL DECREE OF PARTITION

Margaret D. McKenney,  
widow, of William McKenney, deceased and  
Maria M. McKenney by  
her next friend, Margaret D. McKenney,  
Plaintiffs,

vs

William McKenney, third,  
Marjorie McKenney, infant  
Jane McKenney, infant and  
John McKenney,  
Defendants.

In the Circuit Court

for

Queen Anne's County

In Equity

Cause No. 2463

And it is further adjudged, ordered and decreed that Margaret D. McKenney shall hold in severalty, and not jointly or in common with the other parties to this suit for and during the term of her natural life and no longer, all the following described parcels of real estate and personal property which are allotted to the said Margaret D. McKenney for and during the term of her natural life, and no longer in "Division and Allotment No. 1" in the said Report and Return of the said commissioners, to wit:-

Parcel No. 13 - "McKenney Home Place"

Parcel No. 7 - "The Nicholson Farm" containing two hundred and fifty

nine acres and one hundred and forty six one thousandths of an acre of land, more or less.

The sum of four hundred and eight dollars and seventy five cents (\$408.75) in cash.

And that from and after the death of the said Margaret D. McKenney the aforesaid real estate and personal property is to be distributed and paid over to the children of the said William McKenney, second, living at the time of the death of the said Margaret D. McKenney, in equal proportion, the issue of any deceased child to take the part the parent would take if living.

WM. H. ADKINS

STATE OF MARYLAND,  
QUEEN ANNE'S COUNTY, to wit:

I HEREBY CERTIFY that the foregoing is truly taken and copied from the final Order of the Ratification of the Report and Return of Commissioners filed in the above entitled cause on the 27th. day of September, 1924, and now remaining on file in this office.

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 5th. day of January, in the year nineteen hundred and forty six.

A. SYDNEY GADD, JR.  
Clerk

COMPLAINANTS' EXHIBIT C  
Filed Jan. 29, 1946.

Centreville, Maryland.  
January 19, 1946.

To Margaret D. McKenney, life tenant, William McKenney, 3rd, John McKenney and Maria McKenney, remaindermen:

I, John Cannon, of Centreville, Queen Anne's County, Maryland, do hereby offer the sum of Twenty-One Thousand Dollars (\$21,000.00) for the farm or tract of land known as "The Nicholson Farm", situate on the south side of the public road leading from Centreville to Starr in the Third Election District of Queen Anne's County, Maryland, adjoining the "Peter's Farm", formerly of the Trust Estate of Maria M. McKenney, and the lands formerly of William J. Price, Thomas R. L. Price, Clayton Wright and Lizzie Frazier, containing 259.146 acres of land, more or less, and designated as "Parcel No.7" in the Report and Return of the Commissioners appointed by the Circuit Court for Queen Anne's County, in Equity, in a cause in said Court entitled "Margaret D. McKenney, et al., Plaintiffs, vs. William McKenney, 3rd, et al., Defendants", being Cause No. 2463 on the Chancery Docket of said Court.

This offer is conditional upon the final ratification of such sale to me by the Circuit Court for Queen Anne's County, in Equity, pursuant to the institution of proper proceedings in said Court for the purpose of procuring a decree of sale of the aforesaid property to me. After such proceedings are in fact instituted, however, I do hereby agree to pay unto a Trustee appointed by said Court in said proceedings the sum of Two Thousand One Hundred Dollars (\$2,100.00) as a down payment, to be held by him pending such final ratification.

In connection with said offer, I do hereby agree to pay all taxes on said real estate from the time of the delivery to me by said Trustee of a good and sufficient fee-simple deed, containing the usual covenants and warranties (special, but not general), to the aforesaid property, and to pay also the cost of examining the title to said property and the cost of preparation of said deed, as well as all recording costs, recordation and documentary stamps, notary fees and other charges incident to said conveyance; upon the express understanding, however, that all costs of the aforesaid proceedings instituted to obtain a decree for the sale of said property shall be borne by the persons presently entitled to said real estate, and shall accordingly be deducted from the proceeds of sale by said Trustee.

Witness:

JOHN CANNON  
John Cannon

HOWARD WOOD, 3rd

SUBPOENA FOR RESPONDENTS TO  
APPEAR AND ANSWER  
Filed Jan. 30, 1946.

Queen Anne's County, to wit:

The State of Maryland

Seal  
TO Place.

William McKenney, 3rd. and Marjorie L. McKenney,

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 Margaret D. McKenney, Maria M. McKenney and ~~John McKenney~~ against you in said court exhibited.

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

WITNESS, The Honorable J. Owen Knotts, Chief Judge of our said Court,

the First Monday of January 1946 Issued the Twenty Ninth day of January 1946

A. SYDNEY GADD JR. Clerk

Gibson and Wood  
Solicitors 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 Subpoena is thus endorsed, to wit:  
Summons William McKenney, 3rd and Marjorie L. McKenney and copy left -  
January 30 - 1946 LOUIS B. PERKINS  
Sheriff.

Filed Jan. 30th, 1946.

SUBPOENA FOR RESPONDENTS TO  
APPEAR AND ANSWER.  
Filed Feb. 5th, 1946.

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

TO Seal  
Place. Jayne McK. Meredith and G. Gibson Meredith

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 February next, to answer the complaint of Margaret D. McKenney, Maria M. McKenney and against you in said court exhibited.

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

WITNESS, The Honorable J. Owne Knotts, Chief Judge of our said Court,  
the First Monday of January 1946 Issued the Twenty Ninth day of January 1946.

A. SYDNEY GADD, JR. Clerk

Gibson and Wood

Solicitors 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 Subpoena is thus endorsed, to wit:  
January 31, 1946  
Summoned and a copy of Subpoena left with each.

CHARLES T. STEPHENS  
Sheriff

SUBPOENA FOR RESPONDENTS TO  
APPEAR AND ANSWER  
Filed Feb. 5th, 1946.

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

Seal  
TO Place.

Marjorie McK. Slaysman and Clarence L. Slaysman

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 Margaret D. McKenney, Maria M. McKenney and John McKenney against you in said court exhibited.

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

WITNESS, The Honorable J. Owen Knotts, Chief Judge of our said Court,  
the First Monday of January 1946 Issued the Twenty Ninth day of January 1946.

A. SYDNEY GADD JR. Clerk

Gibson and Wood

Solicitors 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 Subpoena is thus endorsed, to wit:  
Non Sunt. Joseph C. Deegan Sheriff  
Filed Feb. 5th, 1946.

SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
Filed Feb. 22nd. 1946.

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

Seal  
TO Place.

Marjorie McK. Slaysman and Clarence L. Slaysman

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 Centre-bille, in said County, on the First Monday of March next, to answer the complaint of Margaret D. McKenney, Maria M. McKenney and John McKenney against you in said court exhibited.

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

WITNESS, The Honorable J. Owen Knotts, Chief Judge of our said Court, the First Monday of February 1946 Issued the Ninth day of February 1946.

Gibson and Wood  
Solicitors 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 March next, being the Return Day.

A. SYDNEY GADD JR. Clerk.

And on the back of the foregoing Subpoena is thus endorsed, to wit:  
Summoned Ambo and a copy of the Process left with each defendant.

Joseph C. Deegan  
Sheriff

2/20/46.

PETITION FOR ADDITION OF NEWBORN INFANT  
AS PARTY DEFENDANT AND FOR APPOINTMENT OF  
GUARDIAN AD LITEM AND ORDER OF COURT THEREON.  
Filed April 24, 1946.

MARGARET D. MCKENNEY, ET AL.,

COMPLAINANTS,

VS.

WILLIAM MCKENNEY, 3rd, ET AL.,

DEFENDANTS.

In the Circuit Court for

Queen Anne's County

in Equity.

Cause No. 3469

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Margaret D. McKenney, Maria M. McKenney and John McKenney, unto your Honors, respectfully shows:

1. That your petitioners are the only complainants in the Bill of Complaint filed in this cause on the 29th day of January, 1946, in which William McKenney, 3rd, Marjorie L. McKenney, his wife, Jayne McK. Meredith, G. Gibson Meredith, her husband, Marjorie McK. Slaysman and Clarence L. Slaysman, her husband, are the defendants.

2. That as will appear by reference to said Bill of Complaint, your petitioners have alleged, in Paragraph No. 4 thereof, that the parties to this suit are all the parties in being who are entitled to any interest in the real estate prayed to be sold.

3. That since the filing of said Bill of Complaint, to wit, on the 8th day of February, 1946, a son, Donald Gibson Meredith, was born unto the said Jayne McK. Meredith and G. Gibson Meredith, her husband.

4. That your petitioners deem it advantageous to said infant to sell the said land and invest the proceeds thereof as prayed in said Bill of Complaint; and are advised that it will be necessary to amend the said Bill of Complaint by the addition of said infant, Donald Gibson Meredith as one of the Defendants in this cause, in order to obtain this Honorable Court's ratification of the sale therein prayed.

5. That, to the same ends, your petitioners are advised that Paragraph No. 4, subparagraph "e" of said Bill should be amended by the addition at the end thereof of the following words: "and Donald Gibson Meredith, one of the Defendants, is the infant son of said two last named Defendants;" and your petitioners are further advised that Paragraph No. 11 should be amended by the addition at the end thereof of the following words: "as is their infant son, Donald Gibson Meredith."

6. That your petitioners are advised that the prayer for process contained in said Bill should be amended by the addition therein, following the name "G. Gibson Meredith," of the name "Donald Gibson Meredith," to the end that said infant may be duly served with process as one of the Defendants in this cause.

7. That no legal guardian has ever been appointed as guardian to said infant by any court; and that your petitioners are further advised that because of the infancy of said Donald Gibson Meredith it is necessary that a Guardian Ad Litem be appointed

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by this Honorable Court to answer and defend this suit for the said infant following the due service of a writ of subpoena issued against said infant and after the due return of said writ, properly endorsed.

Your Petitioners, therefore, pray this Honorable Court to pass an order (1) granting leave to your petitioners to amend said Bill of Complaint by interlineation in the manner and in accordance with the facts herein stated, thereby granting the writ of subpoena against the said Donald Gibson Meredith, infant, directed to the Sheriff of Harford County, and (2) appointing some suitable person within the jurisdiction of this Court Guardian Ad Litem for the said Donald Gibson Meredith, infant, with instructions to said Guardian Ad Litem, upon the due return of the writ of subpoena abovementioned, properly endorsed, to answer and defend the said suit for said infant.

AND as in duty bound, etc.,

MARGARET D. MCKENNEY  
Margaret D. McKenney.

MARIA M. MCKENNEY  
Maria M. McKenney.

JOHN MCKENNEY  
John McKenney.

ORDER OF COURT

The foregoing Petition having been read and considered, IT IS ADJUDGED, ORDERED and DECREED, this 26th day of April, in the year nineteen hundred and forty-six, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that Margaret D. McKenney, Maria M. McKenney and John McKenney, the within named petitioners, by and they are hereby granted leave to amend the Bill of Complaint filed by them in this cause on the 29th day of January, 1946, by interlineation, in the manner therein stated, thereby conforming their said Bill with the matters and facts set forth in this Petition; and it is further ORDERED that Caroline T. Wilson, of Queen Anne's County, State of Maryland, be and she is hereby appointed Guardian Ad Litem of Donald Gibson Meredith, infant, with instructions to her, upon the due return of the writ of subpoena, properly endorsed as served according to law, which shall be issued by the Clerk of this Court against said infant as prayed, to answer and defend the suit instituted against the said infant by the Bill of Complaint so filed and amended in the above entitled cause.

Filed April 26th, 1946.

WM. R. HORNEY  
Judge

SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER.  
Filed May 4th, 1946.

CLERK'S NOTE -

Received 27th day of April 1946 and forthwith delivered to the Sheriff of Harford County.

Test: Granville C. Boyle,  
Clerk

Queen Anne's County, to wit:

The State of Maryland

TO Seal  
Place.

Donald Gibson Meredith

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 May next, to answer the complaint of Margaret D. McKenney, et al. against you in said court exhibited.

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

WITNESS, The Honorable J. Owen Knotts, Chief Judge of our said Court, the First Monday of April 1946. Issued the Twenty Sixth day of April 1946.

A. SYDNEY GADD, JR. Clerk

Gibson & Wood  
Solicitors 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.

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

Served by reading to Defendant, and copies left with Defendant and with Jayne McK. Meredith, mother of Defendant, with whom he resides.

CHARLES T. STEPHENS  
Sheriff of Harford Co.

May 1, 1946

Served by reading to Defendant, and copies left with with Defendant and with Jayne McK. Meredith, Mother of Defendant, with whom he resides.

Filed May 4th, 1946.

CHARLES T. STEPHENS  
Sheriff



ANSWER OF INFANT BY  
GUARDIAN AD LITEM.  
Filed May 6, 1946.

MARGARET D. MCKENNEY,  
MARIA M. MCKENNEY and  
JOHN MCKENNEY,  
Plaintiffs,

vs.

WILLIAM MCKENNEY, 3rd, et al.,  
Defendants.

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

Cause No. 3469

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The answer of Donald Gibson Meredith, infant under the age of twenty-one years, by Caroline T. Wilson, his Guardian Ad Litem, to the Bill of Complaint of Margaret D. McKenney, Maria M. McKenney and John McKenney exhibited against him 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 an infant of tender years, submits his rights to the protection of this Honorable Court.

CAROLINE T. WILSON  
Guardian Ad Litem.

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

I HEREBY CERTIFY that on this 6th day of May, 1946, before me the subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared Caroline T. Wilson, the abovenamed Guardian Ad Litem for Donald Gibson Meredith, infant, 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.

Filed May 6, 1946.

A. SYDNEY GADD, JR.  
Clerk of the Circuit Court.

ORDER FOR APPEARANCE  
Filed June 7th, 1946.

MARGARET D. MCKENNEY,  
MARIA M. MCKENNEY and  
JOHN MCKENNEY,  
Plaintiffs,

vs.

WILLIAM MCKENNEY, 3rd, et al.,  
Defendants.

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

Cause No. 3469.

Mr. A. Sydney Gadd Jr., Clerk:

You will please enter my appearance as attorney for the defendants in the above entitled cause.

HARRY C. BUTLER

ANSWER OF ALL ADULT DEFENDANTS  
Filed June 7, 1946.

MARGARET D. MCKENNEY,  
MARIA M. MCKENNEY and  
JOHN MCKENNEY,  
Plaintiffs,

vs.

WILLIAM MCKENNEY, 3rd, et al.,  
Defendants.

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

Cause No. \_\_\_\_\_

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The answer of William McKenney, 3rd, Marjorie L. McKenney, his wife, Jayne McK. Meredith, G. Gibson Meredith, her husband, Marjorie McK. Slaysman, and Clarence L. Slaysman, her husband, to the Bill of Complaint of Margaret D. McKenney, Maria M. McKenney and John McKenney against them and Donald Gibson Meredith, infant, in the 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 premise.

And as in duty bound, etc.,

WILLIAM MCKENNEY, 3rd.  
William McKenney, 3rd.

MARJORIE L. MCKENNEY  
Marjorie L. McKenney.

JAYNE MCK. MEREDITH  
Jayne McK. Meredith

G. GIBSON MEREDITH  
G. Gibson Meredith

MARJORIE MCK. SLAYSMAN  
Marjorie McK. Slaysman.

CLARENCE L. SLAYSMAN  
Clarence L. Slaysman

HARRY C. BUTLER  
Solicitor for Defendants.

DEPOSITIONS  
Filed June 21, 1946.

MARGARET D. MCKENNEY,  
MARIA M. MCKENNEY and  
JOHN MCKENNEY,  
Complainants,

vs.

WILLIAM MCKENNEY, 3rd,  
MARJORIE L. MCKENNEY, his wife,  
JAYNE MCK. MEREDITH,  
G. GIBSON MEREDITH, her husband,  
MARJORIE MCK. SLAYSMAN, and  
CLARENCE L. SLAYSMAN, her husband,  
and DONALD GIBSON MEREDITH, infant,  
Defendants.

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

Cause No. 3469.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

One of the solicitors for the Plaintiffs, Howard Wood 3rd, having notified the subscriber, one of the regular examiners for this Honorable Court, of his desire to take testimony in this case, your examiner did attend on the 17th day of June, 1946, in the law office of Gibson and Wood, in the town of Centreville, Queen Anne's County, Maryland, at the hour of 9:00 o'clock A. M., there being present Frank W. Benton, Ralph C. Baynard, two witnesses called by the plaintiffs, John McKenney, one of the plaintiffs in this cause, Howard Wood, 3rd, one of the Solicitors for the plaintiffs, Harry C. Butler, Esq., Solicitor for all of the adult defendants, and Caroline T. Wilson, guardian ad litem of Donald Gibson Meredith, infant, defendant, and proceeded to take the following testimony, to wit:

Frank W. Benton, the first witness of lawful age, having been duly sworn, deposes and says:

- Q. 1. Please state your name, age residence and occupation.
- A. Frank W. Benton, 62, I live on a farm near Centreville, farmer.
- Q. 2. Do you know the farm known as "The Nicholson Farm" situate in the Third Election District of Queen Anne's County, Maryland?
- A. Yes, I do.
- Q. 3. About what size farm is it?
- A. Approximately 225 acres cleared land.
- Q. John Cannon, of Centreville, Maryland, has offered to purchase this farm from its present owners for the sum of \$21,000.00. Do you regard this as a fair and reasonable price for this farm?
- A. I would think so.
- Q. 5. Would it, in your opinion, be advantageous to the parties now owning this farm to sell it to John Cannon for the sum of \$21,000.00?
- A. If the other parties want to sell I would consider it a fair price.
- Q. 6. Do you consider that price is as much as this farm would bring at public sale?
- A. I consider it a fair price.

EXAMINER'S SPECIAL

As far as I know the price of \$21,000.00 is a fair value for the farm.

FRANK W. BENTON

Ralph C. Baynard, the second witness of lawful age, having been duly sworn, deposes and says:

- Q. 1. Please state your name, age, residence and occupation.
- A. Ralph C. Baynard, 59, near Centreville, Maryland, farmer.
- Q. 2. Do you know the farm known as "The Nicholson Farm" situate in the Third Election District of Queen Anne's County, Maryland?
- A. Yes, I do.
- Q. 3. About what size farm is it?
- A. I know that it is over 200 acres.
- Q. 4. John Cannon, of Centreville, Maryland, has offered to purchase this farm from its present owners for the sum of \$21,000.00. Do you regard this as a fair and reasonable price for this farm?
- A. I do.
- Q. 5. Would it, in your opinion, be advantageous to the parties now owning this farm to sell it to John Cannon for the sum of \$21,000.00?
- A. Since the sellers are not in a position to till the land I think it is a very fair price and would be to their advantage to sell.
- Q. 6. Do you consider that price is as much as this farm would bring at public sale?
- A. I don't believe it would bring any more than \$21,000.00.
- EXAMINER'S SPECIAL  
No. RALPH C. BAYNARD

John McKenney, the third witness of lawful age produced on the part of the Plaintiffs, being duly sworn and examined, did depose and say:

- Q. 1. State your name, age, residence and occupation.
- A. John McKenney, 46, Centreville, Maryland, farmer.
- Q. 2. Are you one of the Plaintiffs in this case?
- A. I am.
- Q. 3. Did you know the late William McKenney, 2nd, in his lifetime?
- A. Yes, he was my father.
- Q. 4. When did he die?
- A. June 4, 1921.
- Q. 5. Did he leave a last will and testament?
- A. Yes, he did.
- Q. 6. Mr. McKenney, I hand you a paper marked "Exhibit A". Will you please look at it and state what is it?
- A. It is a certified copy of the last will and testament of my father, the late William McKenney, 2nd, dated November 30, 1911, showing that said will was admitted to probate by the Orphans' Court of Queen Anne's County on June 14, 1921, and recorded among the will records of said County in Liber W. T. B. No. 1, folios 240 etc. (Note: at this point, the said certified copy was offered in evidence, and is marked by your examiner "Examiner's Exhibit A").
- Q. 7. I now hand you a paper marked "Exhibit B." Will you please look at it and state what it is?
- A. It is a certified copy of a portion of the final decree of partition passed on September 26, 1924, by the Circuit Court for Queen Anne's County in Equity in Cause No 2463 on the Chancery Docket of said Court, showing that portion of my Father's estate which was divided and allotted in said proceedings, in accordance with my Father's last will and testament, unto my Mother, for and during the term of her natural life and no longer, with remainder in fee simple to the children of my Father living at the time of my Mother's death, in equal proportion, the issue of any deceased child to take the part the parent would take if living. (Note: at this point, the said certified copy was offered in evidence, and is marked by your examiner "Examiner's Exhibit B").
- Q. 8. Are you familiar with the tract of land, so allotted unto your Mother for life, known as "Parcel No. 7-The Nicholson Farm," containing 259.146 acres of land, more or less?
- A. Yes, I am very familiar with that farm, having acted as my Mother's agent for many years in attending to its management.
- Q. 9. What are the names, ages and places of residence of the persons now living who are entitled to any interest in "The Nicholson Farm"?
- A. Margaret D. McKenney, my mother, age 73, an adult, who resides in Centreville, Queen Anne's County, Maryland, is the life tenant in said farm. The three living children of my father are my sister, Maria M. McKenney, an adult, my half-brother, William McKenney, 3rd, an adult, and myself. All three of us reside in Centreville, Queen Anne's County, Maryland. My sister and I are both unmarried; but my half-brother, William McKenney, 3rd, has a wife, Marjorie L. McKenney, an adult, who resides in Centreville, Queen Anne's County, Maryland, two daughters, Jayne McKenney Meredith, an adult, (whose adult husband is G. Gibson Meredith), and Marjorie McKenney Slaysman, an adult, (whose adult husband is Clarence L. Slays-

man), and one grandchild, Donald Gibson Meredith, infant son of Jayne McK. Meredith and G. Gibson Meredith. I understand that Donald Gibson Meredith was born on February 8, 1946. The Merediths all reside in Belair, Harford County, Maryland, and the Slaysmans reside in Baltimore City, Maryland.

- Q. 10. Are all of the persons you have just named parties of this cause?
- A. Yes. My mother, my sister and I are the Plaintiffs. The other persons I have named as having an interest in "The Nicholson Farm" are the Defendants.
- Q. 11. As you know, John Cannon, of Centreville, Maryland, has made a written offer to your mother, your sister, your half-brother and yourself to purchase "The Nicholson Farm" for the sum of \$21,000.00. I now hand you a paper marked "Exhibit C." Will you please look at it and state what it is?
- A. It is the written offer of which you have just spoken. (Note: at this point, the said written offer was offered in evidence, and marked by your examiner "Examiner's Exhibit C").
- Q. 12. Do you regard the sum of \$21,000.00 as a fair and reasonable price for this farm?
- A. Yes.
- Q. 13. Would it, in your opinion, be advantageous to all the parties owning said farm and interested therein who are now living to obtain the approval and ratification of the Circuit Court for Queen Anne's County in Equity of the sale of said farm to John Cannon for the sum of \$21,000.00?
- A. Yes.
- Q. 14. Have you any reasons, other than your belief that the price is fair and reasonable, for desiring the farm to be sold?
- A. I feel that it would be an advantage to all concerned if the farm is sold now, during a favorable price cycle of agricultural land.

EXAMINER'S SPECIAL.

My Mother is unable to personally administer and supervise her own property and I feel that the principal sum would be better protected and preserved in a type of investment which did not require personal supervision to the extent of the present investment.

JOHN MCKENNEY

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 Examiner now 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 this Cause as follows, to wit:

Richard T. Earle, Examiner .....	\$ 8.00
Frank W. Benton, First Witness.....	.75
Ralph C. Baynard, Second Witness .....	.75
John McKenney, Third Witness, waived his fee .....	.00
Caroline Wilson, Stenographer, for transcribing testimony	5.00
<hr/>	
Total.....	\$ 14.50

RICHARD T. EARLE  
Richard T. Earle.  
EXAMINER

EXAMINER'S EXHIBITS A, B AND C were filed before Examiner 6/17/1946 and filed in Clerk's Office 6/21/1946 and are the same as Complaints' Exhibits A, B and C, recorded immediately following Bill of Complaint.

DECREE  
Filed July 3, 1946.

MARGARET D. MCKENNEY, ET AL.,  
COMPLAINANTS,

VS.

WILLIAM MCKENNEY, 3rd, ET AL.,  
DEFENDANTS.

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

Cause No. 3469

DECREE

The above cause standing ready for hearing, and being submitted without argument, the bill of complaint, exhibits and other proceedings were, by the Court read and considered.

IT IS THEREUPON, on this 3rd day of July, 1946, by the Circuit Court

for Queen Anne's County in Equity, and by the authority of said Court, ADJUDGED, ORDERED and DECREED as follows:

That the real estate mentioned and described in these proceedings as "The Nicholson Farm", which John Cannon has offered to purchase at and for the sum of Twenty-One Thousand Dollars (\$21,000.00), upon the terms set forth in his written offer filed in these proceedings as Exhibit C, be sold unto him, the said John Cannon, for the purpose of applying the proceeds of sale to the purposes intended and in the manner as provided and directed by the Last Will and Testament of William McKenney, 2nd, deceased, and by the decree of this Court filed on September 27, 1924, in a cause entitled Margaret D. McKenney, widow, et al., vs. William McKenney, third, et al., being Cause No. 2463 on the Chancery Docket of said Court, a certified copy of the pertinent portion of which said decree being filed among these proceedings as Exhibit B, it appearing to the Court that a sale of the aforesaid property and the investment of the proceeds thereof will be advantageous to the parties entitled thereto.

That William McK. Gibson, of Queen Anne's County, State of Maryland, be and he is hereby appointed trustee to make said sale, but before he shall proceed to act as such trustee he shall file with the Clerk of this Court a bond to the State of Maryland with corporate surety to be approved by said Clerk in the penalty of Twenty One Thousand Dollars, if corporate surety be given.

That as soon as may be convenient after he has made sale of said property unto said purchaser in accordance with the terms and conditions set forth in the aforesaid Exhibit C, said trustee shall return to this Court a full and particular account of said sale with an affidavit of the truth thereof and of the fairness of said sale.

That upon the final ratification of said sale by this Court after the passage of the usual order nisi thereon and upon the payment of the whole purchase price, and not before, said trustee shall by a good and sufficient deed, to be by him executed and acknowledged agreeable to law, convey to the purchaser the property and estate so sold to him, free, clear and discharged of all claims of the parties to this cause, and of those claiming by, through or under them or any of them.

And that said trustee shall bring into this Court all of the money arising from said sale to be disposed of under the direction of this Court, after deducting therefrom the costs of this proceeding and such commissions to 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, in order that the net proceeds of sale may be invested so as to inure in like manner as by the provisions of the last will and testament of William McKenney, 2nd, deceased, and by the decree of this Court passed in Cause No. 2463 hereinbefore referred to, to the use of the same parties who would be entitled to the land sold, in the manner set forth in said will and decree.

WM. R. HORNEY  
Judge.

Filed July 3, 1946.

CERTIFIED COPY OF BOND  
Filed July 9, 1946.

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Ninth day of July in the year nineteen hundred and forty six, the following Bond was brought to be recorded, to wit:

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

KNOW ALL MEN BY THESE PRESENTS, THAT we, William McK. Gibson, of Queen Anne's County, State of Maryland, as principal, and the UNITED STATES FIDELITY AND GUARANTY 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 Twenty-One Thousand Dollars (\$21,000.00), 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, formally by these presents, sealed with our sealed and dated this 9th day of July, 1946;

WHEREAS, the above bounden William McK. Gibson has been appointed by a decree of the Circuit Court for Queen Anne's County in Equity, passed on the 3rd day of July, 1946, trustee to make sale of the real estate mentioned and described in the cause in said Court entitled "Margaret D. McKenney, et al., Plaintiffs, vs. William McKenney, 3rd, et al., Defendants", being Cause No. 3469 on the Chancery Docket of said Court;

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH that if the above bounden William McK. Gibson do and shall well and faithfully perform and execute the trust reposed in him by said decree, or that may be reposed in him by any future order or decree 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:

CAROLINE T. WILSON

ATTEST:

CAROLINE T. WILSON Corporate Seals Place.

WILLIAM MCK. GIBSON (SEAL)

UNITED STATES FIDELITY AND GUARANTY  
COMPANY

By WILLIAM MCK. GIBSON  
Its Attorney-in-Fact.

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

Security approved and Bond filed July 9, 1946.

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 368 A Bond Record Book for Queen Anne's County.

Seal 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 24th day of July in the year nineteen hundred and forty six.

A. SYDNEY GADD JR.  
Clerk of the Circuit Court.

REPORT OF SALE  
Filed July 9, 1946.

MARGARET D. MCKENNEY, ET AL.,

Complainants,

VS.

WILLIAM MCKENNEY, 3rd, ET AL.,

Defendants.

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

Cause No. 3469.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Sale of the real estate made in this cause by William McK. Gibson, the trustee appointed to make such sale, unto your Honors respectfully shows:

1. That pursuant to the decree of this Honorable Court passed on the 3rd day of July, 1946, your trustee filed in this cause a bond in the penalty of Twenty-One Thousand Dollars (\$21,000.00), with corporate surety thereon, which said bond was duly approved by the Clerk of this Court.

2. That thereupon, pursuant to said decree, your trustee on the 9th day of July, 1946, proceeded in accordance with the terms of the written offer of John Cannon heretofore filed in these proceedings as Exhibit C to sell the tract of land or farm mentioned and described in these proceedings, which is described as follows, to wit:

ALL that tract of land or farm known as the "Nicholson Farm", "Welsh Ridge", or by whatsoever name or names the same may be called or known, situate, lying and being in the Third Election District of Queen Anne's County, in the State of Maryland, on the south side of the public road leading from Centreville to Starr, adjoining the "Peters' Farm", formerly of the elder William McKenney, deceased (and later a part of the Trust Estate of Maria McKenney), and the lands formerly of William J. Price, Thomas R. L. Price, Clayton Wright and Lizzie Frazier, and contained within the following metes and bounds, courses and distances, according to a plat and certificate of survey thereof made by S. Chester Coursey, Surveyor, dated July 1, 1915, and made a part of the Report and Return of the commissioners appointed to divide and allot the real estate of the said William McKenney, deceased, in a cause in this Court entitled "William McKenney, et al., vs. Maria M. McKenney, et al.," and being Cause No. 2120 on the Chancery Docket of said Court, to wit: "Beginning at the northwest corner of the farm along the Clayton Wright farm a distance of 48.36 rods from the beginning stone of the Clayton Wright farm and also a corner for the W. J. Price farm and running with the Price farm South sixty-eight (68) degrees fifteen (15) minutes East two hundred twenty-four (224) rods to the public road at the bend and in front of the gate leading into this farm; thence with the North side of the public road South sixty-four (64) degrees fifteen (15) minutes East fifty-three and four-tenths (53.4) rods to a stake where a stone is to be placed, (on the opposite side of the road is a pine tree and stone, a corner for Lizzie Frazier); thence with the Frazier lot South two (2) degrees forty-five (45) minutes West one hundred twelve and four-tenths (112.4) rods to a stake and stone along the Peters line and a corner for Lizzie Frazier; thence with the Peters line North eighty-six (86) degrees forty-five (45) minutes West two hundred fifty-nine and six-tenths (259.6) rods to T. R. L. Price's land and a corner for the Peters farm; thence with the Price and Wright land, North two (2) degrees forty-five minutes (45) East two hundred three and five-tenths (203.5) rods to the place of beginning, containing 259.146 acres of land." Being the same and all of that tract of land or farm, designated as Parcel No. 7 in the Report and Return of the Commissioners appointed by the Circuit Court for Queen Anne's County in Equity in a cause therein entitled "Margaret D. McKenney, et al., Plaintiffs, vs. William McKenney, 3rd, et al., Defendants," being Cause No 2463 on the Chancery Docket of said Court,

unto John Cannon, of Queen Anne's County aforesaid, at and for the sum of Twenty-One Thousand Dollars (\$21,000.00).

3. That said John Cannon has, in accordance with the terms of his said written offer, paid unto your trustee the sum of Two Thousand One Hundred Dollars (\$2,100.00) on account of the purchase price.

Respectfully submitted,

WILLIAM MCK. GIBSON  
(William McK. Gibson)  
Trustee.

STATE OF MARYLAND )

QUEEN ANNE'S COUNTY )

TO WIT:

I HEREBY CERTIFY that on this 9th day of July, 1946, before me the subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared William McK. Gibson, the trustee in the above entitled cause, and made oath, in due form of law, that the matters and facts set forth in the foregoing REPORT OF SALE are true and bona fide as therein stated, and that the sale was fairly made.

A. SYDNEY GADD JR.  
Clerk.

ORDER NISI  
Filed July 9, 1946.

N I S I

Margaret D. McKenney, et al.,  
Complainants

In the Circuit Court

for Queen Anne's County

VS.

In Equity

William McKenney, 3rd., et al.,  
Defendants.

Chancery No. 3469

ORDERED, This 9th. day of July A.D., 1946, that the sale of real estate made and reported in this cause by William McK. Gibson, Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 10th. 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 10th. day of August next.

The Report states the amount of sales to be \$21,000.00.

Filed July 9, 1946

A. SYDNEY GADD JR. Clerk.

CERTIFICATE PUBLICATION  
NISI SALE  
Filed September 12, 1946.

N I S I

Margaret D. McKenney, et al.,  
Complainants.

vs.

William McKenney, 3rd., et al.,  
Defendants.

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

Chancery No. 3469

ORDERED, This 9th day of July A.D., 1946, that the sale of real estate made and reported in this cause by William McK. Gibson, Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 10th 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 10th day of August next.

The Report states the amount of sales to be \$21,000.00.

Filed July 9, 1946  
True Copy-  
Test:

A. SYDNEY GADD, JR.  
Clerk.

A. SYDNEY GADD, Jr.  
Clerk.

QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. Sept. 12, 1946.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Order Nisi in the case/estate of Margaret D. McKenney et al complainants vs William McKenney, 3rd. et al Defendants Chancery No. 3469 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 10th. day of August 1946, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 11th. day of July 1946, and the last insertion on the 1st. day of August 1946.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

Filed Sept. 12, 1946.

By PAUL B. SMITH

FINAL ORDER OF RATIFICATION  
Filed September 16, 1946.

MARGARET D. MCKENNEY, ET AL.,  
Plaintiffs,

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

vs.

WILLIAM MCKENNEY, 3rd, ET AL.,  
Defendants.

Cause No. 3469.

FINAL ORDER OF RATIFICATION

ORDERED, this 13th day of September, 1946, 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 William McK. Gibson, Trustee, 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 the cause; and said William McK. Gibson, trustee 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 Sept. 16, 1946.

AUDIT  
Filed January 8, 1947.

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

Margaret D. McKenney, et al.,

versus

CAUSE NO. 3469

William McKenney, et al.

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 William McK. Gibson, the trustee of this cause, your auditor has stated the within account.

The vouchers mentioned in the within account as having been exhibited to the auditor will be returned to the Court with this audit.

The preparation of this audit required the auditor to examine not only the proceedings of this cause (No. 3469) but the proceedings of cause No. 2463 and these examinations were made.

The audit shows the net proceeds of the sale of the land made in this cause and no distribution of same and this seems to meet the requirement of the decree of sale filed in this cause for the audit shows Margaret D. McKenney, wife of William McKenney, 2nd is entitled for her life to the income which may arise during her life from said net income of sale under investments thereof to be made under the order of this Court, and this is the only distribution which now could be made.

Respectfully submitted,

January 7, 1947.

MADISON BROWN  
AUDITOR

CAUSE NUMBER 3469.

The proceeds of the sale of the real estate described in these proceedings as "The Nicholson Farm" of Margaret D. McKenney, life tenant, and of others as Remaindermen, IN ACCOUNT WITH William McKenney Gibson as Trustee appointed by the decree of sale passed in this Cause to sell said real estate.

1946

July

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CR.

By amount of the gross sale of said real estate sold this date by said Trustee, per his report of sale filed in this Cause (Paper No. 22) appears, to wit: . . . . \$21,000.00

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DR.

To William McK. Gibson, Trustee, for his commissions for making the sale, per terms of the decree and rule of this Court relating to commissions, the sum of . . . . \$ 885.00

To same Trustee, for the Court costs of these proceedings, per bill of costs made by the Clerk, exhibited to the Auditor, as follows, to wit:

Costs due to the Clerk . . . . .	\$ 60.50
Costs due to sheriff, Queen Anne's County,	1.50
Costs due sheriff, Harford County,	1.50
Costs due sheriff, Baltimore City, . . .	3.20
Appearance fee, plaintiff's attorney,	10.00
Appearance fee, defendant's attorney,	10.00
Fee of Examiner to take testimony,	8.00
Fees of witnesses before Examiner,	1.50
Fee of Clerk to Examiner, . . . . .	5.00
costs due Register of Wills, . . . . .	5.50

\$106.70 \$ 106.70

To same Trustee for costs of advertising the order nisi passed on report of sale, per receipted account for same exhibited, the sum of . . . . \$ 5.00

To same Trustee for the cost or premium of the bond filed by said Trustee in this Cause paid or to be paid to the corporate surety on said bond for one year ending July 2, 1947, per account for same exhibited to the Auditor, to wit: sum of . . . \$ 115.00

To same Trustee for cost of advertising the order nisi to be passed as to this audit, the sum of . . . . \$ 3.50



To same Trustee for the amount to pay to Madison Brown, the Auditor for stating this account, the sum of . . . . .	\$ 31.50	
	<u>\$1,146.70</u>	
To balance carried to next page, . . . . .	<u>19,853.30</u>	
	\$ 21,000.00	\$21,000.00

CR.

\$19,853.30

By balance brought from preceding page, to wit: the sum of . . .

The above mentioned balance constitutes the net proceeds of the sale of the land sold in this Cause. It appears that Margaret D. McKenney (the wife of William McKenney, 2nd,) who is yet living is entitled to the income which may be produced by said balance during her life, but no further distribution of said balance can now be made for the parties entitled to said balance at the death of the said Margaret D. McKenney cannot be ascertained until her death.

The decree of sale passed in this Cause provides that the net proceeds of the sale of this Cause shall be "invested so as to inure in like manner as by the provisions of the last Will and Testament of William McKenney, 2nd, deceased, and by the decree of this Court passed in Cause No. 2463 .... to the use of the same parties who would be entitled to the land sold, in the manner set forth in said Will and Decree".

January 7, 1947.

MADISON BROWN  
AUDITOR

NISI RATIFICATION OF AUDIT  
Filed January 8, 1947.

Nisi Ratification of Audit

Margaret D. McKenney, et al.,	)	In the Circuit Court
	)	
VS	)	for Queen Anne's County
	)	
William McKenney, et al.	)	In Equity
	)	Cause No. <u>3469</u>

ORDERED, This 8th. day of January in the year nineteen hundred and forty seven, 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 30th. day of January, 1947; provided a copy of this order be published once a week in each of two successive weeks before the 23rd. day of January, 1947, in some newspaper printed and published in Queen Anne's County.

Filed January 8, 1947

A. SYDNEY GADD JR. Clerk.

TRUSTEE'S PETITION FOR  
INVESTMENT IN MORTGAGE  
ON BOWEN FARM  
Filed November 8, 1947.

MARGARET D. MCKENNEY, MARIA M. MCKENNEY and JOHN MCKENNEY,	∩ ∩ ∩	In the Circuit Court for Queen Anne's County in Equity
Complainants,		
VS.	∩ ∩	
WILLIAM MCKENNEY, 3rd, et al., Defendants.	∩ ∩	Cause No. <u>3469</u>

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of William McK. Gibson, Trustee, unto your Honors, respectfully shows:

1. That he has certain funds of this estate in hand awaiting investment, the same being now on deposit in the checking department of The Centreville National Bank of Maryland.
2. That said funds amount to the sum of Nineteen Thousand Eight Hundred Fifty-Three Dollars and Thirty Cents (\$19,853.30), being the entire corpus of this estate.
3. That he has an opportunity to invest the said entire amount of the corpus of this trust estate, by taking a first mortgage for said sum from John McKenney covering the farm or tract of land known as the "Bowen Farm", situate, lying and being in the Third Election District of Queen Anne's County in the State of Maryland, on the north-west side of the public road leading from Spaniard's Neck to Wilmer's Neck, containing 270.656 acres of Land, more or less, payable five years after date with interest at the rate of 4% per annum, payable semi-annually.
4. That your Petitioner believes that said property is ample security for such loan, and attaches hereto a Certificate signed by two landowners of Queen Anne's County as to the value thereof.

Wherefore, your Petitioner prays your Honors to pass an order authorizing him to invest the sum of Nineteen Thousand Eight Hundred Fifty-Three Dollars and Thirty Cents (\$19,853.30), the corpus of this estate, in a first mortgage from said John McKenney on said "Bowen Farm".

Respectfully submitted,

WILLIAM McK. GIBSON  
Trustee.

THIS IS TO CERTIFY that I have examined for William McK. Gibson, Trustee in Chancery Cause No. 3469 in the Circuit Court for Queen Anne's County in Equity, the title to a farm which is known as the "Bowen Farm", containing 270.656 acres of land, more or less, in the Third Election District of Queen Anne's County, Maryland, which was devised unto John McKenney by Item Two of the last Will and Testament of Maria M. McKenney, which is recorded in Liber N.S.D. No. 1, folio 167, a Will Record Book for said Queen Anne's County, for a period of 50 years, from April 9, 1897, to November 8, 1947, and in my opinion said John McKenney is, on the 8th day of November, 1947, seized and possessed of said land in fee simple, subject only to the following matters:

1. The lien of the mortgage granted by John McKenney, single, to The Centreville National Bank of Maryland, dated October 7, 1942, and recorded in Liber A.S.G. Jr. No. 6, folio 532, a Land Record Book for Queen Anne's County.
2. The liens of the United States and the State of Maryland for payment of estate taxes, if any, due the said governments upon the estate of Maria M. McKenney, late of Queen Anne's County.
3. The legal effect of the unacknowledged grant from John McKenney, et al., to The State Roads Commission and/or Queen Anne's County of Maryland, dated May 7, 1941, and recorded in Liber A.S.G. Jr. No. 7, folio 70, a Land Record Book for Queen Anne's County.
4. State, County and School taxes for the year 1947 are due on said land in the sum of \$162.25.

HOWARD WOOD, 3rd  
(Howard Wood, 3rd)

CERTIFICATE OF VALUE

We, the undersigned, landowners in Queen Anne's County, Maryland, familiar with real estate values in said County, do hereby certify that we have examined the tract of land or farm known as the "Bowen Farm" or "Upper Heathworth", owned by John McKenney, situate on the northwest side of the road leading from Spaniard's Neck to Wilmer's Neck, and on the southeast side of Chester River, between lands of William Fahnestock, Jr., and lands of or formerly of Belle Emory, in the Third Election District of Queen Anne's County, Maryland, and that in our opinion a fair market value of said farm at the present time is Sixty Thousand (\$60,000.00) Dollars.

HARRY F. CALLAHAN  
(Harry F. Callahan)

OLIVER C. JONES  
(Oliver C. Jones)

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

I HEREBY CERTIFY, that on this 7th day of November, 1947, before me, the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, personally appeared Harry F. Callahan, and made oath in due form of law that the matters and facts set forth in the within and foregoing CERTIFICATE OF VALUE are true to the best of his knowledge and belief.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal, the day and year last written:

ROBERT T. NEWELL  
Notary Public.

Notary  
Public  
Seal.

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

I HEREBY CERTIFY, that on this 8th day of November, 1947, before me, the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, personally appeared Oliver C. Jones, and made oath in due form of law that the matters and facts set forth in the foregoing CERTIFICATE OF VALUE are true to the best of his knowledge and belief.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal, the day and year last written:

ROBERT T. NEWELL  
Notary Public.

Notary  
Public  
Seal.

CERTIFICATE OF NISI  
RATIFICATION OF AUDIT  
Filed November 10, 1947.

Nisi Ratification of Audit

Margaret D. McKenney, et al.,  
vs.  
William McKenney, et al.

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

Cause No. 3469

ORDERED, THIS 8th day of January in the year nineteen hundred and forty seven, that the Report and Account filed in these proceedings by Madison Brown, Audi-

tor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 30th day of January, 1947; provided a copy of this order be published once a week in each of two successive weeks before the 23rd, day of January, 1947, in some newspaper printed and published in Queen Anne's County.

Filed January 8, 1947  
True Copy-  
Test: A. Sydney Gadd, Jr., Clerk

A. SYDNEY GADD, JR., Clerk

QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. Nov. 10, 1947.

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 Margaret D. McKenney, et al vs William McKenney, et al Cause No. 3469 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 23rd day of January 1947, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 9th. day of January 1947, and the last insertion on the 16th. day of January 1947.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

Filed Nov. 10, 1947.

By PAUL B. SMITH

CLERK'S CERTIFICATE  
Filed November 10, 1947.

CLERK'S CERTIFICATE

Margaret D. McKenny  
et al.

VS.

William McKenney 3rd  
et al.

In the Circuit Court for  
Queen Anne's County,  
in Equity.  
Chancery No. 3469

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 8th day of January, 1947, have been paid in accordance with the requirements of Section 26 of Article 17 of the Code of Public General Laws.

Seal  
Place.

In Testimony Whereof I, have hereunto subscribed my name and affix the Seal of the Circuit Court for Queen Anne's County on this 10th, day of November, in the year nineteen hundred and forty seven.

A. SYDNEY GADD JR.  
Clerk of Circuit Court

FINAL RATIFICATION OF AUDIT  
Filed November 12, 1947.

MARGARET D. MCKENNEY, et al.,

vs.

WILLIAM MCKENNEY, et al.

¶  
¶  
¶

In the Circuit Court for  
Queen Anne's County  
in Equity.  
Cause No. 3469

FINAL RATIFICATION OF AUDIT

ORDERED, this 12th day of November, 1947, 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 the Auditor 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 given as directed by the preceding nisi Ratification of Audit passed thereon in this cause; and the trustee, William McK. Gibson, is hereby directed to apply the proceeds of the sale in accordance with and in the manner set forth in said audit to the payment of the sundry allowed to said trustee thereunder, and the trustee aforesaid is further directed to bring the net proceeds of sale shown in said audit into this Court for investment under the direction and subject to the future orders of said Court.

Filed November 12, 1947

WM. R. HORNEY  
Judge

ORDER OF COURT  
Filed November 12, 1947.

ORDER OF COURT

Upon the foregoing petition and certificates accompanying the same, it is ORDERED this 12th day of November, 1947, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that William McK. Gibson, Trustee in these proceedings, be and he is hereby authorized upon the release and satisfaction of the mortgage lien now resting on the property hereinafter mentioned, and upon the proper endorsement to the mortgagee of all policies of insurance on the buildings on said property, to invest the sum of Nineteen Thousand Eight Hundred Fifty-Three Dollars and Thirty Cents (\$19,853.30), the corpus of this estate, in a first mortgage from John McKenney on the "Bowen Farm", payable five years after date with interest at the rate of 4% per annum, payable semi-annually.

WM. R. HORNEY  
Judge

## CAUSE NUMBER 3498

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Twenty Seventh day of September, in the year nineteen hundred and forty six, the following BILL OF COMPLAINT was filed for record, to wit:

Lorenzo Dow Everngam and  
Mary Pearle Everngam, his wife  
Plaintiffs

versus

Wright Everngam and Mary  
Catherine Everngam, his wife  
Bernice M. Sparks and  
James Oscar Sparks, her husband  
Robert L. Everngam  
Defendants

IN The Circuit Court For  
Queen Anne's County  
In Equity

Cause No. 3498

To The Honorable The Judges of said Court:

Your Orators, complaining say:

1. That Lorenzo J. Everngam, late of Queen Anne's County, deceased was in his life time seized and possessed, in fee simple, of a tract of land or farm, lying in said County, called "Winton", "Addition" or "The Lorenzo Everngam Farm" and being the same property that was granted and conveyed unto Lorenzo J. Everngam by William C. Denny, et al, by deed, bearing date the 15th day of March, 1917, and recorded in Liber W.F.W. No. 10 folio 198, a land record book for Queen Anne's County, a certified copy of said deed, herewith filed as part hereof, marked "Exhibit A".
2. That being so seized, the said Lorenzo J. Everngam, departed this life on the 5th day of March, 1946, intestate, and leaving surviving him, your orator, a son who is of full age and resides in said County, and leaving the following children, to whom, as heirs at law, the said land has descended, viz.:
  - (a) Your Orator, a son of Lorenzo J. Everngam who intermarried with your Oratrix Mary Pearle Everngam, both of whom are full age and reside in said Queen Anne's County, Maryland.
  - (b) Wright Everngam, a son of said Lorenzo J. Everngam, who intermarried with Mary Catherine Everngam, both of whom are full age and reside in said Queen Anne's County, Maryland.
  - (c) Bernice M. Sparks, a daughter of said Lorenzo J. Everngam, who intermarried with James Oscar Sparks, both of whom are full age and reside in said Queen Anne's County, Maryland.
  - (d) Robert L. Everngam, a son, of the said Lorenzo J. Everngam, who is not mentally capable of executing a contract, is unmarried and resides in said Queen Anne's County, Maryland.
3. That the said land or farm described in said deed from William D. Denny, et al, to Lorenzo J. Everngam, is insusceptible of partition in kind and cannot be divided without loss or injury to the parties interested therein.
4. That your Orators have made an offer of Six Thousand (\$6000.00) Dollars, (The appraised value filed in the Orphans' Court for Queen Anne's County in the estate of Lorenzo J. Everngam, deceased) for said farm,
5. That the said Wright Everngam and Mary Catherine Everngam, his wife; Bernice M. Sparks and James Oscar Sparks, her husband, (who are defendants in this petition), have indicated to your Orators, their approval of said sale.
6. That the other defendant, the said Robert L. Everngam is not mentally capable of executing a contract.

THEREFORE YOUR ORATORS PRAY:

- (a) That a decree may be passed by this Honorable Court, appointing a trustee to sell and transfer said farm to your Orators.
- (b) That a division of the money from such sale may be made among the parties hereto, under the direction of this Honorable Court, according to their respective rights.
- (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 writ of subpoena, directed to the said Wright Everngam and Mary Catherine Everngam, his wife, Bernice M. Sparks and James Oscar Sparks, her husband, and Robert L. Everngam, commanding them and each of them to appear in this Honorable Court, on some certain day named therein, and to answer the premises and to perform and abide by such decree as may be passed herein.

AND AS IN DUTY BOUND, ETC.

HARRY C. BUTLER  
Harry C. Butler,  
Solicitor for Plaintiffs.

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

I HEREBY CERTIFY that on this 24th day of September 1946, before me, the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County aforesaid, personally appeared Lorenzo Dow Everngam and Mary Pearle Everngam, his wife, and made oath in due form of law that the matters and facts stated in the foregoing BILL OF COMPLAINT are true to the best of their knowledge, information and belief.

AS WITNESS my hand and notarial seal.

Notary Public Seal.

DELHA DANCY ROLPH  
Notary Public

EXHIBIT A  
Filed October 10, 1946.

QUEEN ANNE'S COUNTY, to wit: be it remembered that on the fifteenth day of March, in the year nineteen hundred and seventeen, the following DEED was brought to be recorded, to wit:-

T H I S D E E D, made this fifteenth day of March, in the year nineteen hundred and seventeen, by William C. Denny and Bertha M. Denny, his wife, Annie R. Faulkner and Harry C. Faulkner, her husband, Harry F. Denny and Almira E. Denny, his wife, Ella G. Denny single woman, and Clara J. Denny, single woman, all of Queen Anne's County, State of Maryland;

WITNESSETH that for and in consideration of the sum of Fifty Eight Hundred Dollars (\$5,800.00), the receipt of which is hereby acknowledged, the said William C. Denny and Bertha M. Denny, his wife, Annie R. Faulkner and Harry C. Faulkner, her husband, Harry F. Denny and Almira E. Denny, his wife, Ella G. Denny and Clara J. Denny do hereby grant and convey unto Lorenzo J. Everngam, of Talbot County, State of Maryland, his heirs and assigns, in fee simple, all those two tracts or parcels of land now composing and constituting one farm, situate, lying and being in the Third Election District of Queen Anne's County, State of Maryland, adjoining the lands of the Protestant Episcopal Church of Kent Island, Maryland, the lands of William E. Roe, Joseph L. Cook, Wilbur Eliason, and other, and described as follows, that is to say:- All that part of two tracts of land, situate, lying and being in Queen Anne's County aforesaid, called "Wilton" and "Addition", or by whatsoever name or names the same may be called or known, which was allotted to one Robert H. Skinner by the Commissioners appointed by the Judges of Queen Anne's County Court to value and divide the real estate of Jacob Reese and which is designated in the Return made by the said Commissioners as "Lot No. 2" and is described in said Return as follows, to wit:- Beginning for the same at a stone set in the ground at the end of two hundred and eighty perches of the second line of the original tract and running thence south forty one degrees west, one hundred and twelve perches to the division line on the Plat marked, pricked or dotted lines; thence by and with it south forty five degrees east, one hundred and thirty perches; thence north forty five degrees east, one hundred and twelve perches; thence north forty five degrees west, one hundred and thirty perches to the aforesaid stone or place of beginning; containing ninety one acres of land, more or less; and also all that Woodlot of No. 2 beginning at the end of the first outline at the letter "C" marked on the said plat, ad running thence north eighty eight degrees west, eleven perches; thence south forty degrees west, eight perches; thence south seven degrees west, twenty perches; thence south thirty five degrees west, thirty three and one-third perches; thence north sixty degrees west, eleven and one-fourth perches; thence south fifty one degrees west forty perches; thence north forty seven degrees west forty two perches; thence north fifteen degrees west, fourteen perches; thence south eighty two degrees east, eight perches; thence south forty five degrees east, nine perches; thence north sixty five degrees east, one hundred and ten perches; thence north twenty degrees east, twenty two perches; thence north forty five degrees east, ten perches; thence east, nine and one-half perches; thence north thirty five degrees east, fourteen perches; thence south forty nine degrees east, fifteen perches, to the letter "C" on the said Plat; containing twenty three acres and twenty six perches of land, more or less; making the whole quantity of the said two tracts or parcels of land (composing said "Lot No. 2" in said return of the Commissioners) above described and hereby granted and conveyed one hundred and fourteen acres and twenty six perches of land, more or less; being the same and all the land which was granted and conveyed to John K. Skinner by the said Robert H. Skinner by deed bearing date the twenty third day of November, eighteen hundred and fifty nine, and recorded in Liber M.B. No. 1, folios 236, &c., a land record book for Queen Anne's County aforesaid, to which said deed reference is hereby made for a further and more definite description of the said two tracts of land hereby granted and conveyed; and being the same land which the said John K. Skinner, who departed this life on January 2nd., 1899, devised to Sallie A. Denny and William A. Skinner by his last will and testament duly executed to pass real estate duly admitted to probate by the Orphans' Court for Queen Anne's County aforesaid and recorded in Liber F. R. No. 2, folios 107.&c., a will record book in the office of the Register of Wills for Queen Anne's County aforesaid, the undivided one-half interest of the said William A. Skinner in and to the said land having been conveyed to the said Sallie A. Denny by the said William A. Skinner and Annie M. Skinner, his wife, by deed bearing date the sixth day of October, nineteen hundred, and recorded in Liber J.E.G. No. 1, folio 143, a land record book for Queen Anne's County aforesaid; and being the same land of which the said Sallie A. Denny, who departed this life sometime in the month of June, in the year nineteen hundred and four, intestate, died seized and possessed, and which upon her death, intestate as aforesaid descended to the said William C. Denny, Annie R. Faulkner, nee Denny, Harry F. Denny, Ella G. Denny and Clara J. Denny, as the only children and heirs at law of the said Sallie A. Denny.

Subject, however, to the lien and charge on the aforesaid land of the annuity or yearly sum of Twenty Five Dollars (\$25.00) directed to be paid to Annie M. Skinner, wife of the said John K. Skinner, during her life time, under and by the provisions of the said last will and testament of the said John K. Skinner, deceased, and of the payment of the said sum of Twenty Five Dollars to the said Annie M. Skinner annually during her life time.

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

AND the said William C. Denny, Annie R. Faulkner, Harry F. Denny, Ella G. Denny and Clara J. Denny covenant that they will warrant generally the said property hereby granted and conveyed (except as against the aforesaid lien and charge thereon of the said annuity of Twenty Five Dollars payable to said Annie M. Skinner during her life time under the provisions of said last will and testament of John K. Skinner, deceased), and that they will execute such further assurances of said land as may be requisite.

Witness the hands and seals of the said grantors:-

Test: - C.S.Jump.

WILLIAM C. DENNY	(SEAL)
BERTHA M. DENNY	(SEAL)
ANNIE R. FAULKNER	(SEAL)
HARRY F. DENNY	(SEAL)
ALMIRA E. DENNY	(SEAL)
ELLA G. DENNY	(SEAL)
CLARA J. DENNY	(SEAL)

STATE OF MARYLAND, Queen Anne's County, to wit:-

I hereby certify that on this fifteenth day of March, in the year nineteen hundred and seventeen, before me, the subscriber, a Justice of the Peace of the State of Maryland, in and for Queen Anne's County aforesaid, personally appeared William C. Denny and Bertha M. Denny, his wife, Annie R. Faulkner and Harry C. Faulkner, her husband, Harry F. Denny and Almira E. Denny, his wife, Ella G. Denny and Clara J. Denny, and each acknowledged the foregoing deed to be their respective act.

C. S. JUMP.

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. 10, folios 198, 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 twenty-seventh day of September in the year nineteen hundred and forty six.

A. SYDNEY GADD JR.  
Clerk

Seal Place.

SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER

Queen Anne's County, to wit:

The State of Maryland

TO Seal  
Place.

Bernice M. Sparks and James Oscar Sparks

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 October next, to answer the complaint of Lorenzo Dow Everngam, et al., against you in said court exhibited.

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

WITNESS, The Honorable J. Owen Knotts, Chief Judge of our said Court, the First Monday of September 1946 Issued the Twenty Seventh day of September 1946.

A. SYDNEY GADD JR. Clerk

Harry C. Butler  
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

And on the back of the foregoing Subpoena is thus endorsed, to wit: "To Lie"

SUBPOENA FOR RESPONDENTS TO  
APPEAR AND ANSWER

Queen Anne's County, to wit:

The State of Maryland

TO Seal  
Place.

Wright Everngam and Mary Catherine Everngam

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 October next, to answer the complaint of Lorenzo Dow Everngam et al., against you in said court exhibited.

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

WITNESS, The Honorable J. Owen Knotts, Chief Judge of our said Court, the First Monday of September 1946 Issued the Twenty Seventh day of September 1946.

A. SYDNEY GADD JR. Clerk

Harry C. Butler  
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 October next, being the Return Day.

A. SYDNEY GADD JR. Clerk

And on the back of the foregoing Subpoena is thus endorsed, to wit: "To Lie"

SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
Filed October 2, 1946.

Queen Anne's County, to wit:

The State of Maryland

TO Seal  
Place. Robert L. Everngam

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 October next, to answer the complaint of Lorenzo Dow  
Everngam, et al., against you in said court exhibited.

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

WITNESS, The Honorable J. Owen Knotts, Chief Judge of our said Court,  
the First Monday of September 1946 Issued the Twenty Seventh day of September 1946.

A. SYDNEY GADD JR. Clerk

Harry C. Butler

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

And on the back of the foregoing Subpoena is thus endorsed, to wit: "Oct 1 served by read-  
ing same to Robert Everngam and left copy with Mrs. Wright Everngam. Oct. 1, 1946 Louis B.  
Perkins, Sheriff.

PETITION FOR APPOINTMENT  
OF GUARDIAN AD LITEM.  
Filed October 2, 1946.

Lorenzo Dow Everngam and  
Mary Pearle Everngam, his wife  
Plaintiffs  
versus  
Wright Everngam and Mary  
Catherine Everngam, his wife,  
Bernice M. Sparks and James  
Oscar Sparks, her husband  
Robert L. Everngam  
Defendants

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IN THE CIRCUIT COURT FOR  
QUEEN ANNE'S COUNTY,  
IN EQUITY.  
CAUSE NO. 3498

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Lorenzo Dow Everngam and Mary Pearle Everngam, his wife,  
Plaintiffs, in the above entitled cause, unto your Honors, respectfully sets forth:

1. That as will appear by reference to the Bill of Complaint the said Robert L. Everngam is not mentally capable of executing a contract.
2. That the writ of subpoena heretobefore issued to the cause against the said Robert L. Everngam has been duly served according to law upon the said Robert L. Everngam, as will appear from the returns of the Sheriff of Queen Anne's County, endorsed on the said writ of subpoena and filed in the cause on the 2nd day of October, 1946.
3. That your Petitioners are advised that because of his inability to execute a contract, it is necessary that a Guardian Ad Litem be appointed by this Honorable Court, to answer and defend this suit for the said Robert L. Everngam.

Your Petitioners, Therefore, pray this Honorable Court to pass an order  
appointing some suitable person, within the jurisdiction of this Court, to be the Guardian  
Ad Litem for the said Robert L. Everngam, with instructions to said Guardian Ad Litem to  
answer and defend the said suit for the said Robert L. Everngam.

Respectfully submitted,

HARRY C. BUTLER  
Harry C. Butler  
Solicitor for Petitioners.

Filed Oct. 2nd, 1946.

ORDER OF COURT

UPON THE AFOREGOING PETITION, IT IS ORDERED, this 4th day of October,  
1946, by the Circuit Court for Queen Anne's County In Equity, and by the authority of said  
Court that J. Thomas Clark of Queen Anne's County, State of Maryland, be and \_\_\_ is hereby  
appointed Guardian Ad Litem of Robert L. Everngam, non compos mentis, with instructions to  
answer and defend the suit instituted against the said Robert L. Everngam by the Bill of  
Complaint filed in the above entitled cause.

Filed Oct. 4th, 1946.

WM. R. HORNEY  
Judge

ANSWER OF WRIGHT EVERNGAM and  
MARY CATHERINE EVERNGAM, his wife.  
Filed Oct. 8th, 1946.

Lorenzo Dow Everngam and

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IN THE CIRCUIT COURT FOR

Mary Pearle Everngam, his wife  
Plaintiffs

versus

Wright Everngam and Mary  
Catherine Everngam, his wife,  
Bernice M. Sparks and James  
Oscar Sparks, her husband  
Robert L. Everngam  
Defendants

QUEEN ANNE'S COUNTY

IN EQUITY

CAUSE NO. 3498

To The Honorable The Judges of said Court:

The Joint and several answer of Wright Everngam and Mary Catherine Everngam, his wife, to the bill of complaint of Lorenzo Dow Everngam et ux against them and others in this Court exhibited.

These Defendants, answering, say:

1. That they admit the matters and facts in said bill alleged.
2. That they assent to the passage of such decree or decrees as may be proper to be passed in the premises.

AND AS IN DUTY BOUND, ETC.

WRIGHT EVERNGAM

Wright Everngam

MARY CATHERINE EVERNGAM

Mary Catherine Everngam

ANSWER OF BERNICE M. SPARKS and  
JAMES OSCAR SPARKS, her husband.  
Filed Oct. 8th, 1946.

Lorenzo Dow Everngam and  
Mary Pearle Everngam, his wife,  
Plaintiffs

versus

Wright Everngam and Mary  
Catherine Everngam, his wife,  
Bernice M. Sparks and James  
Oscar Sparks, her husband  
Robert L. Everngam  
Defendants

IN THE CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY,

IN EQUITY.

CAUSE NO. 3498

To The Honorable, The Judges of said Court:

The Joint and several answer of Bernice M. Sparks and James Oscar Sparks, her husband, to the bill of complaint of Lorenzo Dow Everngam et ux against them and others in this Court exhibited.

These Defendants, answering, say:

1. That they admit the matter and facts in said bill alleged;
2. That they assent to the passage of such decree or decrees as may be proper to be passed in the premises.

AND AS IN DUTY BOUND, ETC.

BERNICE M. SPARKS

Bernice M. Sparks

JAMES OSCAR SPARKS

James Oscar Sparks

ANSWER OF ROBERT L. EVERNGAM  
BY GUARDIAN AD LITEM  
Filed Oct. 10th, 1946.

Lorenzo Dow Everngam, et al,  
Plaintiffs

vs.

Wright Everngam, et al,  
Defendants

In The Circuit Court

For Queen Anne's County

In Equity

Chancery No. 3498

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Answer of Robert L. Everngam, non compos mentis, by J. Thomas Clark, Guardian Ad Litem, duly appointed by order of the Circuit Court of Queen Anne's County in equity on the 4th. day of October, 1946, to the Bill of Complaint of Lorenzo Dow Everngam, et al, againsy him in this Court exhibited, this Defendant, being non compos mentis, cannot admit any of the matter and things in said Bill alleged, and submits his rights thereunder to the protection of this Court.

And as in duty bound, etc.

J. THOMAS CLARK

Guardian Ad Litem

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

I HEREBY CERTIFY, that on this 10th day of October, 1946, before me, the Subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared J. Thomas Clark, Guardian Ad Litem for Robert L. Everngam, and made oath in due form



of law that the matter and facts in the foregoing Answer are true to the best of his knowledge and belief.

Filed Oct. 10th, 1946.

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

REPORT OF EXAMINER  
and DEPOSITIONS  
Filed Nov. 26, 1946.

LORENZO DOW EVERNGAM ET AL.,	#	In the Circuit Court for Queen Anne's
Plaintiffs,		
VS.	#	County, in Equity.
WRIGHT EVERNGAM ET AL.	#	Cause No. 3498.
Defendants.		

At the request of Harry C. Butler, Attorney for Plaintiff, your examiner met with the said Attorney, J. Thomas Clark, Guardian ad Litem for the non compos, Robert Everngham, and the witnesses whose depositions are hereto attached, Mrs. Dehlia D. Rolph, in the Office of Madison Brown, on Tuesday, November 26th., at 2:30 P.M., and after said witnesses were duly sworn and the said Mrs. Rolph duly sworn as Stenographer, took the attached despositions. Questions propounded by Harry C. Butler, Atty. for Plaintiffs.

RICHARD T. EARLE  
One of the Standing Examiners.

Herbert T. Roe, the first witness of lawful age produced on the part of the plaintiffs, being duly sworn and examined, did depose and say:

Question: 1.

What is your name, age, residence and occupation?

Answer:

My name is Herbert T. Roe, age 46, residence near Wye Mills and my occupation is a farmer.

Question 2:

Do you know all the parties to this suit?

Answer:

Yes, I do.

Question 3:

Are you familiar with the Lorenzo Everngam farm located in the Third Election District of Queen Anne's County; on which Lorenzo Dow Everngam now resides?

Answer:

Yes, I live adjoining the farm.

Question 4:

Lorenzo Dow Everngam has offered his brother and sister \$6000.00 as the purchase price for the said farm, in your opinion do you think that is a fair offer?

Answer:

Yes, I do.

Question 5:

Do you think this is as much as the farm would bring if it were put up at public auction?

Answer:

Yes.

Question 6:

Do you know Robert Everngam?

Answer:

Yes, I do.

Question 7:

In your opinion is Robert Everngam mentally capable of executing a Contract?

Answer:

No, he is not.

Question 8:

In your opinion would it be to the benefit and advantage of Robert Everngam to sell the property and invest the proceeds in some productive fund? Meaning, the proceeds he would derive as his share from the sale of the property.

Answer:

I do.

Question 9:

Examiner's Special:

Answer: No.

HERBERT T. ROE

Wright Everngam being . . . . .  
The next witness of lawful age produced on the part of the plaintiffs, being duly sworn and examined, did depose and say:

Question: 1:

What is your name, age, residence and occupation?

Answer:

My name is James Wright Everngam, age 46, residence Wye Mills in Queen Anne's County and

and occupation electrician.

Question 2:  
Do you know the parties to this suit?

Answer:  
Yes, I am one of the defendants and Dow Everngam is my brother.

Question 3:  
Is Robert L. Everngam your brother?

Answer:  
Yes.

Question 4:  
With whom does Robert L. Everngam live?

Answer:  
With my brother, Dow Everngam.

Question 5:  
Did you know Lorenzo J. Everngam?

Answer:  
Yes he was my father.

Question 6:  
When did your father, Lorenzo J. Everngam die?

Answer:  
On the fifth of March, 1946.

Question 7:  
At the time of his death did he own any property in Queen Anne's County?

Answer:  
Yes, he owned a farm located in Queen Anne's County which is the subject of this and on which my brother Dow Everngam now resides and wishes to purchase for the price of \$6000.00.

Question 8:  
Did your father leave a will?

Answer:  
No, he did not.

Question 9:  
At the time of your father's death who were his remaining heirs?

Answer:  
Bernice M. Sparks, a daughter, Lorenzo Dow Everngam, a son, Robert L. Everngam, a son, and myself J. Wright Everngam, a son.

Question 10:  
You are of course familiar with the farm on which your father formerly lived and died seised and possessed thereof and in your opinion do you think the offer of \$6000.00 made by your brother Dow, is a fair valuation of said farm?

Answer:  
Yes.

Question 11:  
In your opinion do you think the above offer is as much as you could get for it if it were put up at public auction?

Answer:  
Yes.

Question 12:  
In your opinion would it be to the benefit and advantage of Robert Everngam, your brother, to sell said property and invest the proceeds which he would derive from said sale in some productive fund?

Answer:  
Yes.

Question 13:  
From whom did your father acquire this farm?

Answer:  
My father purchased the farm on the 15th day of March, 1917 from William C. Denny and others, said farm containing 114 Acres and 26 perches of land located in the Third Election District near the Old Wye Camp Ground.

Question 14:  
In your opinion is Robert Everngam mentally capable of executing a Contract or Deed?

Answer:  
No.

Question 15:  
The Examiner's Special:

Answer:  
The only thing that I can say is I feel that my brother, Dow should be appointed guardian for Robert, as Robert and Dow have lived together all during Robert's life.

Bernice M. Sparks, the next witness of lawful age produced on the part of the plaintiffs, being duly sworn and examined, did depose and say:

Question 1:

What is your name, age, residence and occupation?

Answer:

My name is Bernice M. Sparks, age 47, residence Centreville, Maryland and occupation is farming.

Question 2:

Do you know the parties to this suit:

Answer:

Yes, I am one of the defendants and Dow Everngam is my brother.

Question 3:

Is Robert L. Everngam your brother?

Answer:

Yes

Question 4:

With whom does Robert L. Everngam live?

Answer:

With my brother, Dow Everngam.

Question 5:

Did you know Lorenzo J. Everngam?

Answer:

Yes, he was my father.

Question 6:

When did your father, Lorenzo J. Everngam die?

Answer:

Answer: On the fifth of March, 1946.

Question 7:

At the time of his death did he own any property in Queen Anne's County?

Answer:

Yes, he owned a farm located in Queen Anne's County which is the subject of this suit and on which my brother, Dow Everngam now resides and wishes to purchase for the price of \$6000.00.

Question 8:

Did your father leave a will?

Answer:

No, he did not.

Question 9:

At the time of your father's death who were his remaining heirs?

Answer:

Bernice M. Sparks, a daughter, myself, Lorenzo Dow Everngam a son, Robert L. Everngam, a son and J. Wright Everngam, a son.

Question 10:

You are of course familiar with the farm on which your father formerly lived and died seised and possessed thereof and in your opinion do you think the offer of \$6000.00 made by your brother Dow, is a fair valuation of said farm?

Answer:

Yes.

Question 11:

In your opinion do you think the above offer is as much as you could get for it if it were put up at public auction?

Answer:

Yes.

Question 12:

In your opinion would it be to the benefit and advantage of Robert Everngam, your brother, to sell said property and invest the proceeds which he would derive from said sale in some productive fund?

Answer:

Yes.

Question 13:

From whom did your father acquire this farm?

Answer:

My father purchased the farm on the 15th day of March, 1917 from William C. Denny and others, said farm containing 114 Acres and 26 perches of land located in the Third Election District near the Old Wye Camp Ground.

Question 14:

In your opinion is Robert Everngam mentally capable of executing a Contract or Deed?

Answer:

No.

Question 15:  
The Examiner's Special:

Answer:  
The only thing that I can say is I feel that my brother, Dow should be appointed guardian for Robert and Dow have lived together all during Rober's life.

BERNICE M. SPARKS

Lorenzo Dow Everngam, the next witness of lawful age produced on the part of the plaintiffs, being duly sworn and examined, did depose and say:

Question 1:  
Please state your name, age, residence and occupation.

Answer:  
Lorenzo Dow Everngam, age 49, residence on the Lorenzo J. Everngam Farm near Wye Station, Queen Anne's County, Maryland, occupation, farming.

Question 2:  
Are you a plaintiff to this suit?

Answer:  
Yes.

Question 3:  
Do you know all the parties to this suit?

Answer:  
I do, they are my brothers and sisters.

Question 4:  
When your father, Lorenzo J. Everngam died did he leave a will?

Answer:  
He did not.

Question 5:  
Who did he leave surviving him as his heirs at law?

Answer:  
Bernice M. Sparks, a daughter, James Wright Everngam, a son, Robert L. Everngam, a son and myself, Lorenzo Dow Everngam.

Question 6:  
Is your brother Robert L. Everngam mentally capable of executing a Contract or Deed?

Answer:  
No, he is not.

Question 7:  
With whom does Robert L. Everngam reside?

Answer:  
He resides with me.

Question 8:  
Was your father's estate administered upon?

Answer:  
Yes, I was appointed Administrator, qualified and final account has been filed, all costs, debts and taxes have been paid and final distribution made.

Question 9:  
Did your father die seised and possessed of any real estate?

Answer:  
Yes, he owned a farm located in the Third Election District of Queen Anne's County containing 114 acres and 26 perches, being the same property which he purchased from William C. Denney and others by deed dated 15th day of March, 1917 and recorded in Liber W.F.W. No. 10, folio 198, a land record book for Queen Anne's County, a certified copy of which is filed in these proceedings and marked Exhibit A.

Question 10:  
Is the above mentioned farm the same farm that descended to the four children of Lorenzo J. Everngam in which you owned a one-fourth share and the farm which you wish to purchase from the other heirs.

Answer:  
Yes.

Question 11:  
What is the purchase price you have offered for this farm?

Answer:  
\$6,000.00.

Question 12:  
How long have you lived on the above mentioned farm?

Answer:  
Since 1918.

Question 13:  
In your opinion do you think that is a fair offer and is as much as it would bring if it were put up at public auction?

Answer:  
Yes, I do think so.

Question 14:

In your opinion would it be to the benefit and advantage of Robert L. Everngam to sell said property and invest the proceeds which he would derive as his share in the sale of said farm in some productive fund?

Answer:

Yes, I do.

Question 15:

On what do you base your opinion on the above question?

Answer:

Robert is not mentally capable of looking after his own interest and it is necessary to have some one appointed to handle his property and also his person.

Question 16:

Examiner's Special:

Answer:

No.

LORENZO DOW EVERNGAM

At the close of within depositions, the examiner was advised by the attorney for the Plaintiff and by the Guardian ad Litem, that they had no further depositions they desired to take, and was requested to report this in to the Court.

All witnesses waived expenses and fees.

Mrs. Rolph as Stenographer-----\$7.50  
Richard T. Earle, Examiner----- 8.00

Respectfully submitted.

Richard T. Earle

One of Standing Examiners.

DECREE

Filed Dec. 4th, 1946.

LORENZO DOW EVERNGAM AND  
MARY PEARLE EVERNGAM, HIS WIFE  
Plaintiffs

versus

WRIGHT EVERNGAM AND  
MARY CATHERINE EVERNGAM, HIS WIFE  
BERNICE M. SPARKS AND  
JAMES OSCAR SPARKS, HER HUSBAND  
ROBERT L. EVERNGAM  
Defendants

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

CAUSE NO. 3498

DECREE

This cause standing ready for hearing, and being submitted without argument, the Bill of Complaint and other proceedings were read and considered.

It is thereupon, on this 4th day of December, 1946, 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 and described in the proceedings, be sold for the purpose of partition of the proceeds thereof among the heirs entitled thereto, it appearing to the Court that a sale thereof and a partition of the proceeds therefrom will be to the interest and advantage of all the parties hereto, and that Harry C. Butler, of Queen Anne's County, State of Maryland, be and he is hereby appointed to make said sale.

And It Is Further, Ordered and Decreed as follows:

- (a) That before proceeding to make any sale hereunder, the said trustee shall first file with the Clerk of this Court a bond to the State of Maryland, to be executed by himself, with a surety or sureties thereon to be approved by said Court or the Clerk, thereof in the penalty of Six Thousand (\$6,000.00) Dollars, if corporate surety be given, and in double that amount if personal surety be given, conditioned for the faithful performances of the trust reposed in him by any further decree or order in the premises.
- (b) That said Trustee shall then proceed to sell said real estate, mentioned and described in these proceedings, at private sale unto the said Lorenzo Dow Everngam, at and for the sum of Six Thousand (\$6,000.00) Dollars.
- (c) That as soon as may be convenient after such sale the said Trustee shall return to said Court a full and particular account of said sale, with an affidavit of the truth and fairness thereof annexed, whereupon the Court will pass the usual order nisi without which (and the due publication thereof) the sale hereinbefore directed to be made shall not be final.
- (d) That upon the final ratification of said sale by this Court, and upon the payment of the whole purchase money (and not before) the said Trustee, by a good and sufficient deed to be executed and acknowledged by him agreeable to law, shall convey to the purchaser, his heirs and assigns (or if so requested, to the purchaser and his wife, Mary Pearle Everngam, as tenants by the entireties, their heirs and assigns) the said real estate so sold, free and clear and discharged of all claims of the parties to this cause, and of any person or persons claiming by, through or under them.
- (e) And the said Trustee shall bring into this Court the money arising from said sale to be disposed of under the direction of this Court.

And it is further adjudged, ordered and decreed that if for any reason the sale hereinbefore authorized to be made at private sale shall not be made, then the said Trustee before proceeding to make sale of said real estate, in any other manner shall first apply

to the Court for further direction as to the course and manner of his proceedings.

WM. R. HORNEY  
Judge

CERTIFIED COPY OF BOND  
Filed Dec. 4, 1946.

QUEEN ANNE'S COUNTY, to wit: Be it remembered that on this Fourth day of December, in the year nineteen hundred and forty-six the following Bond was brought to be recorded, to wit:

Lorenzo Dow Everngam, et al  
versus  
Wright Everngam, et al

IN THE CIRCUIT COURT FOR  
QUEEN ANNE'S COUNTY, IN EQUITY.  
Cause No. 3498

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

KNOW ALL MEN BY THESE PRESENTS, that we, Harry C. Butler, of Queen Anne's County, State of Maryland, as principal, and the Maryland Casualty 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 Six Thousand (\$6,000.00) Dollars current money of the United States of America, to be paid to the said State of Maryland or its certain attorney, to which payment will and truly be made and 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 4th day of December, 1946.

WHEREAS, the above bounded Harry C. Butler has been appointed by a decree of the Circuit Court for Queen Anne's County, In Equity, passed on the 4th day of December, 1946, trustee to carry out the terms of said decree for the sale of the real estate mentioned and described in the cause in said Court entitled Lorenzo Dow Everngam et al versus Wright Everngam, et al, being Cause Number 3498 on the Chancery Docket of said Court.

Now The Condition Of The Above Obligation Is Such, that if the above bounded Harry C. Butler do and shall, well and faithfully, perform the trust reposed in him by said decree, or that may be reposed in him by any further 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

Jane Boyce Swann

HARRY C. BUTLER (SEAL)  
Harry C. Butler

Maryland Casualty Company

By HARRY C. BUTLER  
Harry C. Butler  
Its Attorney-In-Fact.

Attest

CORPORATE SEAL)

Jane Boyce Swann

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

Bond filed and Security approved this 4th day of Dec 1946.

A. SYDNEY GADD JR. Clerk

REPORT OF SALE  
Filed Dec. 10, 1946.

LORENZO DOW EVERNGAM, et al  
versus  
WRIGHT EVERNGAM, et al

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IN THE CIRCUIT COURT FOR  
QUEEN ANNE'S COUNTY, IN EQUITY.  
Cause No. 3498

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TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Sale of the real estate made in this cause by Harry C. Butler, Trustee appointed to make said sale, unto your Honors, respectfully shows:

1. That pursuant to the decree of this Honorable Court, passed on the 4th of December 1946, your Trustee filed in this cause a bond in penalty of Six Thousand (\$6,000.00) Dollars, with corporate surety thereon, which said bond was duly approved by the Clerk of this Court.

2. That pursuant to the decree of this Honorable Court, your Trustee on the 9th day of December 1946, preceeded to carry out the sale of the real estate or farm emntioned in these proceedings, and described as follows, to wit:

ALL those two tracts or parcels of land now composing and constituting one farm, situate, lying, and being in the Third Election District of Queen Anne's County, State of Maryland, adjoining the lands of the P.E.Church of Kent Island, the lands of William E. Roe, Wilbur Elaison and others, called "Wilton" and "Addition" or by whatsoever name or names the same may be called or known, containing 114 acres of land, more or less; and being the same real estate that was granted and conveyed unto Lorenzo J. Everngam by William E. Denney et al, by deed bearing date the 15th day of March 1917, and recorded in Liber W.F.W. Number 10, folio 198 a land record book for Queen Anne's County, a certified copy of which is filed as Exhibit A in these proceedings; and being the same land of which Lorenzo J. Everngam died, intestate seized and possessed, leaving as his only heirs at law, the said Lorenzo Dow Everngam Bernice M. Sparks, Wright Everngam and Robert L. Everngam.

Unto Lorenzo Dow Everngam and Mary Pearle Everngam, his wife, as tenants by the entireties, at and for the sum of Six Thousand (\$6,000.00) Dollars.

3. That the said Lorenzo Dow Everngam and Mary Pearle Everngam, his wife, have paid

unto your Trustee, the sum of Two Hundred (\$200.00) Dollars, as a down payment on the purchase price of said farm and the balance thereof, to wit: the sum of Five Thousand Eight Hundred (\$5,800.00) Dollars, will be paid upon the final ratification of said sale by this Honorable Court.

Respectfully submitted

HARRY C. BUTLER  
Harry C. Butler, Trustee

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

I HEREBY CERTIFY that on this 9th day of December, 1946, before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared Harry C. Butler, the trustee, named in the above entitled cause, and made oath in due form of law, that the matters and facts set forth in the foregoing Report of Sale are true and bona-fied as therein stated, and that the sale was fairly made.

Filed Dec. 9th, 1946.

A. SYDNEY GADD JR.  
A. S. Gadd, Clerk                      Clerk.

NISI SALE  
Filed Dec. 9, 1946

N I S I

Lorenzo Dow Everngam, et al.,

In the Circuit Court

VS.

for Queen Anne's County  
In Equity

Wright Everngam, et al.

Chancery No. 3498

ORDERED, This 10th. day of December A.D., 1946, that the sale of Real Estate made and reported in this cause by Harry C. Butler, Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 11th. 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 11th. day of January next.

The Report states the amount of sales to be \$5,800.00.

Filed Dec. 9, 1946

A. SYDNEY GADD JR.     Clerk.

NISI SALE  
Filed Dec. 10, 1946

N I S I

Lorenzo Dow Everngam, et al.,

In the Circuit Court

VS.

for Queen Anne's County  
In Equity

Wright Everngam, et al.

Chancery No. 3498

ORDERED, This 12th. day of December A.D., 1946, that the sale of real estate made and reported in this cause by Harry C. Butler, Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 18th. 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 18th. day of January next.

The Report states the amount of sales to be \$6,000.00.

Filed Dec. 10, 1946

A. SYDNEY GADD JR.     Clerk.

CERTIFICATE OF NISI PUBLICATION  
Filed Jan. 20th, 1947.

N I S I

Lotenzo Dow Everngam, et al.,

vs.

Wright Everngam, et al.

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

Chancery No. 3498

ORDERED, This 12th. day of December A.D., 1946, that the sale of Real Estate made and reported in this cause by Harry C. Butler, Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 18th. 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 18th day of January next.

The Report states the amount of sales to be \$6,000.00.

Filed Dec. 10, 1946

A. SYDNEY GADD, JR.  
Clerk

True Copy-  
Test: A. Sydney Gadd, Jr., Clerk.

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. January 17, 1947.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Nisi in the case/estate of Lorenzo Dow Everngam, et al., vs Wright Everngam, et al Chancery No. 3498 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 18th. day of January 1947, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 19th. day of December 1946, and the last insertion on the 9th. day of January 1947.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY

By PAUL B. SMITH

Filed Jan. 20th, 1947.

FINAL ORDER OF RATIFICATION Filed Feb. 21st, 1947.

Lorenzo Dow Everngam & Mary Pearle Everngam, his wife

vs.

Wright Everngam, et al

In the Circuit Court for

Queen Anne's County

In equity

Cause #3498

FINAL ORDER OF RATIFICATION

Ordered this 21st day of February, in the year nineteen hundred and forty-seven, 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 Harry C. Butler, Trustee, and reported in this cause, be and the same is hereby finally ratified and confirmed, no cause to the contrary thereof having been shown, althought due notice having been duly given as required by the preceding order nisi heretofore passed in this cause; and the said Harry C. Butler, trustee as aforesaid, is allowed the usual commissions allowed by this Court upon the sale of real estate and for other expenses, not personal, upon producing the vouchers therefore before the auditor.

Filed Feb. 21st, 1947.

WM. R. HORNEY Judge

AUDIT Filed March 3rd, 1947.

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

Lorenzo Dow Everngam, et al.

VERSUS

Wright Everngam, et al.

CHANCERY DOCKET,

CAUSE NO. 3498

To the Honorable, the Judges of said Court:

The Report of Madison Brown, the Auditor of the Court, unto your Honors respectfully sets forth:

That he has stated the within account at the request of Harry C. Butler, the Trustee making the sale of this Cause.

That the proceedings were instituted for the sale of land owned by the heirs-at-law of Lorenzo J. Everngam, for partition of the proceeds of the sale among his said heris, four in number.

That in the within account the said Trustee is charged with the gross amount of the sale made by him and he is then allowed thereout, as follows, to wit:

His commissions according to the rule of the Court and the decree passed in this Cause, the Court costs of the proceedings incident to this Cause, the costs of his bond containing corporate surety filed in this Cause, the cost of advertising the order nisi passed in relation to the sale and the cost of advertising the order nisi to be passed as to this audit and also the fee of the Auditor.

That the balance of the sale so charged to the Trustee remaining after these allowances consitutes the net proceeds of the sale and the amount of money for distribution among the four children or heirs-at-law of the said Lorenzo J. Everngam and said amount is distributed by the within account to these four children, the co-owners of the land, in equal parts.

Which is respectfully submitted,

MADISON BROWN

MARCH THE THIRD-1947

AUDITOR

CAUSE NUMBER 3498:

The proceeds of the sale of the real estate of James Wright Everngam and other co-owners IN ACCOUNT WITH HARRY C. BUTLER as the Trustee appointed by the decree of Court passed in this Cause to sell said real estate.



1946  
Dec.  
9

CR.

By amount of the gross sale of said real estate per the report of sale filed by said Trustee, to wit: the sum of . . . . . \$6,000.00

1946  
Dec.  
9

DR.

To Harry C. Butler, Trustee, for his commissions for making the sale mentioned, to wit: the sum of . . . . . \$ 285.00

To same Trustee, for the Court costs of this Cause, per the statement of same made by Clerk of Court produced to the Auditor, as follows:

Cost of Clerk . . . . . \$ .48.80  
Appearance fee of H. C. Butler, . . . . . 10.00  
L. H. Perkins, Sheriff, . . . . . .75  
J. T. Clark, Guardian ad Litem . . . . . 4.00  
R. T. Earle, Examiner, . . . . . 8.00  
D. D. Rolph Examiner's Clerk, . . . . . 7.50

Total of Court Costs . . . . . \$ 79.05 \$ 79.05

To same Trustee, for cost of his bond with corporate surety filed in this Cause, per statement exhibited, the sum of . . . . . \$ 24.00

To the same Trustee, for costs of advertising the order nisi passed on sale, \$5.00 and the order nisi to be passed on this audit, \$3.50, total, the sum of . . . . . \$ 8.50

To Madison Brown, Auditor, for stating this audit, the sum of . . . . . \$ 13.50

\$ 410.05

To balance carried to next page . . . . . \$5,589.95

\$6,000.00 \$6,000.00

CAUSE NO. 3498

DISTRIBUTION AMONG CO-OWNERS:

CR.

By balance brought over . . . . . \$5,589.95

DR.

To Lorenzo J. Everngam, son of Lorenzo J. Everngam, one-fourth of said balance, to wit: the sum of . . . . . \$1,397.48

To James Wright Everngam, son of Lorenzo J. Everngam, one-fourth of said balance, to wit; the sum of . . . . . \$1,397.49

To Bernice M. Sparks, daughter of Lorenzo J. Everngam one-fourth of said balance, to wit: the sum of . . . . . \$1,397.49

To Robert L. Everngam, son of Lorenzo J. Everngam, one-fourth of said balance, to wit: the sum of . . . . . \$1,397.49

\$5,589.95 \$5,589.95

March 3rd, 1947

MADISON BROWN

AUDITOR

Filed March 3rd, 1947.

NISI AUDIT  
Filed March 3rd, 1947.

NISI RATIFICATION OF AUDIT

Lorenzo Dow Everngam, et al

In the Circuit Court

VS

for Queen Anne's County

Wright Everngam, et al

In Equity

Cause No. 3498

ORDERED, This 3rd. day of March in the year nineteen hundred and forty seven 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 March, 1947; provided a copy of this order be published once a week in each of two successive weeks before the 21st. day of March, 1947, in some newspaper printed and published in Queen Anne's County.

A. SYDNEY GADD JR. Clerk.

Filed March, 3rd., 1947.

NISI RATIFICATION OF AUDIT  
AND CERTIFICATE  
Filed Feb. 10, 1949.

Nisi Ratification of Audit

-----  
Lorenzo Dow Everngam, et al

vs.

Wright Everngam, et al

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

Cause No. 3498

ORDERED, This 3rd. day of March in the year nineteen hundred and forty seven, 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 March, 1947; provided a copy of this order be published once a week in each of two successive weeks before the 21st. day of March, 1947, in some newspaper printed and published in Queen Anne's County.

A. SYDNEY GADD, JR. Clerk

Filed March, 3rd., 1947.

True Copy-

Test: A. Sydney Gadd, Jr., Clerk

QUEEN ANNE'S RECORD-OBSERVER

=====  
Centreville, Md. February 10, 1949

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 Lorenzo Dow Everngam, et al vs. Wright Everngam, 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 21st day of March 1947, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 6th day of March 1947, and the last insertion on the 13th day of March 1947.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

By BARBARA L. BINEBRINK

ORDER OF COURT  
Filed Feb. 11, 1949.

LORENZO DOW EVERNGAM et al

vs.

WRIGHT EVERNGAM et al

\* IN THE CIRCUIT COURT  
FOR  
\* QUEEN ANNE'S COUNTY,  
IN EQUITY.  
\* Cause No. 3498.

\*\*\*\*\*

ORDER OF COURT

ORDERED this 11th day of February, in the year nineteen hundred and forty-nine 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 Harry C. Butler, Trustee, is directed to make distribution in accordance therewith.

WM. R. HORNEY  
William R. Horney  
JUDGE.

Filed Feb. 11, 1949.

CAUSE NUMBER 3528

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Fifteenth day of February, in the year nineteen hundred and forty seven, the following BILL OF COMPLAINT was filed for record, to wit:

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

The Millington Bank of Maryland,		
body corporate, . . . . .	Plaintiff,	CHANCERY
Paul W. Phillips, . . . . .	Plaintiff,	DOCKET,
versus		
Lillie May Lynch, widow, . . . .	Defendant,	CAUSE NO.
Neva L. Lynch, Administratrix,		
of the Estate of Pere L. Lynch,	Defendant.	<u>3528</u>

To the Honorable, the Judges of said Court:-

Your Orators, who sue as well for themselves as for all other creditors of Pere L. Lynch, late of Queen Anne's County, deceased, who will come in and contribute to the expenses of this suit, complaining, say:-

- (1) That a certain Pere L. Lynch was indebted in his lifetime unto the Plaintiff, The Millington Bank of Maryland, body corporate, in the sum of \$76.47 on his certain promisory note given by him to said Bank dated July 24, 1942 and payable to the order of said Bank three months after date thereof in said sum of \$76.47 as will appear by reference to said note herewith filed as part hereof marked "Exhibit 1".
- (2) That the said Pere L. Lynch was also indebted in his lifetime unto the Plaintiff, The Millington Bank of Maryland, in the sum of \$66.60 on another certain promisory note given by him to said Bank dated August 27, 1942 and payable to the order of said Bank three months after date in said sum of \$66.60 as will appear by reference to said note herewith filed as part hereof marked "Exhibit 2".
- (3) That the said Pere L. Lynch was also indebted in his lifetime unto the Plaintiff, Paul W. Phillips, in the sum of \$139.42 for sundry matters and things properly chargeable in account as will appear by Exhibit 3 filed herewith as part hereof.
- (4) That the said Pere L. Lynch being so indebted as aforesaid unto your Orators and also unto fivers other persons and habing real estate hereinafter described and possessed of the Personal Property hereinafter mentioned departed this life on the 11th day of October, 1942, intestate, leaving surviving him no descendants of any degree but leaving surviving him as his only heirs-at-law a widow named Lillie May Lynch named in this Bill as a Party Defendant and certain collateral relations, one related to him as a brother and the others related to him as nephew and nieces.
- (5) That administration of all and singular the Personal Estate of the said Pere L. Lynch was on the 20th day of October, 1942, granted by the Orphans' Court of Queen Anne's County to one Neva L. Lynch as will appear by reference to the certificate of Letters of Administration filed herewith as part hereof marked "Exhibit 4". NOTE: The said Neva L. Lynch who as said Administratrix has been made a Party Defendant to this Bill of Complain has since the grant to her of said administration become by marriage Neva Lynch WorriLOW.
- (6) That the said Neva L. Lynch, Administratrix as aforesaid duly possessed herself of the Personal Estate so left by the said Pere L. Lynch which amounted to Two Hundred and Thirty Five Dollars and Seventeen Cents and no more and has applied the same to the funeral expenses of the said Pere L. Lynch as will appear by reference to a copy of her administration account filed herewith marked "Exhibit 5".
- (7) That the land of which the said Pere L. Lynch died seised and possessed as aforesaid was duly appraised in course of administration of his Personal Estate by Appraisers appointed by the Orphans' Court of Queen Anne's County at the sum of Two Thousand Dollars as will appear by a copy of the Inventory of said Real Estate so made by said Appraisers filed herewith as part hereof marked "Exhibit 6".  
NOTE: A description of said land is contained in said Exhibit.
- (8) That the Personal Estate so left by the said Pere L. Lynch was insufficient for the payment of the debts due and owing by him at the time of his death as will appear by reference to a statement of the claims filed in the Orphans' Court of Queen Anne's County against the said Pere L. Lynch filed herewith as part hereof marked "Exhibit 7".  
NOTE: None of these claims or debts have as yet been paid.
- (9) That under Section 130 of Article 93 of the Code of Public General Laws of Maryland in force at the time of the death of the said Pere L. Lynch, his surviving widow or spouse, said Lillie May Lynch, is entitled to take of or from the property of said deceased, Two Thousand Dollars or its equivalent in the property of the said deceased at its appraised value before the collateral heirs of the said deceased are entitled to take any part of the property left by the deceased.
- (10) That the Orphans' Court of Queen Anne's County by its order passed May 6, 1947, in the Matter of the Administration of the Estate of the said Pere L. Lynch, did under Section 86 of Article 93 of the Code of Laws above mentioned designate the land above mentioned and described in said Inventory as the property of the said Pere L. Lynch to be taken by the said Lillie May Lynch on account of her said sum of Two Thousand Dollars, said taking to be subject to the payment out of said land of the unpaid debts of the said deceased.  
NOTE: A copy of said order is filed herewith as part hereof marked "Exhibit 8".
- (11) That said Neva L. Lynch now Neva Lynch WorriLOW, Administratrix of the Estate of said Pere L. Lynch in execution of the duty imposed upon her by Section 86 of Article 93 of the Code of Laws above mentioned and in execution of the duty imposed upon her by the above mentioned order of the Orphans' Court of Queen Anne's County has executed and delivered unto the said Lillie May Lynch a proper Deed of said Real Estate, which Deed conveys said

land to the said Lillie May Lynch, her heirs and assigns,.....subject to the payment thereof of the unpaid debts of the said Pere L. Lynch but . . . . . free and clear of all the right, title, claim and interest in said land of the said collateral heirs-at-law of the said Pere L. Lynch.

NOTE: This Deed is dated May 9th, 1947 and was filed for record in the office of the Clerk of the Circuit Court for Queen Anne's County on May 14th, 1947, as will appear from a certified copy of said Deed filed herewith as part hereof marked "Exhibit 9".

(12) That the said Lillie May Lynch is now in possession of said Land as owner thereof under said Deed.

(13) That your Orators and the other Creditors of the said Pere L. Lynch now as yet satisfied are entitled to have their claims against the said deceased paid out of the Real Estate left by him now in the hands and in the possession of the name of the Defendant Lillie May Lynch.

To the end therefore:

(1) That the defendants herein named may answer the several matters and things herein charged as fully and particularly as if they were thereunto interrogated; and

(2) That the real estate of the said Pere L. Lynch hereinbefore described 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 any other unsatisfied creditors of the deceased; and

(3) That your Orators may have such further and other relief in the premises as the case may require.

MAY IT PLEASE YOUR HONORS

(1) To grant unto your Orators writs of subpoena against the said Lillie May Lynch and against the said Neva L. Lynch, Administratrix of Pere L. Lynch, both of whom can be found in Queen Anne's County, commanding them to 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 herein.

And as in duty bound, etc.,

MADISON BROWN  
SOLICITOR FOR PLAINTIFFS

Filed May 15, 1947

"EXHIBIT 1"  
Filed May 15, 1947.

State of Maryland,

Kent County, Sct:

On this 19th day of April 1943 there came Dr. Merritt Brice, Pres. Millington Bank of Maryland and in the presence of Almighty God solemnly declared (or do solemnly, sincerely and truly affirmed and declared) that the foregoing account is just and true as stated, and that they hath not, directly or indirectly received any part, parcel security or satisfaction for the same to the best of his knowledge and belief, except such part as is credited.

Notary Public Seal.

Filed May 15, 1947

C. M. MELVIN JR.  
Notary Public. for Kent County, Maryland.

\$76.47 (Please Give) Post Office.....Md., July 24, 1942  
Three (3) months after date for value received in jointly and severally promise to pay The Millington Bank of Md., or order Seventy six and 47/100 Dollars AT THE MILLINGTON BANK OF MARYLAND, in Millington, Maryland, and I or we, whether makers or endorsers, agree to waive protest and notice of non-payment, and pay the Peace and confess judgement hereon after maturity, and forthwith issue execution for the amount thereof, with interest and costs, with all exemptions waived.

64435

IN SIGNING NOTE WRITE NAME  
IN FULL

PERE L. LYNCH (SEAL)

LILLIE M. LYNCH (SEAL)

Oct 24/42

Examined and entered on Docket of Claims and will be allowed when paid, per order of Court.

EDWARD E. COURSEY  
Register of Wills for  
Queen Anne's County

EXHIBIT 2  
Filed May 15, 1947

State of Maryland,

Kent County, Sct.:

On this 19th day of April 1943 there came and in the presence of Almighty God solemnly declared (or do solemnly, sincerely and truly affirmed and declared) that the foregoing account is just and true as stated, and that they hath not, directly or indirectly received any part, parcel security or satisfaction for the same to the best of his knowledge and belief, except such part as is credited.

Notary Public Seal.

Filed May 15, 1947.

C. M. MELVIN JR.  
Notary Public for Kent County, Maryland.

\$66.60

(PLEASE GIVE) Post Office Crumpton Md., Aug. 27, 1942

Three (3) months after date for value received we jointly and severally promise to pay THE MILLINGTON BANK OF MD. or order Sixty Six 60/100 Dollars AT THE MILLINGTON BANK OF MARYLAND, in Millington, Maryland, and I or we, whether makers or endorsers, agree to waive protest and notice of non-payment, and pay the usual commissions for collection, and authorize any attorney of record to appear in any court or before any Justice of the Peace and confess judgement hereon after maturity, and forthwith issue execution for the amount thereof, with interest and costs, with all exemptions waived.

LILLIE M. LYNCH (SEAL)

PERE L. LYNCH (SEAL)

NEVA L. LYNCH (SEAL)

Examined and entered on Docket of Claims and will be allowed when paid, per order of Court.

EDWARD E. COURSEY  
Register of Wills for Queen Annes County.

"EXHIBIT 3"  
Filed May 15, 1947.

(concerning the Estate of Pere Lynch.)

State of Maryland.  
County of Queen Anne.

On this 14th. day of May in the year 1947 personally appeared Paul W. Phillips and made oath in due form of law that the attached statement is just and bona-fide and no payment or part payment of same has been received.

JOHN F. STOKES  
Notary Public.

Notary  
Public  
Seal.

Mr. Pere L. Lynch

SUDLERSVILLE, MD.

PAUL W. PHILLIPS

DEALER IN

LUMBER, BUILDING MATERIALS, HARDWARE  
CEMENT, LIME, BRICK AND ROOFING

TERMS: 30 Days Net, Date of Invoice or 90 Days Note From Date of Invoice

	1937		
Aug. 21	Invoice 624-49		
	9 1x12-14 r. 126' @ 5	6 30	
	1 2x10-12 20' @ 5	1 00	
	100 ft. cord	1 00	
	2 4x6-10 oak 40' @ 4	1.60	
	1 2x12-12 24' @ 5	1 20	
	1 39½x22½ glass	2 10	
	1 18x14 glass	40	
	1 26x14 glass	45	
	14 36x14 @ 1.10	15 40	
	5# putty	60	
	1 8x10 glass	08	
	5# putty	50	
		<u>30 63</u>	
Oct. 1	Invoice 630-46		
	2 5 gal. asphalt	5 00	
	2# putty	20	
		<u>5 20</u>	
13	Invoice 632-36		
	36 blocks @ 14	5 04	
	1 cement	75	
	1 lime	45	
	6 4x6-16 fir 192' @ 5	9 60	
	12 2x4-10 fir 80' @ 5	4 00	
	5 2x4-16 fir 53' @ 5	2 65	
	1 2x6-8 fir 8' @ 5	40	
	6 2x6-12 oak 72' @ 5	2 88	
	12 2x4-8 fir 64' @ 5	3 20	
	160 sq. ft. 1x6 T&G roofers @ 4	6 40	
	40 lin. ft. flashing @ 9	3 60	
	600 lin. ft. lath @ 1	6 00	
	3 sqs. 6x18 shingles @ 6.75	20 25	
	12# 5d galvanized nails @ 10	1 20	
	220 sq. ft. 16' flg. @ 6½	14 30	
	5# 20 nails @ 5	25	
	5# 10 nails @ 5	25	
	20# 8 nails @ 5	1 00	
		<u>82 22</u>	
13	Invoice 632-45		
	20 sqs. shingles @ 5.75	115 00	
	60# 5 d galv. nails @ 9	5 40	

	400 lin. ft. mldg. @ 2	8 00	
	3 2x6-14 fir 42' @ 5	<u>2 10</u>	<u>130 50</u>
1937			248 55
Oct.			
18	Invoice 633-33		
	8 1x4-16 D4S cypress 43' @ 8	3 44	
	50 sq. ft. siding cypesss @ 6	<u>3 00</u>	6 44
19	Invoice 633-49		
	10 2x4-18 120 @ 5	6 00	
	18 1x12-16 288 @ 5	14 40	
	12 1x12-14 168 @ 5	8 40	
	20 2x4-16 213 @ 5	10 65	
	5 2x4-18 60 @ 5	3 00	
	16 pc. 16' wd. stop 256 @ 1½	3 84	
	4 8x8-7'10" panel	14 00	
	14 wd. frame 10x12 12 lt. @ 4.00	56 00	
	1 door frame 2-8x6-6	4 50	
	1 door frame 2-6x6-6	4 50	
	1 door frame 3x7	<u>4 50</u>	129 79
29	Invoice 636-42		
	12 pc. ½x6-12 72 @ 6	4 32	
	15# 10 nails @ 5	75	
	20# 20 nails @ 5	1 00	
	2 2-8x6-8 15 lt. doors @ 8.50	17 00	
	2 pr. 3½ butts	80	
	2 mortice locks	<u>1 00</u>	24 87
29	Invoice 636-48		
	17 wd. drip cap @ 20	3 40	
	3 door caps @ 20	60	
	1 bun. ½x6 n.c.		
	10 2x4-14 93 @ 5	4 65	
	30# nails @ 5	1 50	
	2# 6d fin. nails @ 16	<u>12</u>	10 27
Nov.			
3	Invoice 638-3		
	2 1x10 12 pine 20		
	2 1x10-10 pine 17 37 @ 7½	2 78	
	90 ft. og mldg. @ 1½	1 35	
	10# 8' wire @ 5	50	
	36 pc. 16' lath 575 @ 1	<u>5 76</u>	10 39
5	Invoice 638-16		
	2# lath nails @ 6	12	
	2# 8d nails @ 6	12	
	2# 3d nails @ 6	12	
	3 pcs. 1x4-14 @ 7½	1 05	
	6 pcs. ½x6-10 cypress 30 @ 5½	1 65	<u>3 06</u>
			433 37
6	Invoice 638-26		
	20 lin. ft. 14" valley tine @ 12	<u>2 40</u>	2 40
9	Invoice 638-43		
	10# 4d galv. nails @ 10	1 00	
	100 plaster lath	1 00	
	2# 8d fin. nails @ 10	20	
	12 lin. ft. 14" valley tin @ 9	<u>1 08</u>	3 28
11	Invoice 639-7		
	10# 4d galv. nails @ 10	1 00	
	5# 8d nails @ 5	25	
	4 linft. 14' valley tin @ 9	<u>36</u>	1 61
13	Invoice 639-31		
	4# 8d nails @ 6	24	
	125 sq. ft. 1x6 pine @ 4	5 00	
	4# 8d nails @ 5	20	
	4# 10d nails @ 5	20	
	400 lin. ft. 1x3 cypress @ 8	8 00	
	1 mortice lock	80	
	3# 10d nails @ 5	15	
	5# 8d nails @ 5	25	
	3# 10 nails @ 6	18	
	1 pr. butt hinges	<u>35</u>	15 37
16	Invoice 639-49		
	3# putty	36	
	4 plaster	4 00	
	7 sadh 10x12 6 lt. @ 1.75	12 25	
	1 cement	75	
	1 5/4x4-16 32 @ 4	1 28	
	3 1x8-16 pine 32 @ 8	2 56	
	12x12-16 32 @ 5	1 60	
	160 ft. wd. stop @ 1½	2 40	
	4 sadh 10x12 4 lt. @ 1.10	<u>4 40</u>	29 60
17	Invoice 640-9		
	1 pr. 3x3 butts	25	

	1 lock		55	
	4 pcs. 4x8 wall board 128 @ 4½		5 76	
	3 bun. lath @ 50		1 50	
	2 tons sand @ 1.25		2 60	
	6 plaster @ 90		5 40	
	4 1x6-12 cypress @ 7		1 68	
	2# lath nails @ 6		12	<u>17 76</u>
Dec. 8	Invoice 643-35			503 39
	5 tons sand @ 1.50		7 50	
	5 bags plaster		<u>5 00</u>	12 50
1938	Invoice 643-40			
Jan. 17	1 rim lock		<u>55</u>	55
	Invoice 648-16			
	450 sq. ft. 1x6 pine @ 4		<u>18 00</u>	18 00
1939	Invoice 715-30			
Apr. 24	2 bags cement		1 50	
	2 bags lime		<u>90</u>	2 40
	Invoice 715-43			
25	3 1x12-16 r pine 48 @ 4		<u>1 92</u>	1 92
	Labor			
	Week ending 10/15/37			
	F. Kelly 5 hrs. @ 45	2.25		
	H. Ware 5 hrs. @ 50	<u>2.50</u>	4 75	
	Week ending 10/22/37			
	W. Conley 15 hrs. @ 40	6.00		
	T. Conly 25 hrs. @ 40	10.00		
	E. Walls 15 hrs. @ 50	7.50		
	E. Teat 10 hrs. @ 40	4.00		
	W. Teat 15 hrs. @ 40	<u>6.00</u>	33 50	
	Week ending 10/29/37			
	W. Conly 4½ hrs. @ 40	1.80		
	T. Conly 8 hrs. @ 40	3.20		
	E. Walls 10 hrs. @ 50	5.00		
	E. Teat 10 hrs. @ 40	<u>4.00</u>	14 00	
1937	By cash		200 00	<u>591 01</u>
Nov. 9	By cash		90 00	
1938	By cash		10 00	
Jan. 18	Invoice 648-19 returned goods		54 94	
18	By cash		205 00	
18	By cash		25 00	
May 6	By cash		8 00	
Nov. 7	By cash		10 00	
1939	By cash		32 15	
May 8	By cash		<u>20 00</u>	655 09
Aug. 31	By cash			
Sept. 30	By cash			
1940	By cash			
Nov. 1	By cash			
	week ending 11/5/37			
	W. Conly 5 hrs. @ 40	2.00		
	T. Conly 5 hrs. @ 40	2.00		
	E. Walls 30 hrs. @ 50	15.00		
	E. Teat 35 hrs. @ 40	14.00		
	W. Teat 35 hrs. @ 40	<u>14.00</u>	47 00	
	Week ending 11/12/37			
	E. Walls 48 hrs. @ 50	24.00		
	E. Teat 48 hrs. @ 40	19.20		
	W. Teat 48 hrs. @ 40	<u>19.20</u>	62 40	
	Week ending 11/19/37			
	E. Walls 27½ hrs/ @ 50	13.75		
	E. Teat 55 hrs. @ 40	22.00		
	W. Teat 47 hrs. @ 40	<u>18.00</u>	54 55	
	Week ending 11/26/37			
	E. Teat 9 hrs. @ 40	3.60		
	W. Teat 9 hrs. @ 40	<u>3.60</u>	7 20	
	Week ending 12/3/37			
	W. Elliott 9½ hrs/ @ 50	<u>4.75</u>	4 75	
	Week ending 12/10/37			
	W. Conely 18 hrs. @ 40	7.20		
	E. Walls 18 hrs. @ 50	<u>9.00</u>	16.20	
Dec. 10	Edw. Vansant		6 40	
1941	paid for cutting wood		<u>5 00</u>	
Feb. 13				
	LESS CREDITS			794 51
				<u>655 09</u>
				\$139 42

Certified just and true and payment not received.

Filed May 15, 1947

PAUL W. PHILLIPS  
F. PATRICK DUGGAN

"EXHIBIT 4"  
Filed May 15, 1947.

CERTIFICATE OF ADMINISTRATION

State of Maryland,

Queen Anne's County, to wit:

I, Edward E. Coursey, 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 20th day of October A.D., nineteen hundred and forty-two, Letters of Administration of all and singular the goods, chattels, credits and personal estate of Pere L. Lynch late of Queen Anne's County, deceased, were granted and committed unto Neva L. Lynch, 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

In Testimony Whereof, I Edward E. Coursey, 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 14th day of May, nineteen hundred and forty-seven.

Seal  
Place.

EDWARD E. COURSEY  
Register of Wills for Queen Anne's County

"EXHIBIT 5"  
Filed May 15, 1947.

In the Orphans Court of Queen Anne's County.  
In the Matter of the Administration of the Personal Estate of Pere L. Lynch whose real name was Perry L. Lynch, late of said County, deceased.

ADMINISTRATION ACCOUNT:

The First and Final Account of Neva Lynch who is now by marriage Neva Lynch WorriLOW, Administratrix of the Personal Estate of Pere L. Lynch. This Accountant charges herself with the Personal Estate of her decedent in the following manner, to wit:

With the amount of the Inventory of said Personal Estate heretofore returned to this Court as per same appears, to wit: . . . . .	\$ 250.17
Less the loss on the sales of Goods and Chattels enumerated in said Inventory as set forth below, to wit: the sum of . . . . .	15.00
Making the amount of said Personal Estate chargeable to said Administratrix to be the sum of . . . . .	\$235.17
And this Accountant prays to be allowed for the following payments and disbursements, to wit:	
1. for one per cent. commissions on \$235.17 the amount of said Personal Estate to be paid to the Register of Wills for the use of the State of Maryland, to wit: the sum of . . . . .	\$ 2.36
This Administratrix waives any further commissions to which she might be entitled.	
2. For cash paid by this Accountant to Edgar L. Lane, under-taker, for the burial expenses of the decedent, per account for same with receipt thereon appears, to wit: the sum of . . . . .	\$270.00
Total amount of disbursements, . . . . .	\$272.36
Total amount of the estate, personal of decedent, . . . . .	\$235.17
Amount of over-payment of Personal Estate due to the administratrix, to wit: . . . . .	\$ 37.19

ACCOUNT OF THE SALES OF THE GOODS AND CHATTELS ENUMERATED IN THE INVENTORY MENTIONED MADE BY ADMINISTRATRIX:

Article:	Amount of Appraisement:	Amount of Sales:
Bay Mare	\$ 50.00	\$ 60.00
Cow No. 1	100.00	100.00
Cow No. 2	100.00	75.00
	<u>250.00</u>	<u>\$ 235.00</u>
Loss on sales . . . . .		\$ 15.00

Neva Lynch  
Now, Neva Lynch WorriLOW  
Administratrix of Estate of  
Pere L. Lynch

State of Pennsylvania, Delaware County, to wit:  
I HEREBY CERTIFY that on this 29 day of April in the year nineteen hundred and forty seven, before me, the subscriber, a Notary Public of the State of Pennsylvania in and for Delaware County aforesaid, personally appeared Neva Lynch WorriLOW, Administratrix of Pere L. Lynch and she did make oath in due form of law that the foregoing Administration Account and the Account of Sales are just and true as above set forth and that she has paid or secured the payment of the sums for which she prays allowance. IN WITNESS WHEREOF I do hereunto subscribe my name and affix my Seal Notarial the day and year above written.

William Russo NOTARY PUBLIC  
13 Bethel Rd. Boothwyn, Pa.  
My Commission expires Jan. 2, 1949.  
NOTARY PUBLIC  
My Commission Expires Jan. 2, 1949  
(Notary Public)

And on the aforesaid is thus endorsed, to wit:  
EXAMINED and APPROVED by us May 6, 1947, and ordered recorded.  
H. F. Callahan  
C. Tilghman Bishop



W. Rembert Phillips  
Judges of the Orphans' Court of 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 First and Final Administration Account of Neva Lynch, now Neva Lynch Worrilow, administratrix of the estate of PERE L. LYNCH, late of Queen Anne's County, deceased, as filed and passed in this office on May 6, 1947 and recorded in Liber N.S.D. No. 1 Folio \_\_\_ in Record Book of Administration Accounts in the Orphans' Court for Queen Anne's County, Maryland.

Seal  
Place.

In testimony whereof I hereunto subscribe my name  
and affix the seal of my office this 15th day of  
May 1947.

EDWARD E. COURSEY  
Register of Wills for Queen Anne's County,  
Maryland

Filed May 15, 1947

"EXHIBIT 6"  
Filed May 15, 1947

WARRANT TO REAPPRAISE REALTY

The State of Maryland

Queen Anne's County, Sct:

To Glen Coleman ) Greeting:  
and Fred Stevens )

This is to authorize you, jointly, to appraise the Real Estate in the State of Maryland of Pere L. Lynch, late of Queen Anne's County, deceased, so far as they shall come to your sight and knowledge, each of you having first taken the oath hereto annexed, a certificate, whereof, under hand and seal, you are to return annexed to an inventory of the said Real Estate, by you appraised in dollars and cents; and in the said inventory you are to set down in a column or columns, each piece of Real Estate and the price and value thereof.

WITNESS, the Hon. Harry F. Callahan, Chief Justice of the Orphans' Court of Queen Anne's County, this 15th day of January in the year nineteen hundred and forty-six.

Test: Edward E. Coursey  
Register of Wills for Queen Anne's County.

The appraisers, before they proceed to act, must take the following oath:

We do swear that we will well and truly, without partiality or prejudice, value and appraise the Real Estate of Pere L. Lynch deceased, so far as the same shall come to our sight and knowledge, and will in all respects perform our duty, as appraisers, to the best of our skill and judgment. So help us God.

Signed Glen Coleman )  
Fred W. Stevens ) Appraisers.

I HEREBY CERTIFY, That the foregoing oath was taken and subscribed to by the said Glen Coleman and Fred Stevens before the undersigned a Notary Public this 17 day of January, A.D., 1946.

Notary Seal

C. M. Melvin Jr.  
Notary Public

We, the Subscribers, do certify that the foregoing is a just and true Inventory and valuation of all and singular the Real Estate of the said PERE L. LYNCH, 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 17th day of January, in in the year of our Lord one thousand nine hundred and forty six.

Glen Coleman Seal  
Fred W. Stevens Seal Appraisers

Amount of ReAppraisalment \$ 2,000.00

Queen Anne's County, to wit:

On this 18 day of January, 1946, came Neva Lynch, administratrix of the estate of Pere L. Lynch 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 her knowledge, and that should she hereafter discover any other Real Estate belonging to the said deceased, in this State she will return an additional inventory thereof.

Certified by Edward E. Coursey Register of Wills.

In the Orphans' Court for Queen Anne's County:

On this 29th day of January, 1946, the foregoing inventory was duly examined and passed by Court, and same ordered to be received, filed and recorded

Edward E. Coursey Register of Wills.  
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 Inventory of Real Estate in the estate of PERE L. LYNCH, late of Queen Anne's County, deceased, as filed and passed in this office on January 29, 1946 and recorded in Liber E. E. C. No. 1 Folio 224 in Record Book of INVENTORIES in the Orphans' Court for Queen Anne's County, Maryland.

Seal Place.

In testimony whereof I hereunto subscribe my name and affix the seal of my office this 14th day of May 1947.

Filed May 15, 1947.

Edward E. Coursey  
Register of Wills for Queen Anne's County, Maryland

"EXHIBIT 7" Statement of Claims.  
Filed May 15, 1947.

Estate Of	PERE L. LYNCH	Deceased	Date of Letters	Oct. 20, 1942
When Passed	Name of the Creditors		Character of the Claims	Amount of Claims
Feb. 23	Paul W. Phillips		Account	160.25
March 30	Sudlersville Bank of Maryland		Note (with interest)	258.98
April 20	Millington Bank of Maryland		Note (with interest)	66.60
April 20	Millington Bank of Maryland		Note (with interest)	76.47

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, SCT.:

I, Edward E. Coursey, Register of Wills of Queen Anne's County, State of Maryland, ex-officio Clerk of the Orphans' Court of Queen Anne's County, and as such, the keeper of the records of said Court, DO HEREBY CERTIFY that it appears from the Claim Docket in my said office in Liber N.S.D. No. 1, folio 45, that the above set forth claims were passed by the Judges of the Orphans' Court for Queen Anne's County and entered in the abovementioned Claim Docket.

Seal Place.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the Seal of the Orphans' Court of Queen Anne's County, this 15th day of May in the year of our Lord one thousand nine hundred and forty-seven.

Edward E. Coursey  
Register of Wills of Queen Anne's County,  
Maryland.

"EXHIBIT 8"  
Filed May 15, 1947.

In the Orphans' Court of Queen Anne's County.  
In the Matter of the Administration of the Estate of Pere L. Lynch.

ORDER OF COURT:

That foregoing Petition of Lillie May Lynch, the surviving spouse of the said Pere L. Lynch has been read and considered:

It is thereupon on this 6th day of May, 1947, by the Orphans' Court of Queen Anne's County and by the authority vested in said Court under Sections 86 and 130 of Articles 93 of the Code of Public General Laws of Maryland as well as by the other laws of the State of Maryland, ORDERED, ADJUDGED AND DECREED, as follows:

- (1) That the said Lillie May Lynch, the surviving widow of Pere L. Lynch is entitled to take of the property left by the said Pere L. Lynch, the sum of \$2,000.00 or its equivalent in property at its appraised value before the other and collateral heirs of the said Pere L. Lynch shall take any property whatsoever.
- (2) That the said land left by Pere L. Lynch described in Paragraph 7 of said Petition be and the same is hereby designated as the property which the said Petitioner is entitled to take on account of her said \$2,000.00, but said taking is hereby declared to be subject to the payment out of said land of the unpaid debts due and owing be the said Pere L. Lynch at the time of his death.
- (3) That the land mentioned above be and the same is hereby declared to be the property of the said Lillie May Lynch subject however, to the payment thereof of the unpaid debts of Pere L. Lynch but free and clear of all right, title, claim and interest therein of the collateral heirs of the said Pere L. Lynch.
- (4) That the said Neva L. Lynch, the Administratrix of the said estate of the said Pere L. Lynch be and she is hereby ordered, empowered and directed to execute and deliver to the said Lillie May Lynch a proper deed conveying to the said Lillie May Lynch and unto her heirs and assigns the land mentioned and described in paragraph 7 of the foregoing Petition subject to the unpaid debts of said Pere L. Lynch but free and clear of the right, title, claim and interest therein of the collateral heirs at law of the said Pere L. Lynch.

H. F. Callahan

C. Tilghman Bishop

W. Rembert Phillips  
Judges of the Orphans' Court of  
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 Order of Court authorizing, directing and empowering Neva L. Lynch, administratrix of the estate of PERE L. LYNCH, deceased, to execute and deliver unto Lillie May Lynch a proper deed conveying certain Real Estate, subject to the payment of the unpaid debts due and owing by the said Pere L. Lynch at the time of his death, and to her heirs and assigns free and clear of all rights therein of the other heirs-at-law of the said Pere L. Lynch as filed and passed in this office on May 6, 1947 and recorded in Liber E. E. C. No. 1 Folio 133 in Record Book of Petitions and Orders in the Orphans' Court for Queen Anne's County, Maryland.

Seal  
Place.

In testimony whereof I hereunto subscribe  
my name and affix the seal of my office this  
14th day of May 1947.

EDWARD E. COURSEY  
Register of Wills for Queen Anne's County,  
Maryland

Filed May 15, 1947

"EXHIBIT 9"  
Filed May 15, 1947.

THIS DEED, made this ninth day of May in the year nineteen hundred and forty seven between Neva Lynch Worriow, of DELAWARE County in the State of Pennsylvania, recently Neva L. Lynch of Queen Anne's County in the State of Maryland, Administratrix of the Personal Estate of Pere L. Lynch, late of Queen Anne's County aforesaid, deceased, party of the first part and Lillie May Lynch, of Queen Anne's County aforesaid, party of the second part.

PREAMBLE:

- (1) The said Pere L. Lynch died intestate in Queen Anne's County aforesaid on the eleventh day of October, 1942, not leaving sufficient personal property to pay the debts due and owing by him at the time of his death and seised and possessed of the land hereinafter described but no other land.
- (2) The said Pere L. Lynch left no descendants of any degree surviving him and leaving as his only heirs at law the party of the second part, said Lillie May Lynch who was his wife and who is now his widow and surviving spouse and certain collateral relatives related to him, one a brother, William Lynch and the others nephews and nieces.
- (3) Administration on the Personal Estate so left by the said Pere L. Lynch was on the 20th day of October, 1942, granted and committed unto the party of the first part who was then Neva L. Lynch, who duly administered said estate and who on the 6th day of May, 1947 rendered in the Orphans' Court of Queen Anne's County, the Court granting her administration, her First and Final Administration Account. By this Account the amount of the Personal Estate so left by the said Pere L. Lynch amounted to \$235.17 and said administration account shows an over-payment thereof by said Administratrix of the sum of \$37.19.
- (4) The land granted and conveyed by this Deed was duly appraised by appraisers appointed by The Orphans' Court of Queen Anne's County at the sum of \$2,000.00 as will appear by the Inventory made by said Appraisers returned to said Court and now on file therein.
- (5) The Orphans' Court of Queen Anne's County by its order passed on the fifth day of May, 1947, in the matter of the Administration of the Estate of (said) Pere L. Lynch did declare that under the laws of the State of Maryland relating to the distribution of the Personal Estates of deceased persons the said Lillie May Lynch as surviving spouse of said Pere L. Lynch was entitled to take of the property of said Pere L. Lynch the sum of \$2,000.00 or its equivalent in property at its appraised value before the collateral heirs of the said Pere L. Lynch were entitled to take any part of the decedent's estate.
- (6) The Orphans' Court of Queen Anne's County pursuant to the direction and the authority contained in Section 86 of Article 93 of the Code of Public General Laws of Maryland did by its aforesaid order of May the fifth, 1947, designate the land hereinafter granted and conveyed as the property left by said Pere L. Lynch to be taken by said Lillie May Lynch on account of her said sum of \$2,000.00, said taking however, to be subject to the payment out of said land of the unpaid debts left by the said Pere L. Lynch at the time of his death but free and clear of all rights in said land of the collateral heirs of said Pere L. Lynch.
- (7) The Orphans' Court of Queen Anne's County pursuant to said Section 86 of Article 93 of the Laws above mentioned did direct the party of the first part to execute and deliver to said Lillie May Lynch a proper deed granting the land above mentioned and hereinafter conveyed unto the said Lillie May Lynch, her heirs and assigns in fee simple, subject to the unpaid debts of the said Pere L. Lynch but free and clear of all rights therein of his said collateral heirs.

(8) NOW THEREFORE THIS DEED WITNESSETH:

That the party of the first part, for and in consideration of the premises and of the sum of One Dollar to her paid by the party of the second part, the receipt of which is hereby acknowledged, in execution of the duty and power imposed upon her by Section 86 of Article 93 of the Code of Public General Laws of Maryland and of the duty imposed upon her by the above recited order of the Orphans' Court of Queen Anne's County, does hereby grant and convey unto the said Lillie May Lynch, her heirs and assigns in fee simple the land above mentioned consisting of

ALL that farm or tract of land called and known as "The Pere L. Lynch Farm" situate, lying and being in the Seventh Election District of Queen Anne's County in the State of Maryland on the west side of the public road leading from Millington in Kent County through Pondtown in Queen Anne's County to Church Hill in Queen Anne's County, bounded on the east by said public road, bounded on the south by the farm or tract of land known as "The William F. Fowler Farm" lately owned by one George E. Kellas, bounded on the west by the land of Frank Waddell senior and the land of

Frank Waddell junior and bounded on the north by the land known as "The William Hazel Farm" and containing 73 Acres of land, more or less.

BEING the same land allotted to Pere L. Lynch aforesaid in the Deed of Partition made between him and Jessie Gertrude Sylvester and others dated August 26, 1913 and recorded in Liber W.F.W. No. 3, a land record book of Queen Anne's County aforesaid, at folios 572 etc., to which deed reference is hereby made for a description of said land by metes and bounds, courses and distances.

TOGETHER with the buildings and improvements thereon and all the roads, rights, ways, waters, privileges and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD all and singular the above granted land with the appurtenances thereof unto the said Lillie May Lynch and unto her heirs and assigns in fee simple.

SUBJECT to the lien thereon for the payment of the unpaid debts due and owing by the said Pere L. Lynch at the time of his death

FREE, CLEAR AND DISCHARGED of all rights, title, claim and interest therein of said collateral heirs of the said Pere L. Lynch.

AND the party of the first part covenants that she will execute such further assurances of said land as may be requisite.

IN TESTIMONY WHEREOF the party of the first part has hereunto subscribed her name and affixed her Seal the day and year first hereinabove written.

Test: NEVA LYNCH WORRILOW (SEAL)
Neva Lynch Worrilow formerly
W. HAROLD WORRILOW, JR. (SEAL)
W. Harold Worrilow, Jr. Neva L. Lynch

ADMINISTRATRIX OF THE PERSONAL ESTATE OF PERE L. LYNCH, DECEASED.

STATE OF PENNSYLVANIA, )
) TO WIT:
DELAWARE COUNTY, )

I HEREBY CERTIFY that on this 9th day of May in the year nineteen hundred and forty seven, before me, the subscriber, a Notary Public of the State of Pennsylvania in and for Delaware County aforesaid, duly commissioned and qualified according to law, personally appeared Neva Lynch Worrilow, formerly Neva L. Lynch, Administratrix of the Personal Estate of Pere L. Lynch, deceased, and she did acknowledge the foregoing DEED to be her act.

IN WITNESS WHEREOF I do hereunto subscribe my name and affix my Seal Notarial the day and year above written.

WILLIAM RUSSO
13 Bethel Rd. Boothwyn Pa.

NOTARY PUBLIC

William Russo NOTARY PUBLIC
My Commission Expires
Jan. 2, 1949

MY COMMISSION EXPIRES: Jan. 2-1949

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, which was filed for record in this office on the 14th. day of May, 1947, and which will be recorded among the land record books for Queen Anne's County.

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 14th. day of May, in the year nineteen hundred and forty seven.

A. SYDNEY GADD JR.
Clerk

Queen Anne's County, to wit:

The State of Maryland

TO Seal
Place.

Lillie May Lynch, widow

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 The Millington Bank of Maryland and Paul W. Phillips against you in said court exhibited.

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

WITNESS, The Honorable J. Owen Knotts, Chief Judge of our said Court,  
the First Monday of May 1947 Issued the Fifteenth day of May 1947

A. SYDNEY GADD JR. Clerk

Madison Brown

Solicitor for Complainants

TO THE DEFENDANT: You are required to file your answer or other de-  
fense 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 subpoena is thus endorsed, to wit: "To Lie"

SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER

Queen Anne's County, to wit:

The State of Maryland

TO Seal  
Place.

Neva L. Lynch, Administratrix

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 Centre-  
ville, in said County, on the First Monday of June next, to answer the complaint of The  
Millington Bank of Maryland and Paul W. Phillips against you in said court exhibited.

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

WITNESS, The Honorable J. Owen Knotts, Chief Judge of our said Court,  
the First Monday of May 1947 Issued the Fifteenth day of May 1947

Madison Brown

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 June next, being the  
Return Day.

A. SYDNEY GADD JR. Clerk

And on the back of the foregoing Subpoena is thus endorsed, to wit: "To Lie"

ANSWER OF NEVA L. LYNCH,  
ADMINISTRATRIX OF  
PERE L. LYNCH  
Filed May 19, 1947.

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

The Millington Bank of Maryland, body corporate, . . . . .	Plaintiff, )	
Paul W. Phillips, . . . . .	Plaintiff, )	
versus	)	
Lillie May Lynch, . . . . .	Defendant, )	Cause NO. <u>3528</u>
Neva Lynch, Administratrix of the	)	
Estate of Pere L. Lynch, deceased, Defendant. )	)	

To the Honorable, the Judges of said Court:-

The answer of Neva L. Lynch, the Administratrix of the Personal Estate of Pere L. Lynch,  
deceased, against her and another in this Court in the above entitled Cause exhibited.

This Defendant admits the several matters and things charged in the Complainants' Bill  
to be true and submits to such decree in the premises as may be right.

And as in duty bound, etc.

NEVA L. LYNCH  
NEVA WORRILOW,  
Administratrix of the Personal Estate  
of Pere L. Lynch, deceased.

Filed May 19, 1947.

ANSWER OF  
LILLIE MAY LYNCH  
Filed May 19, 1947

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

The Millington Bank of Maryland, body corporate, . . . . .	Plaintiff, )	
Paul W. Phillips, . . . . .	Plaintiff, )	
versus	)	
Lillie May Lynch, . . . . .	Defendant, )	CAUSE NO. <u>3528</u>
Neva L. Lynch	)	
Administratrix of the estate	)	
of Pere L. Lynch, deceased, . . . . . Defendant. )	)	

To the Honorable, the Judges of said Court:-

The answer of Lillie May Lynch to the Bill of Complaint of The Millington Bank of Maryland, body corporate and of Paul W. Phillips, Plaintiffs against her in this Court in the above entitled Cause exhibited.

This Defendant admits the several matters and things charged in the complainants' bill to be true and she submits to such decree in the premises as may be right.

And as in duty bound etc.,

Filed May 19, 1947.

LILLIE MAY LYNCH  
LILLIE MAY LYNCH

DECREE

Filed May 23, 1947.

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

The Millington Bank of Maryland,	Plaintiff, )	CHANCERY
Paul W. Phillips,	Plaintiff, )	
versus	)	DOCKET,
Lillie May Lynch,	Defendant, )	
Neva L. Lynch, Administratrix,	)	
of the Personal Estate of	)	
Pere L. Lynch, deceased,	Defendant. )	CAUSE NO. 3528

DECREE OF COURT:

The above Cause standing ready for hearing and being submitted without argument, the Bill of Complaint and other proceedings were read and considered.

IT IS THEREUPON on this 23rd day of May in the year nineteen hundred and forty seven, ADJUDGED, ORDERED and DECREE that the Real estate in the proceedings mentioned and described or so much thereof as may be necessary be sold for the payment of the debts of Pere L. Lynch, deceased, mentioned in said proceedings.

That Madison Brown, of Queen Anne's County aforesaid, be and he is hereby appointed Trustee to make said sale and the manner and course of his proceedings shall be as follows:

Before making said sale he shall 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 with a surety or with sureties thereon to be approved by this Court or by said Clerk in the penal sum of Four Thousand Dollars if the sureties be natural persons and in the penal sum of Two Thousand Dollars if the surety be a corporation duly authorized by the law of Maryland to become the sole surety on 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.

Before making said sale he shall give at least three weeks previous notice of the time, place, manner and terms of sale by advertisement in some newspaper published in Queen Anne's County, State of Maryland, with authority to give such other notice as he may think proper and the terms of said sale shall be as follows:

One-third of the purchase money to be paid in cash at the time of the sale and the balance of the purchase money to be paid in sixty days from the day 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 by the note of the purchaser with surety or sureties thereon to be approved by the Trustee.

That as soon after said sale as may be convenient 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 annexed.

That on the ratification of said 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, her, or their heirs the property and estate to him, her, or them sold free, clear and discharged of all and 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 to be disposed of under the direction of this Court, after deducting therefrom the cost of this suit and such commission to the said Trustee as this Court shall think proper to allow in consideration of the skill and attention and fidelity wherewith the Trustee shall appear to have discharged the trust created by this Decree.

At the time of advertising the said sale the Trustee is directed to give notice to the creditors of the said Pere L. Lynch, deceased, to file their claims with the vouchers thereof with the Clerk of the Circuit Court for Queen Anne's County within 90 days from the date or day of the sale.

WM. R. HORNEY  
Judge

Filed May 23, 1947.

CERTIFIED COPY OF BOND  
Filed June 23, 1947.

QUEEN ANNE'S COUNTY, to wit: Be it remembered that on this Twenty-Third day of June in the year nineteen hundred and forty seven, 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 in law to become the sole surety on Bonds of Trustees appointed to sell real estate under decrees of the Circuit Courts of said State are held and firmly bound unto the State of Maryland in the full and just sum of Two 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 twenty-third day of June in the year nineteen hundred and forty seven.

WHEREAS, by a decree of the Circuit Court for Queen Anne's County sitting as a Court of Equity bearing date on the twenty-third day of May in the year nineteen hundred and forty seven and passed in a Cause in said Court which bears the number 3528 Chancery and wherein the Millington Bank of Maryland, a corporation, et al. are the Plaintiffs and Lillie May Lynch, et al. are the defendants the above bound Madison Brown has been appointed a Trustee to make sale of the real estate in the proceedings of said Cause mentioned and described.

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bound Madison Brown 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 to be void; otherwise to remain in full force and virtue in law.

Madison Brown (SEAL)

Signed, Sealed, and delivered in the presence of

AMERICAN SURETY COMPANY OF NEW YORK  
By Madison Brown  
ITS ATTORNEY IN FACT

Delha Dancy Rolph

CORPORATE SEAL

And at the foot of the foregoing BOND appeared the following Endorsement, to wit:

Security approved and Bond filed June 23, 1947.

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 A.S.G., Jr. #1, Folio 23; a BOND RECORD BOOK FOR QUEEN ANNE'S COUNTY,

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 Twenty-fourth day of June in the year nineteen hundred and forty seven.

A. SYDNEY GADD, JR.  
CLERK

REPORT OF SALE  
Filed June 25, 1947.

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

The Millington Bank of Maryland,	Plaintiff,	)	CHANCERY
Paul W. Phillips,	Plaintiff,	)	DOCKET
versus		)	
Lillie May Lynch	Defendant,	)	CAUSE NO. 3528
Neva L. Lynch, Administratrix,	Defendant.	)	

To the Honorable, the Judges of said Court:

The Report of Madison Brown, the Trustee appointed by the decree passed in the above entitled cause to make sale of certain real estate therein mentioned and hereinafter described respectfully sets forth:-

- (1) That prior to the day of sale hereinafter mentioned this Trustee gave notice of the time, place, manner and terms of sale of the sale hereinafter mentioned by an advertisement published in the Queen Anne's Record-Observer, a weekly newspaper published in Centreville in said County for more than three successive weeks before the day of sale hereinafter mentioned.
- (2) That before the day of sale hereinafter mentioned this Trustee filed with the Clerk of this Court his bond to the State of Maryland with a corporate surety thereon in the penal sum of Two Thousand Dollars for the faithful discharge of the trust reposed in him by said decree, as required by said decree, which bond on the day it was filed was accepted and approved by said Clerk.
- (3) That pursuant to said advertised notice of sale this Trustee did attend in front of the Court House door in the Town of Centreville-Queen Anne's County, on Tuesday, June the 24th, 1947, at two o'clock P. M. and he then and there proceeded to sell said real estate in the following manner:

The Trustee, after calling attention to the sale through J. E. Anthony, his Auctioneer, announced that he would read the notice of sale advertised to take place on the day mentioned and he then and there read openly and publicly the notice of sale from the advertisement published. After reading said advertisement the Trustee announced that the land to be sold would be offered at public sale to the highest bidder on the terms of the sale

contained in the advertisement of sale.

(4) The Trustee, after making that announcement mentioned through the medium of his Auctioneer offered for sale to the public the land hereinafter mentioned and to the highest bidder and after having received bids thereon he sold said land through said Auctioneer to Fletcher E. Walls, of Queen Anne's County, for the sum of Twenty Five Hundred Dollars, said Fletcher E. Walls being then and there the highest bidder for said land.

(5) That the land so sold is the tract of land described fully in the advertisement of sale, same containing 73 Acres of land, more or less and the terms of the sale so made are the same terms of sale described in the advertisement.

(6) That at the time of the first advertisement of sale this Trustee gave notice to the creditors of Pere L. Lynch to file their claims with the vouchers thereof with the Clerk of this Court within ninety days from the day of sale advertised.

(7) That the notice to creditors mentioned is contained in the notice of said sale at the bottom thereof and as part thereof and this Trustee files with this Report of Sale as part thereof a copy of the advertisement of the sale and a copy of said notice to creditors duly certified to as to publication thereof by the publishers of said newspaper, the Queen Anne's Record and Observer Publishing Company.

(8) The purchaser has paid unto the Trustee \$833.34 on account of the purchase money of \$2,500.00, but has made no further compliance with the terms of sale.

THE AMOUNT OF THE SALE MENTIONED ABOVE IS THE SUM OF TWENTY FIVE HUNDRED DOLLARS.

Which is respectfully submitted,

MADISON BROWN  
TRUSTEE

STATE OF MARYLAND, )

QUEEN ANNE'S COUNTY, ) to wit:

I HEREBY CERTIFY that on this twenty-fifth day of June in the year nineteen hundred and forty seven, before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, in Equity, personally appeared Madison Brown, the Trustee making the above Report and he did make oath in due form of law that the matters and things set forth and that the sale therein mentioned was fairly made to the best of his knowledge and belief.

A. SYDNEY GADD, JR.  
CLERK OF THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY.

Filed June 25, 1947

CERTIFICATE OF PUBLICATION  
Filed June 25, 1947.

TRUSTEES SALE  
OF VALUABLE  
REAL ESTATE

Farm Located Near Crumpton,  
Queen Anne's County, Maryland

By virtue of a decree of the Circuit Court for Queen Anne's County, in Equity, passed in Cause No. 3528 entitled Millington Bank et al. versus Lillie May Lynch et al., the under-signed 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, on

TUESDAY, JUNE 24, 1947  
at two o'clock, P.M.

ALL that farm or tract of land known as "The Pere L. Lynch Farm" situated in the Seventh District of Queen Anne's County, Maryland on west side of the public road leading from Millington in Kent County through Pondtown in Queen Anne's County to Church Hill, bounded on the east by said road and adjoining the farm known as "The William F. Fowler Farm" on the south, the "William Hazel Farm" on the north and also adjoining the land of Frank Waddell Sr. and Frank Waddell Jr. AND containing 73 Acres of land, more or less.

This farm contains a dwelling house, barn and implement shed. Terms of Sale: One-third of the purchase money to be paid at time and place of sale and the balance in sixty days from day of sale or all cash at time of sale at the option of the purchaser; the credit payment if any to bear interest from the day of sale and to be secured by note of purchaser with surety to be approved by the Trustee. Taxes of current year to be adjusted as of day of sale. Title papers and all necessary revenue stamps to be paid by Purchaser. Possession can be taken when terms of sale have been compiled with.

MADISON BROWN, Trustee  
Centreville, Maryland

J. E. Anthony, Auctioneer.

NOTICE OF CREDITORS

Pursuant to the decree of Court mentioned in the above advertisement notice is hereby given to all persons having claims against the estate of Pere L. Lynch, late of Queen Anne's County, deceased to file their claims properly authenticated with the vouchers thereof with the Clerk of the Circuit Court for Queen Anne's County within 90 days from June 24th, 1947.

MADISON BROWN, Trustee



QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. June 23, 1947.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Trustee Sale Real Estate in the case/estate of Cause of Millington Bank et al vs Lillie May Lynch et al and Notice to creditors 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 June 1947, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 29th. day of May 1947, and the last insertion on the 19th. day of June 1947.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

By PAUL B. SMITH

Filed June 25, 1947.

ORDER NISI  
Filed June 25, 1947.

N I S I

The Millington Bank of Maryland  
Paul W. Phillips, Plaintiffs

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

Vs.

Lillie May Lynch,  
Neva L. Lynch, Administratrix,  
Defendants

Chancery No. 3528

ORDERED, This 25th. day of June A. D., 1947, 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 25th. 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 26th. day of July next.

The Report states the amount of sale to be \$2,500.00

Filed June 25, 1947

A. SYDNEY GADD, JR. Clerk.

CERTIFICATE OF NISI PUBLICATION  
Filed Aug. 27, 1947.

NISI

The Millington Bank of Maryland  
Paul W. Phillips. Plaintiffs

vs.

Lillie May Lynch  
Neva L. Lynch, Administratrix,  
Defendants.

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

Chancery No. 3528

ORDERED, This 25th day of June A.D., 1947, 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 25th 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 26th day of July next.

The Report states the amount of sale to be \$2,500.00.

A. SYDNEY GADD, JR. Clerk.

Filed: June 25, 1947.

True Copy-

Test: A. Sydney Gadd, Jr., Clerk.

QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. July 28, 1947.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Nisi in the case/estate of The Millington Bank of Md., Paul W. Phillips, Plaintiffs vs. Lillie May Lynch Neva L. Lynch, Admrx. Defendants Chancery No. 3528 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 26th day of July next 1947, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 26 day of June 1947, and the last insertion on the 17th day of July 1947.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

By CHARLOTTE M. MEARS

Filed Aug. 27, 1947

ORDER OF COURT RATIFYING  
SALE AND REQUIRING TRUSTEE  
TO GIVE ADDITIONAL BOND  
Filed Aug. 28, 1947.

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

The Millington Bank of Maryland, et al.     )  
  )     Chancery Docket,  
  )     versus  
Lillie May Lynch, et al.                     )     Cause No. 3528.

It is on this 27th day of August, 1947, by the Circuit Court for Queen Anne's County, in Equity, ORDERED, that the sale of the real estate made by Madison Brown, Trustee, set forth in the within and foregoing REPORT OF SALE filed by him 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 given as directed by the order nisi heretofore passed in this Cause relative to said sale. The said Trustee is allowed the usual commissions and such proper expenses as he shall produce vouchers for to the Auditor.

The papers or proceedings of this Cause are hereby referred to Carlton D. Roe as Special Auditor with instructions to him to state after the expiration of the time named in the Notice to Creditors heretofore passed in this cause for the filing of claims an account between the said Madison Brown, Trustee and the proceeds of the sale of this Cause and to return to this Court the account to be so stated.

And the Trustee is required to file an additional bond in the penalty of \$500.00, with corporate surety, before receiving the balance of the purchase money.

WM. R. HORNEY

Filed Aug. 28, 1947

CERTIFIED COPY OF BOND  
Filed August 28, 1947.

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this 28th day of August in the year nineteen hundred hundred and forty seven, the following Bond was brought to be recorded, to wit:-

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

The Millington Bank of Maryland, et al.     )  
  )     )  
  )     versus                             )     CAUSE NO. 3528  
  )     )  
Lillie May Lynch, et al.                     )     )

ADDITIONAL BOND OF TRUSTEES:

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 of bonds of Trustees appointed to sell Real Estate under decrees of above named Court, are held and firmly bound unto the State of Maryland in the full and just sum of Five Hundred 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 twenty-eighth day of August in the year nineteen hundred and forty seven.

WHEREAS, by a decree of the above named Court passed on May twenty third, 1947 in the above mentioned Cause the above bound Madison Brown was appointed a Trustee to make sale of the real estate in the proceedings of said Cause mentioned and described.

WHEREAS, the said Madison Brown, on the 23rd day of June, 1947, did file in the proceedings of said Cause his bond as Trustee to the State of Maryland in the penal sum of \$2,000.00, containing the condition usual and proper in such bonds with the AMERICAN SURETY COMPANY OF NEW YORK as surety thereon, which bond was duly approved by the Clerk of said Court.

WHEREAS, said Trustee pursuant to said decree has sold the real estate mentioned at and for the sum of \$2,500.00.

WHEREAS, said Court by its order finally ratifying said sale passed in said Cause on August 27, 1947, did direct the said Madison Brown, as said Trustee, to file in said Cause an additional bond in the penal sum of \$500.00, and this bond is made and executed by said Trustee to be filed in said Court and Cause in accordance with said Order of August 27th, 1947.

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bound Madison Brown do and shall well and faithfully perform the trust reposed in him by the decree of sale passed in said Cause as aforesaid or which may be reposed in him by any future decree or order in the premises, then the obligation of this additional bond to be void; otherwise to be and remain in full force and virtue in law.

SIGNED, SEALED AND  
DELIVERED IN THE PRESENCE  
OF  
DELHA DANCY ROLPH

MADISON BROWN                     (SEAL)  
AMERICAN SURETY COMPANY OF NEW YORK,  
By MADISON BROWN

Delha Dancy Rolph  
Corporate Seals Place.

ITS ATTORNEY IN FACT

And on the back of the foregoing Bond is thus endorsed, to wit:  
Security approved and Bond filed August 28, 1947.

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 A.S.G. Jr. No. 1, folio 33, a Bond Record Book for Queen Anne's County.

Seal Place.

In Testimony Whereof I hereunto subscribed my name and  
affixed the Seal of the Circuit Court for Queen Anne's  
County on this 28th day of August in the year nineteen  
hundred and forty seven.

A. SYDNEY GADD JR.  
A. SYDNEY GADD JR. CLERK

AUDIT  
Filed Oct. 28, 1947.

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

The Millington Bank of Maryland, et al.,         |  
  |      CHANCERY DOCKET  
  |      |  
Lillie May Lynch, . . . . et al.                     |      CAUSE NO. 3528

To the Honorable, the Judges of said Court:-

The Report of Carlton D. Roe as the Special Auditor appointed by the Order passed in the above entitled Cause to state the within audit, unto your Honors respectfully sets forth:-

- (1) That before proceeding to state the within audit he took before the Clerk of this Court the oath required by law to be taken by Special Auditors before proceeding to state audits or accounts referred unto them.
- (2) That it appears from the proceedings of this Cause that one Lillie May Lynch, a defendant, was the owner of the land decreed to be sold at the time of said decree as the sole heir-at-law of Pere L. Lynch, she being his surviving widow. The history of her claim is set forth in the Bill of Complaint and other proceedings.
- (3) That it appears that said owner-ship was subject to the unpaid debts due and owing by the said Pere L. Lynch at the time of his death and that these proceedings were instituted and have been taken for the sale of said land for the payment of said debts.
- (4) That this Auditor has stated the within account by first charging unto Madison Brown the Trustee appointed by the decree of this Cause to sell said Real Estate with the amount of the gross sale made by him per his Report of Sale filed herein and then by allowing thereout unto him his commissions for making the sale and the cost incident to this Cause and to said sale, and then by allowing out of the sale so made unto each creditor filing a claim against Pere L. Lynch in this Cause the amount of his claim.
- (5) The balance of the sale so made remaining after the allowances thereout mentioned above the said Lillie May Lynch is entitled to but she is due and owing to the State of Maryland the amount of the Direct Inheritance Tax of One Per Cent. thereon and this Auditor in the within account has allowed unto the Register of Wills of this County for the use of the State of Maryland, said Direct Inheritance Tax, to wit: the sum of \$15.12 and the residue of the net sale of this Cause he has allowed and distributed unto the said Lillie May Lynch.
- (6) The Auditor has made from the claims filed a statement of the claims due and owing by Pere L. Lynch at the time of his death and has attached the same to this audit as part thereof and this statement of claims should be read as an explanation of the claims allowed.

Respectfully submitted,

October 28, 1947.

CARLTON D. ROE  
SPECIAL AUDITOR

Filed Oct. 28, 1947

CAUSE NUMBER 3528.

The proceeds of the sale of the Real Estate of Pere L. Lynch, late of Queen Anne's County, deceased, IN ACCOUNT WITH Madison Brown as the Trustee appointed by the decree passed in the Cause above mentioned to make sale of said Real Estate for the payment of the debts of said deceased.

1947	CR.	
June 4.		
By amount of the gross sale of said Real Estate made by said Trustee		
on above date per his Report of Sale filed in		
this Cause, to wit: the sum of . . . . . \$2,500.00		

DR.

To Madison Brown, said Trustee, for his commissions for	
making said sale per rule of Court, the sum of . . .	\$ 145.00

To same Trustee for the Court costs of this Cause, per statement of costs made by Clerk of Court and exhibited to this Auditor, as follows, to wit:		
Costs of A. S. Gadd, Clerk, paid . . . . .	\$ 55.70	
Costs of Register of Wills, paid . . . . .	7.00	
Appearance fee of Madison Brown, . . . . .	\$ 10.00	
Total of these costs, . . . . .	\$ 72.70	\$ 72.70
To the same Trustee for additional cost of proceedings of this Cause, being the costs of recording the Deed from Administratrix of Pere L. Lynch to Lillie May Lynch and costs of copy of the same Deed filed in this Cause as Exhibit No. 9, paid by the Trustee but not included in the cost of the Clerk above mentioned, per receipt of said Clerk exhibited to the Auditor, to wit: the sum of . . . . .		\$ 5.75
To the same Trustee for the cost of advertising in the Centreville Newspaper, Notice of the sale made, . . . . .	\$ 43.88	
Order Nisi on sale, . . . . .	\$ 7.50	
Total of these costs, paid per receipted account for same exhibited to the auditor, to wit: the sum of . . . . .	\$ 51.38	\$ 51.38
To the same Trustee for the cost of the bond filed by him in this Cause containing corporate surety per receipted account for same exhibited to Auditor, the sum of . . . . .		\$ 10.00
To the same Trustee for amount paid by him to J. E. Anthony, Auctioneer, for crying the sale made, per receipted account for same exhibited to the Auditor, the sum of . . . . .		\$ 25.00
To the same Trustee for amount of State and County taxes on land sold for 1947, paid by him per Terms of the Sale, per tax statement receipted, exhibited to the Auditor, the sum of . . . . .		\$ 12.58
Amounts carried forward . . . . .	\$ 322.41	\$2,500.00
<u>CAUSE NUMBER 3528:</u>		
Amounts brought forward, to wit: . . . . .	\$ 322.41	\$2,500.00
DR.		
To the same Trustee for an allowance to retain to pay the costs of advertising the order nisi to be passed as to this Audit, the sum of . . . . .	\$ 5.00	
To Carlton D. Roe, Special Auditor, for stating this audit, the sum of . . . . .	\$ 13.50	
	\$ 340.91	
To balance carried below, the sum of . . . . .	\$2,159.09	
	\$2,500.00	\$2,500.00
CR.		
By balance brought down from above, the sum of . . . . .		\$2,159.09

DISTRIBUTION AMONG THE CREDITORS OF PERE L. LYNCH:

CLAIM NO. 1:

To the Millington Bank of Maryland in full payment of Claim No. 1 mentioned in the statement of claims attached, to wit: . . . . . \$ 99.17

CLAIM NO. 2:

To the Millington Bank of Maryland in full payment of Claim No. 2 mentioned in the statement of claims attached, to wit: . . . . . \$ 86.00

CLAIM NO. 3:

To Paul W. Phillips, in full payment of Claim No. 3 mentioned in the statement of claims attached, to wit: . . . . . \$ 139.42

CLAIM NO. 4:

To the Sudlersville Bank of Maryland in full payment of Claim No. 4 mentioned in the statement of claims attached, to wit: . . . . . \$ 322.63

Total amount of claims allowed, to wit: sum of . . . . .	\$ 647.22	
To balance of sale carried forward: . . . . .	\$1,511.87	
		\$2,159.09
		\$2,159.09

CAUSE NUMBER 3528:

CR.

By balance brought forward from preceding page, the sum of . . . . . \$1,511.87

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NOTE:

According to the proceedings of this Cause Lillie May Lynch as surviving widow of said Pere L. Lynch was the sole owner of the land sold in this cause at the time the Decree of Sale of this Cause was passed subject to the payment of the debts of said Pere L. Lynch and she is therefore entitled to the foregoing balance less the inheritance tax of one per centum due by her to the State of Maryland and therefore the foregoing balance is now distributed as follows, to wit:

DR.

To Earl E. Coursey, Register of Wills for Queen Anne's County for the use of The State of Maryland in payment of the direct Inheritance Tax due by Lillie May Lynch as above set forth one per cent. of said balance, to wit: the sum of . . . . .	\$ 15.12	
To Lillie May Lynch, surviving widow of Pere L. Lynch, the residue of the balance of the sale above mentioned remaining after the payment out of said balance of the direct Inheritance Tax mentioned above, to wit: the sum of . . . . .	\$1,496.75	
		\$1,511.87
		\$1,511.87

October 28, 1947.

\_\_\_\_\_  
CARLTON W. ROE  
SPECIAL AUDITOR.

CAUSE NUMBER 3528:

A statement of the Claims or debts due and owing by Pere L. Lynch mentioned in the proceedings of this Cause at the time of his death according to the Claims against him filed in this Cause made by Carlton D. Roe, Special Auditor, named in this Cause as a part of the audit herewith attached:

NO. of CLAIM	NAME OF CLAIMANT:	
<u>Claim NO. 1:</u>	Millington Bank of Maryland, Claimant	
	Note filed as Exhibit No. 1 in sum of	\$ 76.47
	Interest from October 24, 1942, . . . . .	22.70
	Amount of claim to be allowed, . . . . .	99.17
<u>Claim NO. 2:</u>	Millington Bank of Maryland, Claimant	
	Note filed as Exhibit No. 2 in sum of . . . . .	\$ 66.60
	Interest from November 27, 1942, . . . . .	\$ 19.40
	Amount of claim to be allowed, . . . . .	\$ 86.00
<u>Claim NO. 3:</u>	Paul W. Phillips, Claimant	
	Open Account filed as Exhibit NO. 3 in sum of	\$ 139.42
	This Claimant waived all interest on this claim.	
	Amount of claim to be allowed is the sum of	\$ 139.42
<u>Claim NO. 4:</u>	The Sudlersville Bank of Maryland, Claimant	
	Note filed in this Cause in the sum of . . . . .	\$ 258.98
	Interest thereon at rate of five per centum per annum from November 8, 1942, according to statement of Claimant attached to note, . . . . .	\$ 63.65
	Amount of Claim to be allowed, . . . . .	\$ 322.63

NOTE: The interest allowed on each claim above set forth is brought up to October 8, 1947.

October 28, 1947.

\_\_\_\_\_  
CARLTON D. ROE  
SPECIAL AUDITOR

Filed Oct. 28, 1947

NISI RATIFICATION OF AUDIT:  
Filed October 28, 1947.

Nisi Ratification of Audit

The Millington Bank of Maryland,  
a body corporate,  
Paul W. Phillips

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

VS

Lillie May Lynch, widow, Neva L. Lynch,  
administratrix of estate  
of Pere L. Lynch

CAUSE No. 3528

ORDERED, This 28th. day of October in the year nineteen hundred and forty seven, that the Report and Account filed in these proceedings by Carlton D. Roe, Special Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 21st. day of November, 1947; provided a copy of this order be published once a week in each of two successive weeks before the 14th. day of November, 1947, in some newspaper printed and published in Queen Anne's County.

A. SYDNEY GADD JR. Clerk.

Filed October 28, 1947.

CERTIFICATE OF PUBLICATION  
OF ORDER NISI.  
Filed November 26, 1947.

Nisi Ratification of Audit

The Millington Bank of Maryland, a body corporate,  
Paul W. Phillips

vs.

Lillie May Lynch, widow, Neva L. Lynch,  
administratrix of esate of Pere L. Lynch

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

Cause No. 3528

ORDERED, This 28th day of Oct. in the year nineteen hundred and forty-seven that the Report and Account filed in these proceedings by Carlton D. Roe Special Auditor, be ratified and confrimed, unless cause to the contrary thereof be shown on or before the 21st. day of November, 1947; provided a copy of this order be published once a week in each of two successive weeks before the 14th. day of November, 1947, in some newspaper printed and published in Queen Anne's County.

A. SYDNEY GADD, JR., Clerk

Filed October 28, 1947.

True Copy-  
Test: A. Sydney Gadd, Jr., Clerk

QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. November 21,  
1947

THE QUEEN ANNE'S RECORD AND OBSERVERPUBLISHING COMPANY, a body corporate, does hereby certify that the Nisi Ratification of Audit in the case/~~xxxxx~~ of in cause of Millington Bank of Md. vs. Lillie May Lynch et al being cause No. 3528 of Circuit of Queen Anne's County in Maryland 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 14th day of November 1947, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 30th day of October 1947, and the last insertion on the 6th day of November 1947.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

Filed Nov. 26, 1947.

By CHARLOTTE M. MEARS

ORDER OF COURT  
Filed Nov. 29, 1947.

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

The Millington Bak of Maryland, et al. ) Chancery Docket,  
  ) )  
  ) versus  
Lillie May Lynch, et al . . . . .) - CAUSE NO. 3528.

ORDER OF COURT:-

ORDERED on this 29th day of November in the year nineteen hundred and forty seven by the Circuit Court for Queen Anne's County sitting as a Court of Equity that the within, foregoing and attached Report and Account of Carlton D. Roe as Special Auditor filed on October 28th, 1947, in the above entitled Cause 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 the 28th day of October, 1947 in the proceedings of said Cause in relation to said Report and Account of said Special Auditor and Madison Brown, the Trustee of said Cause is hereby directed to apply the proceeds of sale in accordance with said Report and Account of the Special Auditor, with a due proportion of interest received on credit sales to the commissions of the

Trustee, to the claims of the creditors allowed in said Report and Account and to the share of the sale distributed unto Lillie May Lynch by said Report and Account.

Filed Nov. 29, 1947.

WM. R. HORNEY  
Judge.

## CAUSE NUMBER 3536

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Eighth day of August, in the year nineteen hundred and forty seven, the following BILL OF COMPLAINT was filed for record, to wit:

ELIZABETH S. HAYMAKER, WIDOW,  
DOROTHY H. ANTHONY, AND  
J. ELMER ANTHONY, HER HUSBAND,  
HELEN L. LANE AND  
RONALD R. LANE, HER HUSBAND,  
CHARLES A. HAYMAKER AND  
ETHEL M. HAYMAKER, HIS WIFE,  
VIRGINIA L. HAYMAKER, WIDOW,  
MARION H. CHAMBERS AND  
REBECCA A. CHAMBERS, HIS WIFE,  
Complainants.

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

vs.

MARJORIE E. HAYMAKER, INFANT  
JOSEPH M. HAYMAKER, 3rd, INFANT,  
Defendants.

Chancery No. 3536

\*\*\*\*\*

TO THE HONORABLE, THE JUDGES OF SAID COURT:

YOUR ORATORS, complaining, say:

1. That on the 27th day of November, 1928, your Orator, Elizabeth S. Haymaker, became the owner in fee simple, by virtue of a deed of conveyance to her from Harry F. Callahan and Margaret A. Callahan, his wife, dated the 27th day of November, 1928, and recorded among the land records of Queen Anne's County, in Liber B.H.T. No. 9, folio 134, of all that property, to wit:

ALL that lot, tract, part of a tract and parcel of land situate, lying and being in the town of Centreville, in the Third Election District of Queen Anne's County aforesaid, on Belvedere Avenue in said town, (said Belvedere Avenue running from Chesterfield Avenue or Water Street extended toward the South branch of Corsica River), said lot having a frontage on said Belvedere Avenue of fifty feet, more or less, and running with that uniform with to the depth of one hundred and ninety feet, more or less, and more particularly described as follows, to wit: Beginning for the same at a stone marked No. 1, planted along said Belvedere Avenue, which is also a corner for a twelve foot right of way running along the east side of the lot hereby conveyed and running with said twelve foot right of way in a northerly direction a distance of one hundred and ninety feet, more or less, to a stake along said right of way; thence in a westerly direction fifty feet, more or less, to a stake, a corner for the land hereby conveyed and the land of William and Anna Freestate; thence from said stake in a southerly direction with the land of said Freestates to a stake planted along said Belvedere Avenue, and thence with said Belvedere Avenue in an easterly direction fifty feet, more or less, to the place of beginning, containing nine thousand, five hundred square feet of land, more or less,

certified copy of which said deed is filed herewith as Exhibit A.

2. That on January 14th, 1938, your Oratrix, Elizabeth S. Haymaker, executed a deed of conveyance of record in Liber W.H.C. 6-A, folio 167, a land record book for Queen Anne's County, of the aforesaid property, wherein she granted and conveyed said property (subject nevertheless to the reservation therein of a life estate unto herself for and during the term of her natural life) unto the said Dorothy H. Anthony, Hellen L. Lane, Charles A. Haymaker and Joseph M. Haymaker, as tenants in common, in fee simple, certified copy of which said deed is filed herewith as Exhibit B.

3. That on the 26th day of July, 1946, the said Joseph M. Haymaker departed this life, intestate, leaving surviving him as his only heirs-at-law, the said Virginia L. Haymaker, his widow, and Marjorie E. Haymaker, infant, and Joseph M. Haymaker, 3rd, infant, his only children.

4. That no letters of administration have ever been granted upon the estate of the said Joseph M. Haymaker, late of Queen Anne's County, deceased.

5. That on January 7th, 1947, Elizabeth S. Haymaker, widow, Dorothy H. Anthony and J. Elmer Anthony, her husband, Hellen L. Lane and Ronald R. Lane, her husband, Charles A. Haymaker and Ethel M. Haymaker, his wife, Virginia L. Haymaker, in her individual capacity, and Virginia L. Haymaker, in her capacity as mother and next friend of the said Marjorie E. Haymaker, infant, and Joseph M. Haymaker, 3rd, infant, entered into contracts of sale selling said property hereinbefore described unto Marion H. Chambers and Rebecca A. Chambers, his wife, subject to the approval and ratification of this Court, at and for the sum of Six Thousand Dollars (\$6,000.00), the terms of said sale being set forth in the written contracts thereof which were executed in duplicate, the originals thereof, marked Exhibit C and Exhibit C and Exhibit D respectively being filed herewith as a part hereof.

6. That your Orators are advised that because two of the parties to said contract of sale are infants under the age of twenty-one years, said contracts of sale cannot be fulfilled and said Marion H. Chambers and Rebecca A. Chambers, his wife, vested with the legal title to said property hereinbefore described without the aid of this Honorable Court.

7. That your Oratrix, Elizabeth S. Haymaker, is entitled to a life estate in said property.



8. That your Oratrix, Dorothy H. Anthony, is entitled to an estate of an undivided one-fourth part, subject to the life estate of the said Elizabeth S. Haymaker.

9. That the said Hellen L. Lane is entitled to an estate of an undivided one-fourth part, subject to the life estate of the said Elizabeth S. Haymaker.

10. That the said Charles A. Haymaker is entitled to an estate of an undivided one-fourth part, subject to the life estate of the said Elizabeth S. Haymaker.

11. That the said Virginia L. Haymaker, widow of Joseph M. Haymaker, deceased, is entitled to an estate of an one-third of an one-fourth part, subject to the life estate of the said Elizabeth S. Haymaker.

12. That the said Marjorie E. Haymaker, infant, and Joseph M. Haymaker, 3rd, infant, are each entitled to an estate of one-third of an one-fourth part, subject to the life estate of the said Elizabeth S. Haymaker.

13. That the said lot of land hereinbefore described, cannot be divided without loss or injury to the parties interest therein and owning the 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 respective rights, and interests, after the payment in full of all liens and debts resting thereon.

14. That your Orators aver that it will be to the interest and advantage of all the parties owning said property hereinbefore described and interested therein as above set forth and all the parties to said contracts of sale that said contracts of sale be ratified and confirmed by this Honorable Court, for the reason that the purchase price, to wit, the sum of Six Thousand Dollars (\$6,000.00) named in said contracts is a fair market value for said property, and is as much, if not more, than the same would bring at public sale, and for other reasons to be made known at the hearing.

15. That the sum of Fifteen Hundred Dollars (\$1,500.00) has been paid on account of the said purchase price, leaving a balance of Forth-five Hundred Dollars (\$4,500.00) to be paid, subject to the future order of this Honorable Court.

16. That the said Elizabeth S. Haymaker, widow, is an adult, that Dorothy H. Anthony and J. Elmer Anthony, her husband, are adults; that Charles A. Haymaker and Ethel M. Haymaker, his wife, are adults; that Virginia L. Haymaker is an adult; that Marion H. Chambers and Rebecca A. Chambers, his wife, are both adults; and that all the aforesaid parties are residents of Queen Anne's County, Maryland; and that Hellen L. Lane and Ronald R. Lane, her husband, are both adults, and reside in Caroline County, Maryland; and that Marjorie E. Haymaker, indant, and Joseph M. Haymaker, 3rd, infant, both reside in Queen Anne's County, Maryland, with their mother, the said Virginia L. Haymaker.

TO THE END THEREFORE:

1. That the said real estate may be sold under a decree of this Court for the purpose of partition of the proceeds of sale among the parties entitled thereto.

2. That a division of the proceeds of sale may be had among the parties owning said real estate or interested therein according to their respectibe interests and rights therein under the direction of this Court.

3. That said contracts of sale hereinbefore mentioned may be confirmed and ratified by this Honorable Court.

4. That a Trustee may be appointed to sell and convey the property and premises hereinbefore described to Marion H. Chambers and Rebecca A. Chambers, his wife, at and for the sum of Six Thousand Dollars (\$6,000.00).

That the usual notice to creditors in such cases may be given by this Honorable Court as provided by law.

That your Orators may have such other and further relief as their case may require.

AND AS IN DUTY BOUND, ETC.

JOHN PALMER SMITH  
Solicitor for Complanants

Filed Aug. 8, 1947

EXHIBIT "A"  
Filed Aug. 8, 1947

.....  
#13,438 QUEEN ANNE'S COUNTY, to wit: Be it remembered that on the 11th. day of January, in the year nineteen hundred and twenty-nine, the following Deed was brought to be recorded, to wit:-

THIS DEED, made this Twenty-Seventh day of November, in the year nineteen hundred and twenty eight, by Harry F. Callahan and Margaret A. Callahan, his wife, of Queen Anne's County, State of Maryland.

WITNESSETH: That for and in consideration of five dollars and other good and valuable consideration, the payment thereof being hereby acknowledged, the said Harry F. Callahan and Margaret A. Callahan, his wife, do hereby grant and convey unto Elizabeth S. Haymaker, of said County, and State, her heirs and assigns, in fee simple, all that lot, tract, part of a tract and parcel of land situate, lying and being in the town of Centreville, in the Third Election District of Queen Anne's County, aforesaid, on Belvedere Avenue in said town, (said Belvedere Avenue running from Chesterfield Avenue or Water Street extended toward the South branch of Corsica River), said lot having a frontage on said Belvedere Avenue of fifty feet, more or less, and running with that uniform width to the depth of one hundred and ninety feet, more or less, and more particularly des-



garet A. Callahan, his wife, by deed bearing date the 27th day of November, 1928, and recorded in Liber B.H.T. No. 9, folios 134, etc., a land record book for Queen Anne's County aforesaid.

RESERVING, However, unto the said Elizabeth S. Haymaker, and her assigns, an estate for and during the term of her natural life and no longer of, in and to said lot or parcel of land hereby granted and conveyed, which said grant and conveyance hereby made is intended to take effect from and after the death of the said Elizabeth S. Haymaker.

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

TO HAVE and TO HOLD the said lot or parcel of land and premises, unto and to the use of the said Dorothy A. Anthony, Hellen L. Haymaker, Charles A. Haymaker, and Joseph McL. Haymaker, as tenants in common, their heirs and assigns, in fee simple, forever, subject, however, to the reservation of the life estate hereinbefore mentioned unto the said Elizabeth S. Haymaker, and her assigns.

AND the said Elizabeth S. Haymaker does hereby covenant that she has not done nor suffered to be done any act, matter or thing whatsoever to encumber the property hereby granted and conveyed; that, except as to the life estate hereinbefore reserved, she will warrant specially the property hereby granted and conveyed; and that she will execute such further assurances of said land as may be requisite.

WITNESS the hand and seal of the said Grantor:

TEST: (as to grantor). ELIZABETH S. HAYMAKER (SEAL)  
HILDA T. SEWARD

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

I HEREBY CERTIFY that on this 14th day of January, 1938, before me, the subscriber, a Notary Public of the State of Maryland in and for Queen Anne's County aforesaid, personally appeared Elizabeth S. Haymaker and acknowledged the foregoing deed to be her act.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal, the day and year last above written:

HILDA T. SEWARD  
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 W.H.C. 6-A, folio 167, a Land Record Book for Queen Anne's County.

Seal's Place. In Testimony Whereof I hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County, on this 6th day of August in the year nineteen hundred and forty seven.

A. SYDNEY GADD JR.  
Clerk of Circuit Court

EXHIBIT "C"  
Filed August 8, 1947.

THIS AGREEMENT OF SALE, made this 7th day of January, in the year nineteen hundred and forty-seven, between Elizabeth S. Haymaker, widow, life tenant, party of the first part, and Dorothy H. Anthony and J. Elmer Anthony, her husband, Helen L. Lane and Ronald Lane, her husband, and Charles A. Haymaker and Ethel M. Haymaker, his wife, parties of the second part, Vendors, and Marion H. Chambers and Rebecca A. Chambers, his wife, Vendees.

WITNESSETH: That, the said Vendors do hereby bargain and sell unto the said Vendees and the latter do hereby purchase from the former the following described real estate to wit:-

ALL that lot and parcel of land, improved by a frame dwelling house and garage, situate on the north side of Belvedere Avenue, in the Town of Centreville, Queen Anne's County, Maryland, adjoining the H. Boarley Seward property on the west, the Joe Miller property on the north and a twelve-foot lane on the east having a frontage on the said Belvedere Avenue of fifty feet, which said premises are now in the tenancy of Joseph Holden, at and for the price of Six Thousand Dollars (\$6,000.00), of which Fifteen Hundred Dollars have been paid at the signing hereof and the balance in the sum of Forty-five Hundred Dollars to be paid as follows:

Virginia Leaverton Haymaker to sign a Contract of Sale simotaneously with the signing of this Contract of Sale in behalf of herself, as widow of Joseph Haymaker, deceased, and in behalf of her two children, heirs at law, of the said Joseph Haymaker, in order to obtain a proper decree of the Circuit Court for Queen Anne's County to pass the title of the infant owners.

AND upon payment as above of the unpaid purchase money, which said purchase money of Six Thousand Dollars (\$6,000.00) is for the full clear title of all the interest of this property, a Deed which shall convey the property by good and merchantable title by the Vendees shall be executed by the Vendors and the Court's Trustee at the Vendees' expense, the said one-quarter interest of Joseph Haymaker cost of clear-

ing title to be at the expense of his heirs at law. All State, County and Town taxes, water rents and fire insurance premiums shall be adjusted as of date of January 15th, 1947.

Witness our hands and seals.

WITNESS: <u>JOHN PALMER SMITH</u>	<u>ELIZABETH S. HAYMAKER</u> (SEAL) Elizabeth S. Haymaker
WITNESS: <u>JOHN PALMER SMITH</u>	<u>DOROTHY H. ANTHONY</u> (SEAL) Dorothy H. Anthony
WITNESS: <u>JOHN PALMER</u>	<u>J. ELMER ANTHONY</u> (SEAL) J. Elmer Anthony
WITNESS: <u>JOHN PALMER SMITH</u>	<u>HELLEN L. LANE</u> (SEAL) Helen L. Lane
WITNESS: <u>JOHN PALMER SMITH</u>	<u>RONALD R. LANE</u> (SEAL) Ronald Lane
WITNESS: <u>JOHN PALMER SMITH</u>	<u>CHARLES A. HAYMAKER</u> (SEAL) Charles A. Haymaker
WITNESS: <u>JOHN PALMER SMITH</u>	<u>ETHEL M. HAYMAKER</u> (SEAL) Ethel M. Haymaker

Vendors

WITNESS: <u>JOHN PALMER SMITH</u>	<u>MARION H. CHAMBERS</u> (SEAL) Marion H. Chambers
WITNESS: <u>JOHN PALMER SMITH</u>	<u>REBECCA A. CHAMBERS</u> (SEAL) Rebecca A. Chambers

Vendees

"EXHIBIT "D".  
Filed August 8, 1947.

THIS CONTRACT OF SALE made this 7th day of January, 1947, by and between Virginia L. Haymaker of Queen Anne's County, Maryland, widow lady, in her individual capacity and Virginia L. Haymaker, in the capacity as mother and next friend of Marjorie Elizabeth Haymaker and Joseph M. Haymaker, 3rd infants, parties of the first part, and Marion H. Chambers and Rebecca A. Chambers, his wife, parties of the second part.

WHEREAS Joseph Haymaker, late of Queen Anne's County, deceased, departed this life on the 26th day of July, 1946, and seized and possessed of an one-fourth interest subject to the life estate of Elizabeth S. Haymaker in and to the following described real estate, to wit:-

ALL that lot and parcel of land, improved by a frame dwelling house and garage, situate on the north side of Belvedere Avenue, in the Town of Centreville, Queen Anne's County, Maryland, adjoining the H. Bordley Seward property on the west, the Joe Miller property on the north and a twelve-foot lane on the east having a frontage on the said Belvedere Avenue of fifty feet, which said premises are now in the tenancy of Joseph Holden, and being the same property described in the deed from Elizabeth S. Haymaker to Dorothy A. Anthony, Helen L. Lane, Charles Haymaker and Joseph L. Haymaker, dated the fourteenth day of January, 1938, and recorded among the land records of Queen Anne's County in Liber WHC #6A, folio 167.

AND WHEREAS the said Joseph L. Haymaker departed this life intestate as aforesaid leaving surviving him as his only heirs at law, and unto whom the said one-fourth interest in said real estate decended, Virginia L. Haymaker, his widow, to the extent of an one-third interest, therein, Marjorie E. Haymaker and Joseph M. Haymaker, 3rd his two infant children, each to the extent of an one-third interest therein; and whereas Elizabeth S. Haymaker, life tenant in the above described property and Dorothy A. Anthony, Helen L. Lane, and Charles A. Haymaker have entered into a Contract with the said parties of the second part herein, to sell their respective interest in said real estate and it has been agreed between all the parties owning said real estate that in order to clear the title and to close the title to said real estate, that a proper proceedings in the Chancery Court of Queen Anne's County shall be instituted, as it appears to be of interest and of benefit to all the parties owning said real estate to sell the same.

NOW THEREFORE this Contract of Sale witnesseth that the said Virginia L. Haymaker individually, and Birginia L. Haymaker, as mother and next friend of Marjorie E. Haymaker and Joseph M. Haymaker, 3rd hereby agrees to sell unto the said parties of the second part and the said parties of the second part do hereby agree to buy from the said Seller all the right, title and interest of the said Virginia L. Haymaker and Marjorie E. Haymaker and Joseph M. Haymaker, 3rd, infants, in and to the above described real estate, at and for the sum of One Thousand Five Hundred Dollars (\$1,500.00), payment of which said sum shall be made upon the final ratification of this sale by said Chancery Court.

IT IS understood and agreed by and between the parties that this Contract of Sale is made upon the condition that the Sellers shall obtain the approval and ratification of said sale and confirmation of this contract from said Chancery Court and that said Seller shall join with the said Elizabeth S. Haymaker, Dorothy A. Anthony, Helen L. Lane and Charles L. Haymaker and with the purchasers in filing Bill of Complaint in said Court against the said Marjorie E. Haymaker and Joseph M. Haymaker, 3rd, infants, said proceedings to be entitled Elizabeth S. Haymaker, et al vs. Marjorie E. Haymaker and Joseph M. Haymaker, 3rd infants, and it is understood and agreed that the Court costs in said case shall be payable by the said parties of the first part herein.

Witness the hands and seals of the parties hereto.

Witness as to  
both parties:

VIRGINIA L. HAYMAKER (SEAL)  
Virginia L. Haymaker  
Individually

ERSON R. LEAVERTON  
Erson R. Leaverton

VIRGINIA L. HAYMAKER (SEAL)  
Virginia L. Haymaker  
As Mother and Next Friend  
of Marjorie Elizabeth  
Haymaker and Joseph M.  
Haymaker, 3rd, infants.

SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER  
Filed Aug. 12, 1947

Queen Anne's County, to wit:

Seal's  
TO Place. The State of Maryland

Marjorie E. Haymaker, 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 Centreville, in said County, on the First Monday of September next, to answer the complaint of Elizabeth S. Haymaker widow, et al. against you in said court exhibited.

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

WITNESS, The Honorable J. Owen Knotts, Chief Judge of our said Court, the First Monday of August 1947  
Issued the Eighth day of August 1947

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 September next, being the Return Day.

A. SYDNEY GADD JR. Clerk

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

I hereby certify, that I served the within writ of subpoena by reading same to Marjorie E. Haymaker, infant, and to her mother and next friend, Virginia L. Haymaker, and by leaving a copy of same with each of them, this 11th day of August, 1947.

Filed August 12, 1947.

OSCAR W. TARR  
Sheriff of Queen Anne's County.

SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER  
Filed August 12, 1947.

Queen Anne's County, to wit:

Seal's  
TO Place. The State of Maryland

Joseph M. Haymaker III, 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 Centreville, in said County, on the First Monday of September next, to answer the complaint of Elizabeth S. Haymaker Widow, et al. against you in said court exhibited.

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

WITNESS, The Honorable J. Owen Knotts, Chief Judge of our said Court, the First Monday of August 1947 Issued the Eighth day of August 1947.

John Palmer Smith  
Solicitor for Complainants

A. SYDNEY GADD JR. Clerk

TO THE DEFENDANT: You are required to file your answer 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 Subpoena is thus endorsed, to wit:

I hereby certify, that I served the within writ of subpoena by reading same to Joseph M. Haymaker, 3rd, infant, and to his mother and next friend, Virginia L. Haymaker, and by leaving a copy of same with each of the, this 11th day of August, 1947.

Filed Aug. 12, 1947

OSCAR W. TARR  
Sheriff of Queen Anne's County.

PETITION FOR A GUARDIAN  
AD LITEM AND ORDER OF COURT  
Filed August 12, 1947

Elizabeth S. Haymaker, ET. AL

vs

Marjorie E. Haymaker, Et. Al.

In The Circuit Court

for

Queen Anne's County

In Equity

Chancery No. 3536

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Virginia L. Haymaker, widow, one of the Complainants in the above cause, respectfully represents:

THAT the said Marjorie E. Haymaker and Joseph M. Haymaker, 3rd, the infants defendants in this cause, have been brought into Court as party defendants by the proper process, to wit: Be the service of the writ of subpoena being read to each of them and copy of same left with each of them on August 11th, 1947, and by the reading of said writ of subpoena to Virginia L. Haymaker, their mother and next friend, and by leaving a copy of same with her on August 11th, 1947, said service of said writ of subpoena having been made by Oscar W. Tarry, Sheriff of Queen Anne's County, but the said Marjorie E. Haymaker and Joseph M. Haymaker, 3rd both being infants, they cannot answer and defend the suit themselves.

Your Petitioner, therefore, prays your Honors to appoint a guardian ad litem to appear and answer the said Bill for said infants.

And as in duty bound, etc.

Virginia L. Haymaker  
Petitioner

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

I hereby certify that on this 11th day of August 1947, before me the Subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Virginia L. Haymaker and made oath in due form of law that the matter and facts in the foregoing Petition are true to the best of her knowledge and belief.

Notary  
Public  
Seal.

PAUL B. SMITH  
Paul B. Smith.  
Notary Public

My Commission Expires May 2, 1949

Filed August 12, 1947

ORDER OF COURT

Ordered this 13th day of August, 1947, by the Circuit Court for Queen Anne's County, in Equity, and by the authority thereof, upon the foregoing Petition and affidavit, that J. Thomas Clark be, and he is, hereby appointed guardian ad litem to appear, answer and defend for Marjorie E. Haymaker and Joseph M. Haymaker, 3rd, infant defendants in the above cause.

WM. R. HORNEY  
Judge

Filed August 13, 1947.

ANSWER OF GUARDIAN AD LITEM  
Filed August 14, 1947.

Elizabeth S. Haymaker, Et. Al

vs.

Marjorie E. Haymaker, Et Al

In The Circuit Court

for

Queen Anne's County

In Equity

Chancery No. 3536

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Answer of Marjorie E. Haymaker, infant, and Joseph M. Haymaker, 3rd, infant, by J. Thomas Clark, Guardian Ad Litem, duly appointed by order of the Circuit Court of Queen Anne's County, in Equity on the 13th day of August, 1947, to the Bill of Complaint of Elizabeth S. Haymaker et al, against them in this Court exhibited, these Defendants, being infants, cannot admit any of the matter and things in said Bill alleged, and submit their rights thereunder to the protection of this Court.

And as in duty bound, etc.

J. THOMAS CLARK  
Guardian Ad Litem

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

I hereby certify, that on this 14th day of August, 1947, before me, the Subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared J. Thomas Clark, Guardian Ad Litem for Marjorie E. Haymaker and Joseph M. Haymaker, 3rd, and made oath in due form of law that the matter and facts in the foregoing Answer are true to the best of his knowledge and belief.

A. SYDNEY GADD JR.

Filed August 14, 1947.

Clerk of the Circuit Court  
for Queen Anne's County

DEPOSITIONS  
Filed October 29, 1947.

ELIZABETH S. HAYMAKER, ET AL  
PLAINTIFFS

VS.

MARJORIE E. HAYMAKER, INFANT,  
ET AL  
DEFENDANTS

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

CHANCERY #3536

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The subscriber, one of the regular Examiners for this Honorable Court, having been notified by John Palmer Smith, Esq., Solicitor for the Plaintiffs, of his desire to take testimony on behalf of the Plaintiffs, met at the office of said Solicitor in the town of Centreville on Tuesday the 28th day of October 1947 at 7:30 P.M. for the purpose of taking testimony; the Defendants having been notified of the time and place of taking said testimony, the Guardian ad Litem, J. Thomas Clark, Esq. appearing for the Defendant, Infant, I did then and there proceed, after administering the oath to the witnessess, take the following testimony, to wit:

1st Int. State your name, age, residence and occupation?

Ans. My name is J. Elmer Anthony, I am 58 years of age, I reside in Centreville, Queen Anne's County, Maryland, and I am an auctioneer.

2nd Int. Do you know all the parties to this suit, if so, how long and what relation are they one to another?

Ans. Yes, I know all of them; Elizabeth S. Haymaker is a widow, and Dorothy H. Anthony, my wife is her daughter; Helen L. Lane is a daughter also and Ronald R. Lane her husband; Charles A. Haymaker is a son and Ethel M. Haymaker is his wife; Virginia L. Haymaker is the widow of Joseph M. Haymaker, a deceased son of Elizabeth S. Haymaker; Marjorie E. Haymaker, infant, and Joseph M. Haymaker, infant, 3rd, are the infant children of Virginia L. Haymaker & Joseph. Marion H. and Rebecca A. Chambers have agreed to buy the property.

3rd Int. Do you know the property described in these proceedings as located on the north side of Belvedere Avenue, in Town of Centreville, Md., bounded by a 12 foot road on the east, and the property now of Bordley Seward on the west.

Ans. Yes, very well. I live on the same street and have known the property ever since it was built and acquired by Mrs. Elizabeth S. Haymaker. It has a 50 foot frontage and a depth of about 200 feet. It is bounded now by the property of Mr. and Mrs. Bordley Seward on the West, a 12 foot lane on the east, and the Joe Miller property in the rear. Mrs. Haymaker bought the property in 1928.

4th Int. As of the date of the contract introduced in evidence, which contract is dated Jan. 7, 1947, do you think that the price agreed to be paid in the sum of \$6,000.00 is a fair price?

Ans. I would say that the sum of \$6,000.00 on January 7th, 1947, was a fair price for this property.

5th Int. In your opinion would it be to the benefit and advantage to Marjorie E. Haymaker, infant, and Joseph M. Haymaker, 3rd, infant, and of all the parties to this suit to have this land sold and the proceeds invested in some productive fund?

Ans. I would say it would be to the benefit and advantage to the infant children to this suit and of all the parties to the suit.

6th Int. Do you consider this price of \$6,000.00 as mentioned as good as could have been gotten at a public sale?

Ans. Yes. I would say so.

Examiner's Special.

Ans. No Sir.

J. ELMER ANTHONY

1st Int. State your name, age residence and occupation?

Ans. My name is Joseph Holden, I am 48 years old, I reside at Centreville, Maryland, and I am a grain dealer.

2nd Int. Do you know all the parties to this suit, if so, how long and what relation are they one to another?

Ans. Yes, I know all of them. Mrs. Elizabeth Haymaker is the mother of Dorothy H. Anthony, Helen L. Lane, and Charles Haymaker, and the grandmother of Marjorie E. Haymaker, infant and Joseph M. Haymaker, 3rd., infant.

3rd Int. Do you know the property described in these proceedings as located on the north side of Belvedere Avenue, in Town of Centreville, Md., bounded by a 12 foot road on the east, and the property now of Bordley Seward on the west.

- Ans. Yes, I know it very well. I lived in it for nearly 4 years. It is on the north side of Belvedere Avenue, bounded on the west by the Bordley Seward property, on the east by a 12 foot lane, and on the north by the Joe Miller property.
- 4th Int. As of the date of the contract introduced in evidence, which contract is dated Jan. 7, 1947, do you think that the price agreed to be paid in the sum of \$6,000.00 is a fair price?
- Ans. I would say the price of \$6,000.00 is a fair price, as of Jan. 7, 1947.
- 5th Int. In your opinion would it be to the benefit and advantage to Marjorie E. Haymaker, infant, and Joseph M. Haymaker, 3rd, infant, and of all the parties to this suit to have this land sold and the proceeds invested in some productive fund?
- Ans. Yes, it would be to the benefit and advantage of Marjorie E. and Joseph M. Haymaker, Jr., infants, and to all the parties who own the property.
- 6th Int. Do you consider this price of \$6,000.00 as mentioned as good as could have been gotten at a public sale?
- Ans. Yes, I do.
- Examiner's Special.
- Ans. No sir.

JOSEPH HOLDEN

There being no further witnesses to be examined, the Examiner herewith makes his return of the depositions of the respective witnesses and costs chargeable to Plaintiffs, as follows, to wit:

Harry C. Butler, Examiner	\$8.00
J. Elmer Anthony, Witness	waived
Joseph Holden, Witness	<u>waived</u>
	\$8.00

Respectfully submitted,

Filed Oct. 29, 1947.

HARRY C. BUTLER  
Harry C. Butler

DECREE OF SALE  
Filed Nov. 15, 1947.

ELIZABETH S. HAYMAKER,  
WIDOW, ET AL. ,

VS.

MARJORIE E. HAYMAKER, INFANT,  
ET AL.,

IN THE CIRCUIT COURT  
FOR  
QUEEN ANNE'S COUNTY,  
IN EQUITY.  
CHANCERY No. 3536.

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D E C R E E

This cause standing ready for hearing, and being submitted without argument, the Bill of Complaint and other proceedings were read and considered:

It appearing to the Court that sale of the property mentioned and described in these proceedings will be to the interest and advantage of all parties herein, IT IS THEREUPON, this 15th day of November, 1947, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, Adjudged, Ordered and Decreed that the said real estate in these proceedings mentioned and described be sold for the purpose of partition of the proceeds of sale among those entitled thereto, to Marion H. Chambers and Rebecca A. Chambers, his wife, as tenants by the entireties, at and for the sum of Six Thousand Dollars (\$6,000.00) upon the terms set forth in the written contract of purchase from the parties vendors to the parties vendees and which contracts of sale and purchase are identified in these proceedings as Exhibits "C" and "D", subject to the final ratification of said sale by this Court:

That John Palmer Smith, of Queen Anne's County, State of Maryland, be and he is hereby appointed Trustee to carry out the terms of said contracts and to make said sale, but before he shall proceed to act as such Trustee he shall file with the Clerk of this Court a bond to the State of Maryland to be executed by himself with a surety or sureties thereon to be approved by this Court, or the Clerk thereof, in the penalty of Six Thousand Dollars (\$6,000.00) if corporate surety be given, and in double that amount if personal surety be given, conditioned upon 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;

That as soon as may be convenient thereafter said Trustee shall return to this Court a full and particular account of said sale, with an affidavit of the truth and fairness thereof annexed;

That upon the final ratification of said sale by this Court after the passage of the usual order nisi thereon and upon the payment of the whole purchase price to him, and not before, said Trustee shall by a good and sufficient deed, to be by him executed and acknowledged agreeably to law, convey to the purchasers the property and estate so sold to them, free, clear and discharged of all claims of the parties to this Cause, and of those claiming by, through and under them, or any of them;

That said Trustee shall bring into this Court all of the money



arising from said sale to be distributed under the future order of this Court, after deducting thereout the costs of this proceedings and such commissions to 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.

Filed Nov. 15, 1947

WM. R. HORNEY  
Judge.

And the Trustee at the time of advertising said sale shall cause the following Notice to Creditors to be published, that is to say:

Elizabeth S. Haymaker,  
widow, et al.,

vs.

Marjorie E. Haymaker,  
infant, et al.,

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

Chancery No. 3536.

NOTICE TO CREDITORS.

ORDERED, this 15th day of November, 1947, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that the creditors of Joseph M. Haymaker, deceased, file their claims, properly authenticated, with the Clerk of said Court, on or before the 23rd day of February, 1948, 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 newspaper printed and published in Queen Anne's County, Maryland, once a week for four successive weeks before the 22nd day of December, 1947.

Filed Nov. 15, 1947

WM. R. HORNEY  
Judge.

CERTIFIED COPY OF BOND  
Filed Nov. 18, 1947.

Queen Anne's County, to wit: Be it remembered that on this Eighteenth day of November, in the year nineteen hundred and forty seven, the following Bond was brought to be recorded, to wit:

KNOW ALL MEN BY THESE PRESENTS, that we, John Palmer Smith, of Queen Anne's County, State of Maryland, as principal, and the Glens Falls Indemnity 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 Six Thousand Dollars (\$6,000.00) 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, formally by these presents, sealed with our seals and dated this eighteenth day of November, in the year nineteen hundred and forty-seven.

WHEREAS, the above bounden John Palmer Smith has been appointed by a decree of the Circuit Court for Queen Anne's County, in Equity, passed on the 15th day of November, 1947, Trustee to make sale of the real estate mentioned and described in the Cause in said Court entitled "Elizabeth S. Haymaker, et al., vs. Marjorie E. Haymaker, infant, et al.," being Cause No. 3536 on the Chancery Docket of said Court;

NOW, THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bounden John Palmer Smith do and shall well and faithfully perform and execute the trust reposed in him by said decree, or that may be reposed in him by any future order or decree 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:-

PAUL B. SMITH  
Paul B. Smith

ATTEST:-

PAUL B. SMITH  
Paul B. Smith

JOHN PALMER SMITH (SEAL)  
John Palmer Smith.

GLENS FALLS INDEMNITY COMPANY.

by L. HERMAN MEREDITH  
L. Herman Meredith  
Its attorney in fact.

(Corporate Seals Place)

And at the foot of the foregoing is thus endorsed, to wit:

Security approved and Bond filed Nov. 18, 1947.

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 A.S.G. Jr. No. 1, folio 38, 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 18th day of November, 1947.

Seal's  
Place.

A. SYDNEY GADD JR.  
Clerk

REPORT OF SALE  
Filed Nov. 18, 1947.

ELIZABETH S. HAYMAKER, ET AL,

IN THE CIRCUIT COURT

VS.

FOR

MARJORIE E. HAYMAKER, INFANT,  
ET AL.,

QUEEN ANNE'S COUNTY,

IN EQUITY.

Chancery No. 3536.

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TO THE HONORABLE, THE JUDGES OF SAID COURT:-

The Report of Sale of the real estate made in this Cause by John Palmer Smith, the Trustee appointed to make such sale and to carry out the terms of the contracts and off for the sale thereof, unto your Honors respectfully shows:

1. That pursuant to the decree of this Honorable Court passed on the 15th day of November, 1947, your Trustee filed in this Cause a bond in the penalty of Six Thousand Dollars (\$6,000.00), with a corporate surety thereon, which said bond was duly approved by the Clerk of this Court.

2. That thereupon, pursuant to said decree, your Trustee on the 18th day of November, 1947, proceeded to carry out the terms of the contracts for the sale of and sold the property mentioned and described in thses proceedings which is described as follows, to wit:

All that lot, tract, part of a tract and parcel of land situate, lying and being in the town of Centreville, in the Third Election District of Queen Anne's County, aforesaid, on Belvedere Avenue in said town, (said Belvedere Avenue running from Chesterfield Avenue on Water Street extended toward the South branch of Corsica River,) said lot having a frontage on said Belvedere Avenue of fifty feet, more or less, and running with that uniform width to the depth of one hundred and ninety feet, more or less, and more particularly described as follows, to wit: Beginning for the same at a stone marked No. 1, planted along said Belvedere Avenue, which is also a corner for a twelve foot right of way running along the east side of the lot hereby conveyed and running with said twelve foot right of way in a northerly direction a distance of one hundred and ninety feet, more or less, to a stake along said right of way; thence in a westerly direction fifty feet, more or less, to a stake, a corner for the land hereby conveyed and the land of William and Anna Freestate; thence from said stake in a southerly direction with the land of said Freestates to a stake planted along said Belvedere Avenue; and thence with said Belvedere Avenue in an easterly direction fifty feet, more or less, to the place of beginning, containing 9,500 sq. feet of land, more or less;

unto Marion H. Chambers and Rebecca A. Chambers, his wife, as tenants by the entireties, at and for the sum of Six Thousand Dollars (\$6,000.00), upon the terms and conditions set forth in the contractors of sale mentioned in this Cause, which said contracts of sale are designated "Exhibit "C" and Exhibit "D" and have heretofore been filed herein.

That the said Purchasers have paid to the owners under date of January 7th, 1947, the sum of \$1500.00, leaving a balance of the purchase money which is to be paid upon the final ratification of the sale and at the time of the delivery of the deed of conveyance..

Respectfully submitted,

JOHN PALMER SMITH  
John Palmer Smith,  
Trustee.

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

I hereby certify, that on this 18th day of November, 1947, before the Subscriber, Clerk of the Circuit Court for Queen Anne's County, personally appeared John Palmer Smith, the Trustee in the above entitled Cause, and made oath in due form of law that the matters and facts set forth in the foregoing Report of Sale are true and bona fide as therein stated, and that the sale was fairly made.

Filed Nov. 18, 1947

A. SYDNEY GADD JR.  
Clerk of the Court.

ORDER NISI  
Filed November 18, 1947

N I S I

Elizabeth S. Haymaker, et al.,

In the Circuit Court

VS.

for Queen Anne's County'

Marjorie E. Haymaker,  
infant, et al.

In Equity  
Chancery No. 3536

ORDERED, This 18th. day of November A.D., 1947, that the sale of 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 19th. 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 19th. day of December next.

The Report states the amount of sales to be \$6,000.00.

Filed November 18, 1947

A. SYDNEY GADD JR. Clerk.

CERTIFICATE OF PUBLICATION  
OF ORDER NISI  
Filed Jan. 19, 1948

N I S I

Elizabeth S. Haymaker, et al.,

vs.

Marjorie E. Haymaker,  
infant, et al.

-----  
In the Circuit Court  
for Queen Anne's County In  
Equity  
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Chancery No. 3536  
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ORDERED, This 18th. day of November A.D., 1947, that the sale of 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 19th. 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 19th. day of December next.

The Report states the amount of sales to be \$6,000.00.

A. Sydney Gadd, Jr., Clerk

Filed November 18, 1947.

True Copy

Test: A. Sydney Gadd, Jr., Clerk

QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. January 19, 1948.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the ORDER NISI in the case/estate of Elizabeth S. Haymaker, et al., vs. Marjorie E. Haymaker, infant, 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 19th day of December, 1947, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 20th day of November, 1947, and the last insertion on the 11th day of December, 1947.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

Filed Jan. 19, 1948.

By PAUL B. SMITH

FINAL ORDER OR RATIFICATION

Filed Jan. 20, 1948.

ELIZABETH S. HAYMAKER, ET AL.,

IN THE CIRCUIT COURT

VS.

FOR

MARJORIE E. HAYMAKER, INFANT, ET AL.,

QUEEN ANNE'S COUNTY,

IN EQUITY.

CHANCERY No. 3536.

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FINAL ORDER OF RATIFICATION.

ORDERED, this 20th day of January, in the year nineteen hundred and forty-eight, 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, Trustee, 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 given as required by the Order Nisi heretofore passed in this Cause, and the said John Palmer Smith, Trustee 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.

Filed Jan. 20, 1948

WM. R. HORNEY  
Judge.

AUDIT

Filed Mar. 8, 1948.

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

Elizabeth S. Haymaker, et al., ) CHANCERY DOCKET,

versus )

Marjorie E. Haymaker, et al. ) CAUSE NO. 3536.

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 annexed account or audit between the proceeds of the sale of the land made in this Cause and John Palmer Smith as the Trustee at the request of the said Trustee, first charging the trustee with the amount of the gross sale made by him per his Report of Sale and then allowing him out of the amount so charged to him, his com-

missions for making the sale, the Court costs of this Cause and the expenses incident to the sale, per the vouchers produced therefor by the trustee to the Auditor.

The balance of the amount of sale so charged to the Trustee remaining constitutes the net amount of the sale to be distributed to the parties to the suit owning the land sold at the time of the decree of sale according to their respective rights as set out in the Bill of Complaint.

According to this Bill of Complaint, the testimony taken and filed and the other proceedings of this Cause at the time of the decree of sale, Elizabeth S. Haymaker, a complainant to the Bill, was entitled to a life estate in the whole property sold and accordingly there is distributed by the within account unto her for her life the entire net amount of the proceeds of sale.

According to the Bill of Complaint and the other proceedings of this Cause subject to the life estate of the said Elizabeth S. Haymaker, the following named persons were at the time of the decree of sale entitled to the land sold:

Dorothy H. Anthony to the extent of one undivided fourth part, Hellen L. Lane to the extent of one undivided fourth part, Charles A. Haymaker to the extent of one undivided fourth part, Virginia L. Haymaker, widow of Joseph M. Haymaker, widow of Joseph M. Haymaker, to the extent of one third of one fourth part, Marjorie E. Haymaker, who is an infant, to the extent of one third of one fourth part, and

Joseph M. Haymaker, 3rd, to the extent of one third of one fourth part. This distributee is also an infant under twenty-one years of age.

Therefore by the within account it is stated that the entire net proceeds of sale at the death of said Elizabeth S. Haymaker, life tenant, should be distributed among the remaindermen named above according to their respective rights which have been by the annexed account distinguished from each other and separately stated.

Which is respectfully submitted,

March eighth, 1948

MADISON BROWN  
AUDITOR

CAUSE NUMBER 3536:

The proceeds of the sale of the real estate owned by Elizabeth S. Haymaker for her life with remainder owned by Dorothy H. Anthony and other, IN ACCOUNT WITH John Palmer Smith as the Trustee appointed by the decree filed in this Cause to sell said real estate.

1947	CR.	
Nov.		
15	By amount of the gross sale of said real estate per report of sale filed by said Trustee, to wit:	
	the sum of . . . . .	\$ 6,000.00

	DR.		
To	John Palmer Smith, said Trustee for his commissions for making said sale, per rule of this Court, the sum of . . . . .	\$ 285.00	
To	same Trustee, for the Court costs of this cause per statement of costs made by the Clerk of the Court exhibited to the Auditor, paid to clerk per receipt, as follows:-		
	Costs of the Clerk, . . . . .	\$ 46.80	
	Appearance of J. P. Smith, . . . . .	\$ 10.00	
	Costs of Sheriff, . . . . .	\$ 1.90	
	Fee of Guardian ad litem, . . . . .	\$ 4.00	
	Fee of Examiner, . . . . .	\$ 8.00	
	Total of these costs, . . . . .	\$ 70.70	\$ 70.70
To	same Trustee for costs of his bond as such filed in this Cause per account for same with receipt thereon exhibited to the auditor, the sum of . . . . .	\$ 40.00	
To	same Trustee for costs of advertising the order nisi passed on the report of sale per account for same with receipt thereon exhibited to the auditor, the sum of . . . . .	\$ 7.50	
To	same Trustee for costs of advertising the order of Court directing notice to creditors of Joseph Haymaker to file their claims per account for same with receipt thereon exhibited to the Auditor, the sum of . . . . .	\$ 7.50	
To	same Trustee for costs of advertising the order nisi to be passed as to this audit, the sum of . . . . .	\$ 5.00	
			\$ 415.70
To	Madison Brown, Auditor, for stating this account, the sum of . . . . .	\$ 22.50	
			\$ 438.20
To	balance, constituting the net proceeds of sale, carried forward, the sum of . . . . .	\$5,561.80	
			\$6,000.00
			\$6,000.00
By	amount brought down being the net proceeds of the sale mentioned above, the sum of . . . . .	\$5,561.80	

DR.

To Elizabeth S. Haymaker who according to the Bill of Complaint and other proceedings of this Cause was entitled to a life estate in the property mentioned above when it was sold and is entitled to a life estate therefore in the net proceeds of sale thereof, is now distributed the entire proceeds of sale for her life, to wit: the said sum of . . . . . \$5,561.80

Distribution of Net Proceeds of Sale mentioned above at death of Elizabeth S. Haymaker should be made according to the Bill of Complaint, as follows:

To DOROTHY H. ANTHONG, subject to the said life estate of Elizabeth S. Haymaker, is entitled to one-fourth part of said net sale and therefore at death of said Elizabeth S. Haymaker will be entitled to receive one-fourth part of said net sale, to wit: the sum of . . . . . \$1,390.45

To HELLEN L. LANE, subject to said life estate of Elizabeth S. Haymaker is entitled to one-fourth part of said sale and therefore at death of said Elizabeth S. Haymaker will be entitled to receive one-fourth part of said net sale, to wit: sum of . . . . \$1,390.45

To CHARLES A. HAYMAKER, subject to life estate of Elizabeth S. Haymaker, is entitled to one-fourth part of said net sale and therefore at her death will be entitled to receive one-fourth part of said net sale, to wit: the sum of . . . . . \$1,390.45

To VIRGINIA L. HAYMAKER, widow of Joseph M. Haymaker, deceased, subject to the life estate of Elizabeth S. Haymaker, is entitled to one-third of one-fourth part of said net sale, and therefore at the death of said Elizabeth S. Haymaker will be entitled to receive one-third of one-fourth part of said net sale, to wit: the sum of . . . . . \$ 463.48 1/3  
(It appears that Virginia Haymaker will owe the State of Maryland a direct inheritance tax of one per cent, \$4.64 on the amount so distributed unto her when payable to her)

To MARJORIE E. HAYMAKER, infant child of Joseph M. Haymaker, deceased, subject to said life estate of Elizabeth S. Haymaker, is entitled to one-third of one-fourth part of said net sale, to wit: the sum of . . . . . \$ 463.48 1/3  
(It appears that Marjorie E. Haymaker, infant, will owe the State of Maryland a direct inheritance tax of one per cent, (\$4.64 on the amount so distributed unto her when payable to her)

To JOSEPH M. HAYMAKER, 3rd, infant child of Joseph M. Haymaker, subject to said life estate of Elizabeth S. Haymaker is entitled to one-third of one fourth part of said net sale, to wit: the sum of . . . . . \$ 463.48 1/3  
(It appears that Joseph M. Haymaker, 3rd, infant, will owe the State of Maryland a direct inheritance tax of one per cent \$4.64 on the amount so distributed unto him when payable (to him) \$6,000.00

March 8, 1948

MADISON BROWN  
AUDITORNISI RATIFICATION OF AUDIT  
Filed March 9, 1948

## NISI RATIFICATION OF AUDIT

Elizabeth S. Haymaker, et al.,

In the Circuit Court

VS

for Queen Anne's County

Marjorie E. Haymaker, et al.

In Equity

Cause No. 3536

ORDERED, This 9th. day of March in the year nineteen hundred and forty eight, 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 2nd. day of April, 1948; provided a copy of this order be published once a week in each of two successive weeks before the 26th. day of March, 1948, in some newspaper printed and published in Queen Anne's County.

Filed March 9, 1948

NELLIE B. WHITELEY Clerk.

ASSIGNMENT OF LIFE INTEREST  
IN FUNDS, and PROPERTY.  
Filed May 20, 1948.

KNOW ALL MEN BY THESE PRESENTS, That I, Elizabeth S. Haymaker of Centreville, Queen Anne's County, Maryland, in consideration of natural love and affection for the donees herein, and in consideration of the sum of One Dollar and other good and valuable considerations, the receipts whereof are hereby acknowledged, do hereby transfer, assign, convey and set over to and unto Dorothy H. Anthony, Helen L. Lane, Charles A. Haymaker, Virginia L. Haymaker, Marjorie E. Haymaker, infant, and Joseph M. Haymaker, 3rd, infant, all my right, title and interest, being a life estate, in and to all the property and/or funds now held by John Palmer Smith, the Trustee in the Chancery Proceedings in the Circuit Court for Queen Anne's County, in Equity, in a Cause now pending therein entitled

"Elizabeth S. Haymaker, et al., Complainants, vs. Marjorie E. Haymaker, infant, et al., Defendants", and being Chancery Cause No. 3536 in said Court, and do hereby direct that said Trustee pay over unto the said donees hereunder their respective shares and interest as shown by the Report and Account and Audit filed in said Cause free, clear and discharged of all my right, title and interest in the said property and/or funds and all my claim on account thereof.

WITNESS my hand and seal this 19 day of May, 1948.

Witnesses:-

C. A. HAYMAKER

DOROTHY H. ANTHONY

ELIZABETH S. HAYMAKER (SEAL)  
Elizabeth S. Haymaker

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

I HEREBY CERTIFY, that on this 19 day of May, 1948, before the Subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Elizabeth S. Haymaker and acknowledged the foregoing Assignment and paper writing to be her act and deed.

Witness my hand and notarial seal.

Notary  
Public  
Seal.

KATHLEEN S. MASSEY  
Notary Public.

Filed May 20, 1948.



## CAUSE NUMBER 3549

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Twenty Third day of October, in the year nineteen hundred and forty seven, the following BILL OF COMPLAINT was filed for record, to wit:

EDGAR L. LANE,  
Complainant,

VS.

REBECCA GODWIN and  
MARGARET S. BOOKER,  
Defendants.

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY,

IN EQUITY.

Cause No. 3549

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Complainant who brings this suit for him-self as well as for all other creditors of Fannie Hall, late of Queen Anne's County, deceased, who will come into this cause and contribute to the expenses thereof, complaining, says:

1. That the Complainant is engaged in the business of an undertaker in Church Hill, Queen Anne's County, Maryland, and as such was on September the 19th, employed to take care of the remains of the said Fannie Hall, to furnish all materials and do all work necessary to prepare said remains for proper burial, that in pursuance to said employment the estate of the said Fannie Hall became indebted to the complainant for work done and materials provided in the sum of THREE HUNDRED AND NINETY DOLLARS (\$390.00) as per itemized bill attached hereto and made a part hereof.
2. That the said Fannie Hall died intestate in Barclay, Queen Anne's County on September 19th., 1947, leaving a personal estate of none or very little of intrinsic value, and that no letters of administration have been granted on either her personal or real estate, but leaving the following described real estate, to wit: All that lot or tract of land situate, lying and being in or near Barclay, a town in the First Election District of Queen Anne's County, Maryland, on the left side of the public road from Barclay to Templeville, with a frontage on said road of one hundred feet, more or less, and a depth from said road of one hundred and sixty feet, more or less, with an even width throughout of one hundred feet, more or less, bounded on the West by property now or formerly owned by The Sudlersville Bank of Maryland, on the East by property known as The Home Property of David Wallace, improved by a two story frame double dwelling, being the same property granted and conveyed to Thomas G. Hall and the said Fannie Hall his wife, by deed dated December 13th., 1914, by David Wallace and Susan K. Wallace, his wife, and recorded in Liber W. F. W. No. 6, folio 335 & etc., a Land Record Book for Queen Anne's County, a certified copy of which deed is filed herewith marked Complainant's Exhibit No. 1, and made a part hereof, and which upon the death on the said Thomas G. Hall in 1927, became vested in fee in the said Fannie Hall, subject nevertheless to a right of way for the benefit of the properties in the rear of said real estate, as laid down in a deed from John E. George, Assignee, to David Wallace, dated April 21st., 1913, and recorded in Liber W.F.W. No. 3, folio 244 & etc., a Land Record Book for Queen Anne's County.
3. That the said Fannie Hall being seized and possessed left surviving her as her only heirs at law, the defendants, Rebecca Godwin and Margaret S. Booker, her sister, who are both adults and residents of Barclay, Queen Anne's County, Maryland, who are each seized and possessed of an undivided one half interest in said real estate subject however to the claims of the creditors of the said Fannie Hall, deceased.

To the end, therefore,

1. That this Honorable Court may appoint a Trustee for the purpose of making sale of said real estate or so much thereof as may be necessary for the purpose of paying the debts of the said Fannie Hall, deceased.
2. That at the time of the publication of Advertising said real estate for sale that a Notice may be given to the Creditors of Fannie Hall, deceased, to file their claims with proper vouchers thereto attached with the Clerk of this Court or else be barred from participation in the proceeds of sale of said real estate.
3. That the Complainant may have such other and further relief as may be right and proper in the premises.

May it please the Court to grant unto the complainant the writ of subpoena directing the Sheriff of Queen Anne's County to summons the said defendants, Rebecca Godwin and Margaret S. Booker, both adults residents of Queen Anne's County, Maryland, commanding them to be and appear in this Court, either in person or by solicitor, on a day certain to be named therein, to answer this bill of complaint and to abide by and perform any decree or order of this Court that may be passed in the premises.

And as in duty bound & etc.

RICHARD T. EARLE  
Atty. for Complainant.

Filed Oct. 23, 1947

COMPLAINANT'S EXHIBIT NO. 1  
Filed Oct. 23, 1947.

QUEEN ANNE'S COUNTY, to wit: be it remembered that on the thirtieth day of December, in the year nineteen hundred and fourteen, the following DEED was brought to be recorded, to wit:-

THIS DEED, made this thirtieth day of December, in the year nineteen hundred and fourteen, by David Wallace and Susan K. Wallace, his wife, of Queen Anne's County, State of Maryland,

WITNESSETH: That for and in consideration of the sum of Eight



hundred and fifty dollars. (\$850.00), the receipt of which is hereby acknowledged, the said David Wallace and Susan K. Wallace, his wife, do hereby grant and convey unto Thomas G. Hall and Fannie Hall, his wife, of said county and state, their heirs and assigns forever, as tenants by the entireties, all that lot or parcel of land situate, lying and being in the First Election District of Queen Anne's County, State of Maryland, in or near the town of Barclay, in said county, and on the left side of the public road leading from Barclay aforesaid to Templeville in said county, and with a frontage on said road of one hundred feet, more or less, and with an even depth therefrom of one hundred and sixty feet, more or less, and bounded on the west by the property of the Sudlersville Bank of Maryland and on the east by the home property of the said David Wallace; being the same parcel of land described as "Parcel No. 2" in the deed from John E. George, Assignee, unto the said David Wallace, bearing date April 21st., 1913, and recorded in Liber W.F.W. No. 3, fol. 244, &c., a land record book of said county.

Subject, however, to the right of way described in the said deed from the said John E. George, Assignee, unto the said David Wallace, to which deed reference is hereby made for a further description of said road or right of way and use of the same.

Together with the buildings and improvements thereon and all the roads, rights, ways, waters, privileges, advantages and appurtenances thereto belonging or in anywise appertaining.

And the said David Wallace 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 their hands and seals.

DAVID WALLACE (SEAL)

Test: J. MCK. TILGHMAN

SUSAN K. WALLACE (SEAL)

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

I hereby certify that on this thirtieth day of December, in the year nineteen hundred and fourteen, before me, the subscriber, a Justice of the State of Maryland, in and for Queen Anne's County aforesaid, personally appeared David Wallace and Susan K. Wallace, his wife, and they each did acknowledge the aforesaid DEED to be their respective act.

Two-Fifty Cent Int. Rev.  
Stamps. Endorsed D.W.  
12-30-14

J. MCK. TILGHMAN  
Justice of the Peace.

STATE OF MARYLAND  
QUEEN ANNE'S COUNTY, to wit:

I hereby certify that the aforesaid DEED is truly taken and copied from Liber W.F.W. No. 6, folio 335, a Land Record Book for Queen Anne's County.

Seal's  
Place.

In testimony whereof, I have hereunto subscribed my name and affixed the seal of the Circuit Court for Queen Anne's County this 23rd. day of October in the year nineteen hundred and forty-seven.

A. SYDNEY GADD, JR.  
Clerk.

SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER.  
Filed Oct. 25, 1947.

Queen Anne's County, to Wit:

The State of Maryland

TO Seal's  
Place.

Margaret S. Booker

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 Edgar L. Lane against you in said court exhibited.

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

WITNESS, The Honorable J. Owen Knotts, Chief Judge of our said Court, the First Monday of October 1947. Issued the Twenty third day of October 1947.

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.

A. SYDNEY GADD JR. Clerk

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

Within Subpoena served by reading to and leaving copy with Margaret S. Booker this 24 day of October 1947.

OSCAR W. TARR  
Sheriff

SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER.  
Filed Oct. 25, 1947.

Queen Anne's County, to wit:

The State of Maryland

Seal's  
TO Place.

Rebecca Godwin

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 fo Equity, at Centreville, in said County, on the First Monday of November next, to answer the complaint of Edgar L. Lane against you in said court exhibited.

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

WITNESS, The Honorable J. Owen Knotts, Chief Judge of our said Court, the First Monday of October 1947. Issued the Twenty third day of October 1947.

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 Subpoena is thus endorsed, to wit:  
Within Subpoena served by reading to and leaving copy with Rebecca Godwin this 24 day of October 1947.

OSCAR W. TARR  
Sheriff

ANSWER OF DEFENDANTS  
Filed Oct. 27, 1947.

EDGAR L. LANE, Complainant,	#	In the Circuit Court
	#	for
VS.	#	Queen Anne's County,
REBECCA GODWIN and MARGARET S. BOOKER, Defendants.	#	in Equity.
	#	Cause No. _____

TO THE HONORABLE, THE JUDGES OF SAID COURT:

We, the undersigned defendants in the above entitled cause, admit the matters and facts set forth in the Bill of Complaint filed in this cause and consent to the passage of such a decree as may be right and proper in the premises.

Respectfully submitted,

Test: ELVA BROWN

REBECCA W. GODWIN  
Rebecca Godwin

MARGARET S. BOOKER  
Margaret S. Booker

Filed Oct. 27, 1947.

REPORT OF EXAMINER AND DEPOSITIONS  
Filed Nov. 1, 1947.

EDGAR L. LANE, Complainant,	#	IN THE CIRCUIT COURT
	#	FOR
VS.	#	QUEEN ANNE'S COUNTY,
REBECCA GODWIN and MARGARET S. BOOKER, Defendant.	#	IN EQUITY.
	#	Cause No. 3549.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Examiner at the request of Richard T. Earle, Attorney for Complainant, went to the office of the said attorney in Centreville, Maryland, on Friday the 31st. day of October, 1947, to take the within depositions there were present the said attorney and witnessess, whose depositions are hereto attached, the said depositions were taken on the aforesaid date between 10:30 and noon of October, 31st., 1947, the Interrogatories were propounded by the said Richard T. Earle.

HARRY C. BUTLER  
One of Standing Examiners.

Filed Nov. 1, 1947,

First witness called on the part of the Complainant being duly sworn, deposes and states, Interrogatories asked by Earle, atty, for Complainant.

1st. Int. State your name, age, residence and occupation.  
A. Rebecca Godwin, I am 78 years of age, I live at Barclay, Maryland, simply keep house.

2nd. Int. Did you know Thomas G. Hall, is he living or dead, if dead, when did he die?  
A. I knew Mr. Hall, he died February 27th., 1927.

3rd. Int. Did you know Mrs. Fannie Hall, his wife, is she living or dead, if dead, when did she die?  
A. Yes, She was my sister, she died the 19th. day of September, 1947.

4th. Int. Did Mrs. Hall leave any personal estate, if so the value thereof, has letters of administration been granted on her estate?  
A. She left a small amount of household effects of very little value and no letters have been granted on either her personal or real estate.

5th. Do you know the real estate of which Mrs. Hall died seized and possessed, I now hand you Complainant's Exhibit No. 1, can you identify the same.  
A. Yes, that is the property she owned.

6th. Int. Do you know who are the heirs at law of Mrs. Hall?  
A. Yes, she had three children but all of them died in infancy, her husband died as I have previously stated, her father and mother are both dead, she had other brothers and sisters, but they all died in infancy except my-self and Mrs. Booker, and we are her only heirs at law, that is myself and Margaret S. Booker.

Examiner's Special

A. No. My Sister died without leaving a will.

REBECCA W. GODWIN

The next Witness called by Complainant.

1st. Int. State your name, age, residence and occupation.

A. My name is Margaret S. Booker, I am 71 years of age, I live at Barclay, I am a housewife.

2nd. Int. Did you know Mr. Thomas G. Hall, is he living or dead, if dead when did he die, where was he living at the time of his death.

A. I knew Mr. Hall, I am a sister of Mrs. Hall, Mr. Hall died at Barclay on February 27th., 1927.

Did you know Mrs. Hall was my sister, she lived at Barclay, she died on September, 19th., 1947, intestate.

4th. Int. Did Mrs. Hall leave any personal or real estate, have letters been granted on her estate?

A. She left a little household effects of very little value, she owned the house in which she lived in a part of it, the same being a double house, letters of administration have not been granted while a part of the double house was her home she actually died in my house.

5th. Int. I now hand you a deed marked Complainant' Exhibit No. 1, deed from David Wallace and wife to Thomas G. Hall and wife, can you identify this property?

A. Yes, I am familiar with this property, the double house at Barclay which she lived in just prior to her last sickness and when she was able to be at home, is the same property described in the deed. Mrs. Hall, my sister, left no personal estate of any value and no letters of administration have been granted on her estate.

6th. Do you know who are the heirs-at law of Fannie Hall, your Sister?

A. Mrs. Rebecca Godwin and myself, my sister Mrs. Godwin has stated the family history.

Examiner's Special.

A. No.

MARGARET S. BOOKER

The next witness called by Complainant.

1st. Int. State your name, age, residence and occupation.

A. R. Leslie Booker, I am 74 years of age, I live at Barclay, I am retired.

2nd. You knew Mr. and Mrs. Thomas G. Hall, are they living or dead, if so when did they die?

A. Yes, I knew them both, Mr. Hall died in 1927, his wife in 1947, both died intestate.

3rd. Int. Are you familiar with the property left by Mrs. Hall?

A. She left no personal estate of any value, no letters have been granted on her estate, she left the double house where she made her home when she was able to live in it.

4th. Int. What do think is the value of the double house owned by Mrs. Hall?

A. Due to condition of same, I would say that the house is worth between \$1,000.00 and \$1,200.00.

Examiner's Special.

No.

R. LESLIE BOOKER

The next witness called by Complainant.

1st. Int. State your name, age, residence and occupation.

A. My name is Edgar L. Lane, I am the Complainant, I am 47 years of age, I live at Church Hill and am engaged in the undertaking business.

2nd. Int. Were you employed to take care of the remains of Mrs. Fannie Hall, if so have you been paid, will you kindly look over account attached, is the same correct or not?

A. I was so employed to take care of the remains of Mrs. Hall, the attached account is correct and represents work and materials provided, I have not been paid.

3rd. Int. Do you know the property owned by Mrs. Hall in Barclay, if so what do you consider the value thereof?

A. Yes. I know the real estate in question, I do not think that it would bring over \$1,500.00.

EDGAR L. LANE

The next witness called by Complainant.

1st. Int. State your name, age residence and occupation.

A. My name is Samuel Curlette, I am 68 years of age, I am retired, I live at Barclay.

2nd. Int. Are you familiar with values in the neighborhood of Barclay, and do you know the real estate, consisting of a double house owned by Mrs. Hall in Barclay, if so, what do you think is the value of sa me?

A. Yes, I know the property and I think I am faairly well acquainted with values in that neighborhood, I think the property is worth \$1,000.00 to \$1,200.00.

Examiner's Special.

No.

SAMUEL W. CURLETT

After taking sa id depositions, the attorney for the complainant stated that he had no further depositions that he desired to take, and the defendants, who were present and witnesses in this cause, stated that they did not desire to take any depositions

All witnesses waived their expenses and witnesses fees.

Harry C. Butler, Examiner-----\$8.00

Respectfully submitted

HARRY C. BUTLER  
One of Standing Examiners.

Filed Nov. 1, 1947

PETITION OF LESLIE BOOKER  
Filed Nov. 19, 1947

EDGAR L. LANE,	#	IN THE CIRCUIT COURT.
VS.	#	FOR
REBECCA GODWIN and	#	QUEEN ANNE'S COUNTY, IN EQUITY.
MARGARET S. BOOKER.	#	Cause No. 3549.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of R. Leslie Booker to your Honors, respectfully shows:

1. That your Petitioner is the husband of Margaret S. Booker, one of the defendants in this cause.
2. That your Petitioner desires to be made a party defendant in this cause so that there can be no doubt but what his dower interest as the husband of of the said defendant may be bound in this proceedings.

Whereupon the petitioner prays this Court to pass an order herein naming the petitioner as a party defendant in this cause.

Respectfully submitted.

R. LESLIE BOOKER

Filed Nov. 19, 1947

ORDER OF COURT.

The foregoing petition having been read and considered, IT IS THEREUPON this 21st day of November, 1947, ORDERED by the Circuit Court for Queen Anne's County, in Equity that the Petitioner, R. Leslie Booker, be and he is hereby made a party defendant in above entitled cause.

WM. R. HORNEY  
Judge

Filed Nov. 21, 1947

ANSWER OF R. LESLIE BOOKER  
Filed Nov. 21, 1947

EDGAR L. LANE	IN THE CIRCUIT COURT
VS.	FOR
REBECCA GODWIN and	QUEEN ANNE'S COUNTY, IN EQUITY.
MARGARET S. BOOKER.	Cause No. 3549.

TO THE HONORABLE THE JUDGES OF SAID COURT:

The Answer of R. Leslie Booker, named as one of the defendants in this Cause, under Order of Court, to your Honors respectfully shows:

1. That the defendant admits the matters and facts set forth in the Bill of Complaint filed in this Cause and consents to the passage of such a decree as may be right and proper in the premises.
2. That the defendant was present at the taking of the testimony in this case and one of the witnesses and he hereby ratifies said testimony so given and consents that the Court may at once pass a decree for the sale of the property without delay.

R. LESLIE BOOKER

Filed Nov. 21, 1947

DECREE OF SALE  
Filed Nov. 21, 1947

EDGAR L. LANE

#

IN THE CIRCUIT COURT

VS.

#

FOR

REBECCA GODWIN and  
MARGARET S. BOOKER

#

QUEEN ANNE'S COUNTY, IN EQUITY.  
Cause No. 3549.

## DECREE OF SALE.

This cause standing ready and being submitted, the proceedings were read and considered.

IT IS THEREUPON, this 21st day of November, 1947, by the Circuit Court for Queen Anne's County, in Equity, ADJUDGED, ORDERED AND DECREED that the real estate of Fannie Hall, deceased, or so much thereof as may be necessary for the payment of her debts, be sold; and that Richard T. Earle 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 proceedings shall be as follows: he shall, before he proceeds to make 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 surety or sureties in the penalty of TWO THOUSAND DOLLARS (\$2,000.00) if corporate surety or in double 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 or decree passed in the premises, which said bond shall be approved by the Clerk of the said Court. 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 notice 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 day of sale, balance thereof in sixty days from day of sale, or all cash on day of sale, at the option of the purchaser, the credit payments, if any, to bear interest from the day of sale and to be secured by the note or notes of the purchaser, with surety to be approved by the 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 annexed thereto 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 or purchasers, his, her or their heirs, the property and estate so sold, to him, her or them, free, clear and discharged from all claims of the parties to this Cause.

And the said Trustee shall bring into this Court the money arising from said sale or sales of the land and premises, to be distributed under the direction of this Court, after deducting the costs of this 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.

And at the time of advertising said sale the Trustee is directed to give notice to the Creditors of Fannie Hall, deceased, to file their claims, with the vouchers thereof, with the Clerk of this Court within 90 days from the day of sale.

Filed Nov. 21, 1947

WM. R. HORNEY  
Judge.CERTIFIED COPY OF BOND  
Filed Nov. 24, 1947.

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Twenty fourth day of November, in the year nineteen hundred and forty seven, the following Bond was brought to be recorded, to wit:-

KNOW ALL MEN BY THESE PRESENTS: That we, Richard T. Earle, of Centreville, Queen Anne's County Maryland, as Principal, and Glens Falls Indemnity Company, a body corporate, 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, 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 her heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents, sealed with our seals and dated this 24th day of November, 1947.

Whereas, by a Decree of the Circuit Court for Queen Anne's County, in Equity, passed on the 21st day of November, 1947, in a cause therein pending, entitled Edgar L. Lane vs. Rebecca Godwin and Margaret S. Booker and R. Leslie Booker, her husband, being cause No. 3549, the said Richard T. Earle was appointed Trustee to make sale of the real estate mentioned in said cause or so much thereof as might be necessary to pay the debts of Fannie Hall, deceased.

Now, therefore, the condition of the above obligation is such that if the said Richard T. Earle, shall well and faithfully perform the trust reposed in him by said decree or which may be reposed in him by any future decree or order in the premises, and shall in all things well and truly execute the duties of such Trustee, then the above obligation to be null and 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. EarleWILLIAM SCHELHOUSE

GLENS FALLS INDEMNITY COMPANY

By L. HERMAN MEREDITH  
Its Agent and Attorney  
in Fact

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. 1, folio 39, a Bond Record Book for Queen Anne's County.

Seal Place.

In Testimony Whereof I have hereunto subscribe my name and affixed the Seal of the Circuit Court for Queen Anne's County on this 24th day of November, in the year nineteen hundred and forty seven.

A. SYDNEY GADD JR.

Clerk

CERTIFIED COPY OF BOND  
Filed Dec. 23, 1947.

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Twenty second day of December, in the year nineteen hundred and forty seven, the following Bond was brought to be recorded, to wit:

KNOW ALL MEN BY THESE PRESENTS: That we, Richard T. Earle, of Centreville, Queen Anne's County, Maryland, as Principal, and GLENS FALLS INDEMNITY CO., a body corporate, 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 amde and done, we dinb ourselves, and each of us, our and each of our heirs, executors, administrator, successors and assigns, jointly and severally firmly by these presents, and sealed with our seals and dated this 22th. day of December, 1947.

WHEREAS, the said Richard T. Earle was appointed Trustee to make sale of certain real estate described in Chancery No. 3549, in the Circuit Court for Queen Anne's County, in Equity, and as such Trustee filed a bond for \$2,000.00, with the within named surety as surety thereon:

AND WHEREAS, the said real estate when sold by said Trustee, sold for the sum of \$3,000.00 therefore this additional bond is given.

Now, therefore, the condition of the abive obligation is such that if the said Richard T. Earle shall well and faithfully perform the Trust reposed him by the decree of sale passed in said cause or which may be reposed him by any future decree or order passed in the premises, and shall in all things well and truly execute the duties of such trustee, then the above 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

A. S. GADD JR.

GLENS FALLS INDEMNITY COMPANY

By L. HERMAN MEREDITH  
Its Agent and Attorney in fact.

Corporate Seals  
Place.

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

Security approved and Bond filed Dec. 22, 1947.

Nellie B. Whiteley, Clerk

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. 1, folio 42, 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 23rd day of December in the year nineteen hundred and forty seven.

NELLIE B. WHITELEY  
Clerk

REPORT OF SALE  
Filed Dec. 23, 1947

EDGAR L. LANE, #

IN THE CIRCUIT COURT

VS #

FOR

REBECCA GODWIN, #  
MARGARET S. BOOKER #  
and R. LESLIE BOOKER, #  
her husband. #

QUEEN ANNE'S COUNTY, IN EQUITY.

Cause No. 3549.

REPORT OF SALE.

The undersigned, Trustee, having filed an approved bond in the amount as provided for by said decree of sale and having given at least three weeks previous notice of the time, place, terms and manner of sale by advertisement in The Queen Anne's Record-Observer, a Newspaper printed and published in Queen Anne's County, a certificate of publication thereof together with a copy of said advertisement being attached hereto, did on Saturday, December 20th., 1947, at 2:30 P.M. on the premises through J. Elmer Anthony, Auctioneer offer the following real estate, being the real estate described in these proceedings, for sale, to wit: All that lot of land situate, lying and being in the

town of Barclay, Maryland, on the left of the public road from Barclay to Templeville, having a frontage on said road of one hundred feet, more or less, with an even depth from said road of one hundred and sixty feet, more or less, adjoining what is known as The Home Property of David Wallace, subject nevertheless to a right of way in favor of the properties in the rear of said property, being the same property granted and conveyed to Thomas Hall and Fannie Hall, his wife, by deed from David Wallace and Susan K. Wallace, his wife, bearing date of December 13th., 1914, and recorded in Liber W.F.W. No. 6, folio 335, a Land Record Book for Queen Anne's County, improved by a frame double dwelling house in fair condition, upon the following terms, one third cash on day of sale, the balance upon ratification of sale, credit payments if any to be secured by note or notes of the purchaser or purchasers, with surety thereon to be approved by the Trustee, or all cash on day of sale at the option of the purchaser, all taxes for the year 1947 to be paid by the Trustee, possession to be given upon ratification of sale, all title papers, recordation stamps and Internal Revenue Stamps to be at the expense of the purchaser, and then and there sold the same to R. Leslie Booker and Margaret S. Booker, his wife, as tenants by the entirety, they being the highest bidder for the same, at and for the sum of \$3,000.00. The purchasers have paid the sum of \$1,000.00 and agreed to pay the balance upon ratification of sale.

Respectfully submitted.

(Acknowledgment on Report of Sale is recorded immediately following Order of Court on Folio 81.)

RICHARD T. EARLE  
Trustee

CERTIFICATE OF PUBLICATION  
OF TRUSTEE'S SALE  
Filed Dec. 23, 1947.

TRUSTEE'S SALE

- Of Valuable -

Residential Property

AT BARCLAY

That through, under and by virtue of a decree of the Circuit Court for Queen Anne's County, in Equity, passed on the 21st. day of November, 1947, in a cause therein pending, entitled Edgar L. Lane vs. Rebecca Godwin and Margaret S. Booker and R. Leslie Booker, her husband, being cause No. 3549 in said Court, the undersigned was appointed Trustee to make sale of the real estate mention in said cause or so much thereof as may be necessary to pay the debts of Fannie Hall, deceased, the undersigned will offer at public sale on

SATURDAY, Dec. 20, 1947

at 2:30 o'clock, P.M.

on the premises, in Barclay, Md. all that lot of land situate, lying and being in the town of Barclay, on the left side of the public road leading from Barclay to Templeville, having a frontage on said road of one hundred feet, more or less, with an even depth from said road of one hundred and sixty feet, more or less, adjoining what is known as the Home Property of David Wallace, subject nevertheless to a right of way in favor of the properties in the rear of said property, being the same property granted and conveyed to Thomas G. Hall and Fannie Hall, his wife, by David Wallace and Susan K. Wallace, his wife, by deed dated December 13th., 1914, and recorded in Liber W.F.W. No. 6, folio 335, a Land Record Book for Queen Anne's County, improved by a frame double dwelling house in fair condition.

TERMS OF SALE: One third of the purchase money in cash upon day of sale, the balance upon ratification of sale, or all cash at the option of the purchaser, the credit payments, if any, to bear interest from the day of sale and to be secured by note or notes of the purchaser, with security to be approved by the undersigned trustee, taxes for the year 1947, to be paid by the Trustee, possession to be given upon ratification of sale, all title papers, recordation and revenue stamps to be paid by purchaser.

RICHARD T. EARLE, Trustee

J. Elmer Anthony, Auctioneer.

QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. Dec. 20, 1947

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Trustee's Sale of valuable Residential Property at Barclay in the case/estate of Edgar L. Lane vs Rebecca Godwin et al Cause 3549 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 20th day of December 1947, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 27th day of November 1947, and the last insertion on the 18th day of December 1947.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

By CHARLOTTE M. MEARS

Filed Dec. 23, 1947

ORDER NISI  
Filed December 23, 1947

N I S I

Edgar L. Lane

In the Circuit Court

VS.

for Queen Anne's County

In Equity

Rebecca Godwin,  
Margaret S. Booker and  
R. Leslie Booker, her  
husband.

Chancery No. 3549

ORDERED, This 23rd. day of December A. D., 1947, 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 2nd. 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 31st. day of January next.

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

NELLIE B. WHITELEY Clerk.

Filed December 23, 1947

CERTIFICATE OF PUBLICATION OF  
NOTICE TO CREDITORS  
Filed Dec. 23, 1947.

Notice to Creditors

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

Cause No. 3549

Pursuant to the decree of said Court passed in said Cause, Notice is hereby given to the creditors of Fannie Hall, deceased, to file their said Court, within ninety days (90) from December 20th, 1947, the day of sale named in the above advertisement.

RICHARD T. EARLE, Trustee

QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. December 20th,  
1947

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Notice to Creditors of Fannie Hall, deceased in the case/estate of Edgar L. Lane vs. Rebecca Godwin et al Cause 3549 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 20th day of December 1947, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 27th day of November 1947, and the last insertion on the 18th day of December 1947.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

By CHARLOTTE M. MEARS

Filed Dec. 23, 1947.

CERTIFICATE OF PUBLICATION  
OF ORDER NISI  
Filed Mar. 2, 1948.

N I S I

Edgar L. Lane  
VS.  
Rebecca Godwin,  
Margaret S. Booker and  
R. Leslie Booker, her husband.

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

Chancery No. 3549

ORDERED, This 23rd. day of December A.D., 1947, 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 2nd. 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 31st. day of January next.

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

NELLIE B. WHITELEY, Clerk

Filed December 23, 1947.  
True Copy-  
Test: Nellie B. Whiteley, Clerk.

QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. March 2, 1948



THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Ordered Nisi in the case/estate of Edgar L. Lane VS Rebecca Godwin, Margaret S. Booker and R. Leslie Booker, her husband Chancery No. 3549 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 31st day of January 1948, and that in the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 1st day of January 1948, and the last insertion on the 22nd day of January 1948.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

By CHARLOTTE M. MEARS

Filed Mar. 2, 1948.

ORDER OF COURT  
Filed Mar. 3, 1948.

ORDER OF COURT.

ORDERED this 3rd day of March, in the year nineteen hundred and forty eight, 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 finally ratified and confirmed, no cuase to the contrary having been shown, although notice appears to have been given in accordance with the certificate of publication of Nisi to the report of Sale, and the Trustee is allowed the usual commissions and all expenses, save personal expenses, upon vouchers therefor before the auditor.

Filed Mar. 3, 1948

WM. R. HORNEY  
Judge.

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I hereby certify that on this 23rd. day of December, 1947, before me, the undersigned, The Clerk of the Circuit Court for Queen Anne's County, personally appeared Richard T. Earle, Trustee 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 stated, to the best of his knowledge and belief, and that said sale was fairly made.

NELLIE B. WHITELEY  
The Clerk of the Circuit Court  
for Queen Anne's County.

Filed Dec. 23, 1947.

PETITION AND ORDER OF  
COURT Filed Mar. 22, 1948.

EDGAR L. LANE,	#	IN THE CIRCUIT COURT
Complainant,	#	
	#	FOR
VS.	#	QUEEN ANNE'S COUNTY,
	#	IN EQUITY.
REBECCA GODWIN and	#	
MARGARET S. BOOKER and	#	
R. LESLIE BOOKER, HER	#	
HUSBAND.	#	
Defendants.	#	Cause No. 3549.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

WE, the undersigned, only heirs at law of Fannie Hall, late of Queen Anne's County, deceased, respectfully petition the Court to allow in full, that is \$390.00, the undertaker's bill as set forth in the Bill of Complaint, as we believe that the same is reasonable and was done at our solicitation.

REBECCA W. GODWIN

MARGARET S. BOOKER

Petitioners

Filed Mar. 22, 1948.

ORDER OF COURT

The foregoing petition having been read and considered, and the Court being advised that said Estate is solvent, IT IS THEREUPON this 22nd day of March, 1948, ORDERED that the Understaker's Bill as presented by Edgar L. Lane be and the same is hereby allowed to the full extent of \$390.00

WM. R. HORNEY  
Judge

Filed Mar. 22, 1948

AUDIT  
Filed March 22, 1948.

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

Edgar L. Lane,	)	CHANCERY DOCKET,
versus	)	
Rebecca Godwin,	)	
Margaret S. Booker,	)	CAUSE NO. <u>3549.</u>
R. Leslie Booker	)	

To the Honorable, the Judges of said Court:-

The Report of Madison Brown, your Auditor, unto Your Honors Respectfully sets forth:-

That the within account has been stated at the direction of Richard T. Earle, who is the Trustee named in the decree of sale in the Cause to make sale of the Real Estate decreed to be sold.

The proceedings of this Cause constitute a creditor's bill for the sale of the real estate of one Fannie Hall based on the claim of the Plaintiff, who is an Under-taker, for her funeral expenses.

In the within account the Trustee has been charged with the gross amount of the sale made by him, and there has then been allowed as follows, to wit:

The Trustee has been allowed his commissions for making the sale, the Court Costs of these proceedings as taxed by the Clerk of the Court, the costs of advertising notice of the sale and the several orders nisi of the Cause, the costs of the two bonds filed by the Trustee, the charges of the Auctioneer for crying the sale and the State, County and Town Taxes upon the land sold for the year 1947 and the Auditor has been allowed his fee.

Then two claims filed against Fannie Hall have been allowed in full; the claim of Edgar L. Lane for the burial expenses of Fannie Hall and the claim of the Queen Anne's County Welfare Board against Fannie Hall has been allowed in full.

That the balance of the proceeds of sale charged above remaining after all the allowances mentioned above appears to be the property of Rebecca Godwin and Margaret S. Booker, heirs-at-law of Fannie Hall and has been distributed by the within account to them in equal parts. That the allowance to the Trustee for costs of advertising the notices of sale include the costs for advertising the notice of creditors.

Which is respectfully submitted,

March 22nd., 1948.

MADISON BROWN  
AUDITOR

Filed Mar. 22, 1948.

CAUSE NUMBER 3549:

The proceeds of the sale of the real estate of Fannie Hall, late of Queen Anne's County, State of Maryland, deceased, IN ACCOUNT WITH Richard T. Earle as the Trustee appointed by the decree of this Court passed in this Cause to sell said Real Estate.

1947-Dec. 20

CR.

By gross amount of the sale of the real estate of said Fannie Hall made this date per report of the sale of the said Trustee filed in these proceedings, to wit:  
the sum of . . . . . \$3,000.00

1947-Dec. 20

DR.

To Richard T. Earle, said Trustee, for his commissions for making said sale, per the rule of this Court, the sum of . . . . . \$ 165.00

To the same Trustee, for the Court costs of this Cause as taxed by the Clerk of the Court, paid to said Clerk, as per statement of said costs and receipt of payment attached exhibited to the Auditor, as follows, to wit:  
Costs of the Clerk of Court, . . . . . \$ 46.15  
Costs of the Sheriff, . . . . . 1.50  
Costs of Examiner, . . . . . 8.00  
Appearance fee of R. T. Earle, . . . . . 10.00  
\$ 65.65 \$ 65.65

To the same Trustee, for the costs of advertising notices of the sale per receipted account for same exhibited to the Auditor, the sum of . . . . . \$ 51.75

To the same Trustee, for costs of advertising in County paper,  
Order nisi on sale, \$ 7.50  
Order nisi on audit, \$ 5.00  
Per receipted account for same exhibited to the Auditor, the sum of . . . . . \$ 12.50

To the same Trustee for the costs of his two bonds filed in this Cause with corporate surety thereon paid to said corporate surety, per receipted account for the same exhibited to the Auditor, the sum of . . . . . \$ 25.00

To the same Trustee for the amount paid by him to J. Elmer Anthony, his Auctioneer, for crying the sale made, per receipt for same exhibited to the Auditor, the sum of . . . . . \$ 50.00

To the same Trustee for the State & County taxes on the land sold for year 1947, per tax account receipted, exhibited to the Auditor, sum of . . . . . \$ 12.96

To the same Trustee for Town taxes due Commissioners of Barclay on land sold for 1947, per tax bill receipted, exhibited to the Auditor, sum of . . . . . \$ 2.90

AUDIT  
CAUSE NUMBER 3549:

Brought from preceding page: Amount of sale charged, . . . . .		CR. \$3,000.00
To Madison Brown, Auditor, for stating this account, the sum of . . . . .	\$ 13.50	
	<u>399.26</u>	
To balance carried down, the sum of . . . . .	2,600.74	
	<u>\$3,000.00</u>	<u>\$3,000.00</u>

CR.

By balance brought down, to wit: sum of . . . . .	\$2,600.74
---	------------

DR.

To Edgar L. Lane, Funeral Director, for his claim, for burial expenses of Fannie Hall, attached to his Bill of Complaint and in full payment thereof, the sum of . . . . .	\$ 390.00	
To Queen Anne's County Welfare Board in full payment of its claim filed against Fannie Hall in these proceedings, to wit: the sum of . . . . .	\$2,092.82	
	<u>\$2,482.82</u>	
To balance carried down, to wit: . . . . .	\$ 117.92	
	<u>\$2,600.74</u>	<u>\$2,600.74</u>

CR.

By balance brought down, to wit: the sum of . . . . .	\$ 117.92
---	-----------

DR.

DISTRIBUTION TO HEIRS-AT-LAW:

To Rebecca Godwin, sister of Fannie Hall, $\frac{1}{2}$ of said balance, to wit: the sum of . . . . .	\$ 58.96	
To Margaret S. Booker, sister of Fannie Hall, $\frac{1}{2}$ of said balance, to wit: the sum of . . . . .	\$ 58.96	
	<u>\$ 117.92</u>	<u>\$ 117.92</u>

March 22nd. 1948

MADISON BROWN

AUDITOR

Filed Mar. 22, 1948.

NISI RATIFICATION OF AUDIT  
Filed March 22, 1948.

Nisi Ratification of Audit

Edgar L. Lane	)	In the Circuit Court
	)	
VS	)	for Queen Anne's County
	)	
	)	In Equity
Rebecca Godwin	)	
Margaret S. Booker	)	
R. Leslie Booker	)	Cause No. <u>3549</u>

ORDERED, This 22nd. day of March in the year nineteen hundred and forty eight, 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, 1948; provided a copy of this order be published once a week in each of two successive weeks before the 9th. day of April, 1948, in some newspaper printed and published in Queen Anne's County.

NELLIE B. WHITELEY Clerk.

Filed March 22, 1948.

CERTIFICATE OF PUBLICATION OF NISI  
RATIFICATION OF AUDIT  
Filed April 15, 1948.

Nisi Ratification of Audit

Edgar L. Lane

vs.  
 Rebecca Godwin  
 Margaret S. Booker  
 R. Leslie Booker

—  
 In the Circuit Court  
 For Queen Anne's County  
 In Equity  
 —

Cause No. 3549

ORDERED, This 22 day of March in the year nineteen hundred and forty eight, 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, 1948, provided a copy of this order be published once a week in each of two successive weeks before the 9th day of April, 1948, in some newspaper printed and published in Queen Anne's County.

NELLIE B. WHITELEY, Clerk

Filed: March 22, 1948.  
 TRUE COPY  
 Test: Nellie B. Whiteley, Clerk  
 2t-4-1

QUEEN ANNE'S RECORD - OBSERVER

=====  
 =====

Centreville, Md. April 14, 1948.

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 Edgar L. Lane vs Rebecca Godwin, Margaret S. Booker R. Leslie Booker Cause No. 3549 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 9th. day of April 1948, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 25th. day of March 1948, and the last insertion on the 1st. day of April 1948.

THE QUEEN ANNE'S RECORD AND OBSERVER  
 PUBLISHING COMPANY

By PAUL B. SMITH

Filed April 15, 1948

FINAL RATIFICATION OF AUDIT.  
 Filed April 17, 1948

FINAL RATIFICATION OF AUDIT.

ORDERED this 17th day of April in the year nineteen hundred and forty eight by the Circuit Court for Queen Anne's County, in Equity, that the Report and Account filed in this Cause 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 filed herein, as per certificate of publication filed in this cause; and Richard T. Earle, Trustee, is ordered and directed to make distribution in accordance with said Report and Account, together with distribution of the interest collected on the purchase money, if any, in due proportion to the heirs at law of Fannie Hall, deceased.

Wm. R. HORNEY  
 Judge.

Filed April 17, 1948.

## C A U S E N U M B E R 3579

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 Eleventh day of June, in the year nineteen hundred and forty eight, the following BILL OF COMPLAINT was filed for record, to wit:

W. TALMAGE GOSLIN, Federalburg, Maryland, Complainant	:	IN THE CIRCUIT COURT
	:	
vs.	:	
CARRIE E. GOSLIN, Federalburg, Maryland, HARRIET L. FISHER HEIRS, OTHER UNKNOWN OWNERS OF PROPERTY:	:	
(a) All that lot or parcel of land located at Roberts, adjoining the lands of Joe Smith, assessed value \$290.00, consisting of lot, containing 29 acres of land; (b) All that lot or parcel of land at Roberts, adjoining the lands of J. W. Rochester, assessed value \$170.00, consisting of lot, containing 17 acres of land; THEIR HEIRS, DEVISEES, AND PERSONAL REPRESENTATIVES AND THEIR OR ANY OF THEIR HEIRS, DEVISEES, EXECUTORS, ADMINISTRATORS, GRANTEEES, ASSIGNS, OR SUCCESSORS IN RIGHT, TITLE AND INTEREST, Defendants	:	FOR QUEEN ANNE'S COUNTY
	:	
	:	IN EQUITY, CHY. NO. <u>3579</u>

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Orator, complaining, says:

FIRST: That on the 20th day of May, 1947, he attended the sale of the Treasurer of Queen Anne's County of property in said County on which taxes were in arrears and that being then and there the highest bidder for the two hereinafter described parcels of land, said Treasurer issued a certificate of sale to your orator, as will more fully appear by an examination of Complainant's Exhibits "A" and "B" filed herewith and prayed to be taken as a part hereof.

SECOND: That the description of said property in substantially the form as the description appearing on the Collector's tax roll is as follows:-

- a. "All that lot or parcel of land located at Roberts, adjoining the lands of Joe Smith assessed value \$290.00, consisting of lot, containing 29 acres of land. ."
- b. "All that lot or parcel of land at Roberts, adjoining the lands of J. W. Rochester assessed value \$170.00, consisting of lot, containing 17 acres of land. ."

THIRD: That both parcels of said property were assessed to the Harriet L. Fisher heirs and that search of the records of this Court, of the Land Records of Queen Anne's County, and of the records of the Register of Wills of Queen Anne's County do not reveal the name of any of said heirs except John W. Rochester and that said records further indicate that Carrie E. Goslin of Federalburg, Maryland, is possessed of title to the undivided one-third interest of said John W. Rochester to said land.

FOURTH: That said property has not been redeemed by any party in interest, although more than one year from the date of said sale has expired.

FIFTH: That \$60.00 with interest at six per cent per annum from May 20, 1947, is the amount necessary for the redemption of the first of said parcels of land, and \$50.00 with interest at the same rate from the same date is the amount necessary for the redemption of the second of said parcels.

TO THE END THEREFORE:

1. That this Honorable Court may pass a final decree foreclosing all rights of redemption of the defendants in and to the hereinbefore mentioned and described property.

2. 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 directed unto the said Carrie E. Goslin, who resides in Federalburg, Caroline County, Maryland, commanding her to be and appear in this Court some certain day to be named therein, to answer this bill or to redeem the property and abide by and perform such decree as may be passed therein.

MAY IT ALSO PLEASE your Honors to grant unto your Orator the Order of Publication giving notice to all defendants known and unknown of the object and substance of this Bill, warning them to be and appear in this Court in person or by solicitor on or before some certain day to be named therein, to answer this bill or to redeem the property and abide by and perform such decree as may be passed therein.

AND as in duty bound, etc.

MARVIN H. SMITH  
Solicitor for Complainant

Filed June 11, 1948

AFFIDAVIT OF MARVIN H. SMITH, SOLICITOR  
FOR COMPLAINANT.  
Filed June 11, 1948.

STATE OF MARYLAND, COUNTY OF CAROLINE, to wit:

Marvin H. Smith, being first duly sworn, deposes and says:

1. That he is the attorney for W. Talmage Goslin, the purchaser of the following parcels of land assessed to Harriet L. Fisher heirs and sold by the Collector of Taxes of Queen Anne's County on the 20th day of May, 1947;

PARCEL NO. 1: All that lot or parcel of land located at Roberts, adjoining the lands of Joe Smith, assessed value \$290.00, consisting of lot, containing 29 acres of land.

PARCEL NO. 2: All that lot or parcel of land at Roberts, adjoining the lands of J. W. Rochester, assessed value \$170.00, consisting of lot, containing 17 acres of land.

2. That he has made careful and diligent search for a period of forty years immediately prior to the institution of this suit of the Land Records of Queen Anne's County, of the records of the Register of Wills of said County, and of the records of the Circuit Court for Queen Anne's County, and that said records fail to reveal the names of the Harriet L. Fisher heirs except John W. Rochester, and that said records also fail to show the names of the present owners of said property except for the fact that Carrie E. Goslin owns the interest of the aforementioned John W. Rochester in said land.

MARVIN H. SMITH  
Marvin H. Smith

SUBSCRIBED and sworn to before me,  
a Notary Public of the State of Maryland,  
in and for Caroline County aforesaid,  
this 11th day of June, 1948.

REBECCA G. SMITH  
Notary Public

Filed June 11, 1948

Notary  
Public  
Seal.

COMPLAINANT'S EXHIBIT "A"  
Filed June 11, 1948

I, T. Sorden Pippin, Treasurer and Collector of taxes for the State of Maryland and the County of Queen Anne's, hereby certify that on May 20th, 1947, I sold to W. Talmage Goslin at public auction for the sum of Sixty Dollars and No Cents, of which Sixty Dollars has been paid, the property in the Second Election District of Queen Anne's County, Maryland, and described as All that lot or parcel of land located at Roberts, adjoining the lands of Joe Smith assessed value \$270.00, consisting of lot, containing 29 acres of land and assessed to Harriett L. Fisher, Heirs.

The property described herein is subject to redemption. Upon redemption the holder of this certificate will be refunded the sums paid on account of the purchase price together with interest thereon at the rate of six per cent per annum from the date of payment to the date of redemption, together with all other amounts specified by Chapter 761 of the acts of 1943, and acts amendatory thereof. The balance due on account of the purchase price and all taxes, together with interest and penalties thereon, accruing subsequent to the date of sale, must be paid to the Collector before a deed can be delivered to the purchaser. After May 23rd, 1948, a proceeding can be brought to foreclose all rights of redemption in the property. This certificate will be void unless such a proceeding is brought within two years from the date of this certificate.

Witness my hand and seal, this 20th day of May, 1947.

T. SORDEN PIPPIN  
Treasurer and Collector

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

I HEREBY CERTIFY, that on this 20th day of May, 1947, before the Subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, personally appeared T. Sorden Pippin, Treasurer and Collector of Taxes for the State of Maryland and The County of Queen Anne's and acknowledged the foregoing Certificate of Sale to be his act.

Witness my hand and notarial seal.

ROBERT T. NEWELL  
Notary Public

Notary  
Public  
Seal.

My Commission Expires: 5/2/49

COMPLAINANT'S EXHIBIT "B"  
Filed June 11, 1948.

I, T. Sorden Pippin, Treasurer and Collector of taxes for the State of Maryland and the County of Queen Anne's, hereby certify that on May 20th, 1947, I sold to W. Talmage Goslin at public auction for the sum of Fifty Dollars and No Cents, of which Fifty Dollars has been paid, the property in the Second Election District of Queen Anne's County, Maryland, and described as All that lot or parcel of land at Roberts, adjoining the lands of J. W. Rochester assessed value \$170.00, consisting of lot, containing 17 acres of land and assessed to Harriett L. Fisher, Heirs.

The property described herein is subject to redemption. Upon redemption the holder of this certificate will be refunded the sums paid on account of the purchase price together with interest thereon at the rate of six per cent per annum from the date of payment to the date of redemption, together with all other amounts specified by Chapter 761 of the acts fo 1943, and acts amendatory thereof. The balance due on account of the purchase price and all taxes, together with interest and penalties thereon, accruing subsequent to the date of sale, must be paid to the Collector before a deed can be delivered to the purchaser. After May 23rd, 1948, a proceeding can be brought to foreclose all rights of redemption in the property. This certificate will be void unless such a proceeding is brought within two years from the date of this certificate.

Witness my hand and seal, this 20th day of May, 1947.

T. SORDEN PIPPIN  
Treasurer and Collector

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

I HEREBY CERTIFY, that on this \_\_\_\_\_ day of May, 1947, before the Subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, personally appeared T. Sorden Pippin, Treasurer and Collector of Taxes for the State of Maryland and the County of Queen Anne's and acknowledged the foregoing Certificate of Sale to be his act.

WITNESS my hand and notarial seal.

ROBERT T. NEWELL  
Notary Public

Notary  
Public  
Seal.

My Commission Expires: 5/2/49

ORDER OF PUBLICATION  
Filed June 11, 1948.

ORDER OF PUBLICATION

W. TALMAGE GOSLIN,	:	IN THE CIRCUIT COURT
Complainant	:	
vs.	:	
CARRIE E. GOSLIN,	:	
HARRIET L. FISHER HEIRS,	:	
OTHER UNKNOWN OWNERS OF PROPERTY:	:	
(a) All that lot or parcel of land	:	
located at Roberts, adjoining the lands	:	
of Joe Smith, assessed value \$290.00,	:	FOR QUEEN ANNE'S COUNTY
consisting of lot, containing 29 acres	:	
of land; (b) All that lot or parcel of	:	
land at Roberts, adjoining the lands of	:	
J. W. Rochester, assessed value \$170.00,	:	
consisting of lot, containing 17 acres	:	
of land; THEIR HEIRS, DEVISEES, AND	:	
PERSONAL REPRESENTATIVES AND THEIR OR	:	
ANY OF THEIR HEIRS, DEVISEES, EXECUTORS,	:	
ADMINISTRATORS, GRANTEES, ASSIGNS, OR	:	
SUCCESSORS IN RIGHT, TITLE AND INTEREST,	:	IN EQUITY, CHY. NO. <u>3579</u>
Defendants	:	

The object of this proceeding is to secure the foreclosure of all rights of redemption in the following property assessed to Harriet L. Fisher heirs in the Second Election District of Queen Anne's County, sold by the Collector of Taxes for the County of Queen Anne's and the State of Maryland to the plaintiff in this proceeding:-

PARCEL NO. 1: All that lot or parcel of land located at Roberts, adjoining the lands of Joe Smith, assessed value \$290.00, consisting of lot, containing 29 acres of land.

PARCEL NO. 2: All that lot or parcel of land at Roberts, adjoining the lands of J. W. Rochester, assessed value \$170.00, consisting of lot, containing 17 acres of land.

The bill states, among other things, that the amounts necessary for redemption have not been paid, although more than a year and a day from the date of sale has expired.

It is thereupon this 11th day of June, 1948, by the Circuit Court

for Queen Anne's County in Equity, ORDERED, That notice be given by the insertion of a copy of this Order in some newspaper having a general circulation in Queen Anne's County once a week for four successive weeks, warning all persons in the said property to be and appear in this Court by the 16th day of August, 1948, and redeem the property assessed to Harriet L. Fisher heirs and answer the bill or thereafter a final decree will be rendered foreclosing all rights of redemption in the property, and vesting in the plaintiff a title, free and clear of all encumbrances.

Filed June 11, 1948

Wm. R. HORNEY  
Judge

SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER  
Filed June 17, 1948.

The State of Maryland

Seal's  
Place.

QUEEN ANNE'S COUNTY, TO WIT:

TO Carrie E. Goslin, of Federalsburg, Maryland,

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of July next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of W. Talmage Goslin, Federalsburg, Maryland, against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable J. Owen Knotts, Chief Judge of the Second Judicial Circuit of Maryland, the 7th. day of June, 1948.

Issued the 11th. day of June, 1948.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office within fifteen days after the return day named in the above subpoena. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, Complaint(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Name Marvin H. Smith

Address Denton, Maryland

NELLIE B. WHITELEY, Clerk

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

Received and forthwith delivered to the Sheriff of Caroline County,  
6/12/48

Test: D. RALPH HORSEY, Clerk

I hereby certify that on the 15th day of June 1948, I read the within writ to the Defendant therein named and copy of process and bill left with her

WILLIAM E. ANDREW  
Sheriff of Caroline Co.

CERTIFICATE OF PUBLICATION  
of ORDER OF PUBLICATION  
Filed July 23, 1948.

Marvin H. Smith, Solicitor  
Order of Publication

W. Talmage Goslin,  
Complainant

vs.

CARRIE E. GOSLIN  
HARRIET L. FISHER HEIRS,  
OTHER UNKNOWN OWNERS OF PROPERTY:

(a) All that lot or parcel of land located at Roberts, adjoining the lands of Joe Smith, assessed value \$290.00, consisting of lot, containing 29 acres of land; (b) All that lot or parcel of land at Roberts, adjoining the lands of J. W. Rochester, assessed value \$170.00, consisting of lot, containing 17 acres of land; THEIR HEIRS, DEVISEES, AND PERSONAL REPRESENTATIVES AND THEIR OR ANY OF THEIR HEIRS, DEVISEES, EXECUTORS, ADMINISTRATORS, GRANTEEES, ASSIGNS, OR SUCCESSORS IN RIGHT, TITLE AND INTEREST,

Defendants

IN THE CIRCUIT COURT  
FOR QUEEN ANNE'S COUNTY

IN EQUITY, CHY. NO. 3579

The object of this proceeding is to secure the foreclosure of all



rights of redemption in the following property assessed to Harriet L. Fisher heirs in the Second Election District of Queen Anne's County, sold by the collector of Taxes for the county of Queen Anne's and the state of Maryland to the plaintiff in this proceeding:-

PARCEL NO. 1: All that lot or parcel of land located at Roberts, adjoining the lands of Joe Smith, assessed value \$290.00, consisting of lot, containing 29 acres of land.

PARCEL NO. 2: All that lot or parcel of land at Roberts, adjoining the lands of J. W. Rochester, assessed value \$170.00, consisting of lot, containing 17 acres of land.

The bill states, among other things, that the amounts necessary for redemption have not been paid, although more than a year and a day from the date of sale has expired.

It is thereupon this 11th day of June, 1948, by the Circuit Court for Queen Anne's County, in Equity, ORDERED, That notice be given by the insertion of a copy of this Order in some newspaper having a general circulation in Queen Anne's County once a week for four successive weeks, warning all persons interested in the said property to be and appear in this Court by the 16th day of August, 1948, and redeem the property assessed to Harret L. Fisher heirs and answer the bill or thereafter a final decree will be rendered foreclosing all rights of redemption in the property, and vesting in the plaintiff a title, free and clear of all encumbrances.

WM. R. HORNEY  
Judge.

True Copy  
Test: Nellie B. Whiteley  
Clerk

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. July 20, 1948

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Order of Publication in the case/estate of W. Talmage Goslin complainant vs. Carrie E. Goslin, Harriet L. Fisher Heirs, other unknown owners of Property 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 16th day of August 1948, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 17th day of June 1948, and the last insertion on the 8th day of July 1948.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

By CHARLOTTE M. MEARS

AFFIDAVIT OF NON-MILITARY SERVICE  
Filed Sept. 22, 1948

W. TALMAGE GOSLIN,	:	IN THE CIRCUIT COURT
Complainant	:	FOR QUEEN ANNE'S COUNTY
vs.	:	IN EQUITY
CARRIE E. GOSLIN, et al.,	:	NO. 3579 CHY.
Defendants	:	

AFFIDAVIT OF NON-MILITARY SERVICE

STATE OF MARYLAND, COUNTY OF CAROLINE, Sct:

I HEREBY CERTIFY, that on this 20th day of September, 1948, personally appeared before me, the subscriber, a Notary Public of the State of Maryland, in and for Caroline County, W. Talmage Goslin, complainant in the above entitled cause, and made oath in due form of law that the defendant, Carrie E. Goslin, is a woman over seventy years of age residing on Academy Avenue in the town of Federalsburg, Caroline County, Maryland, and is not in the military service of the United States and has not been in said service for a period of more than ninety days immediately prior hereto.

The said W. Talmage Goslin did further make oath that the names of the heirs of Harriett L. Fisher, other than John W. Rochester, title to whose undivided one-third interest in the property which is the subject of this proceeding is held by the aforementioned Carrie E. Goslin, are unknown to him and that he therefore is unable to determine whether or not said Harriett L. Fisher heirs or any of them are in the military service of the United States.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix my Notarial seal this 20th day of September, 1948.

Notary  
Public  
Seal.

REBECCA G. SMITH

Notary Public

DECREE  
 Filed Sept. 24, 1948.

W. TALMAGE GOSLIN, Complainant	:	IN THE CIRCUIT COURT
	:	FOR QUEEN ANNE'S COUNTY
vs.	:	IN EQUITY
CARRIE E. GOSLIN, et al., Defendants	:	NO. 3579 CHY.

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D E C R E E

It appearing that the defendants and all persons claiming through or under them, having been duly notified by Order of Publication to appear and answer the Bill of Complaint filed in this cause on or before the 16th day of August, 1948, and it further appearing that no such person has appeared and answered, and this cause having been submitted and the proceedings herein having been read and considered, IT IS THEREUPON this 24th day of of September, 1948, by the Circuit Court for Queen Anne's County, in Equity, ORDERED AND DECREED that an absolute and indefeasible title, in fee simple, free and clear of all alienations and descents of property occurring prior to this said 24th day of September, 1948, and free and clear of all encumbrances thereon, except taxes accruing subsequent to the date of sale, and such public easements, if any, to which the said property is subject, in and to all that lot or parcel of land described in these proceedings, is vested in the complainant, W. Talmage Goslin.

AND IT IS FURTHER ORDERED by the Circuit Court for Queen Anne's County, in Equity, that the Treasurer of Queen Anne's County aforesaid, as a collector of taxes for the State of Maryland, and said Queen Anne's County, execute a deed to W. Talmage Goslin, in fee simple, in and to all that said lot or parcel of land described in these proceedings, upon payment to the Collector of the balance of the purchase price due on account of the purchase price of the said property, together with all taxes and interest and penalties thereon accruing subsequent to the date of sale.

Wm. R. HORNEY.

Filed Sept. 24, 1948.

## CAUSE NUMBER 3580

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this First day of July, in the year nineteen hundred and forty eight, the following BILL OF COMPLAINT was filed for record, to wit:

Wesley Demby, Price, Queen Anne's County, # In the Circuit Court  
State of Maryland, Complainant, #

VS. #

Katie Wright, Church Hill, Queen Anne's # for  
County, Maryland, #  
Heney Brown, last known address Chester, #  
State of Pennsylvania, if living, but if dead, # Queen Anne's County,  
the unknown devisees or heirs-at-law of the #  
said Heney Brown, #  
Samual Gibbs, Jr., Barclay, Queen Anne's County, # in Equity.  
Maryland, Mabel Gibbs, address unknown, Lilly #  
Foster, residence unknown Gertrude Gibbs, resi- #  
dence unknown, and all other unknown devisees or # Cause No. 3580  
heirs-at-law of Nora Gibbs, deceased, #  
The unknown residence of the devisees or heirs- #  
at-law of John Wright, deceased, whose last known #  
residence was Media, State of Pennsylvania. #  
(a) all that lot or parcel of land loacted in #  
the Second Election District of Queen Anne's Coun- #  
ty, Maryland, on Hayden-Price Road, adjoining the #  
lands of the Hayden Heirs, and assessed to Surline #  
Wright; AND ALL OTHER UNKNOWN OWNERS OF SAID PRO- #  
PERTY, THEIR EXECUTORS, PERSONAL REPRESENTATIVES, #  
ADMINISTRATORS, HEIRS, DEVISEES OR ASSIGNEES OF #  
ANY PARTY CLAIMING ANY RIGHT, TITLE, INTEREST AN #  
ESTATE IN SAID PROPERTY OR ASSIGNEE OR ASSIGNEES #  
OF SAME, #  
Defendants.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Orator complaining, says:

FIRST: That on May 20th., 1947, your orator purchased at a tax sale held in Queen Anne's County, Maryland, by the Treasurer of said County, who is the collector of taxes, selling real estate due to default in payment of taxes; your Orator being then and there the highest bidder at and for the sum of Thirty Dollars (\$30.00) property assessed to Surline Wright, and paid in full for same, the land so purchased being described as all that lot or parcel of land located on Hayden-Price Road, adjoining the lands of the Hayden Heirs, consisting of a lot assessed to Surline Wright, as per certificate of the Treasurer for Queen Anne's County, marked "Complainant's Exhibit No. 1", filed herewith and prayed to be taken as a part hereof.

SECOND: That said land was sold subject to the right of redemption of any party having an interest therein as provided by law, that although the sale was made over a year that no party in interest has redeemed the same by the payment to your orator of his purchase money, interest and other expenses as made and provided.

THIRD: That a search of title reveals that Surline Wright or Serline Wright, as set forth in the hereinafter described deed, purchased said property and was granted and conveyed the same by Isaac Hayden and Elizabeth Hayden, his wife, by deed dated November the 25th., 1878, and recorded in Liber J.W. No. 9, folio 8, a Land Record Book for Queen Anne's County; and that said search fails to reveal any sale or mortgage of any interest in said real estate by the said Serline Wright, or any will of the said Serline Wright or any administration on her estate, and although all Court Record, Land Records and Records in the Office of The Register of Wills for Queen Anne's County, fail to reveal any administration upon the estate of the said Serline Wright or who her heirs-at-law are, said search being made from the time of purchase by her as aforesaid.

FOURT: That Your Orator is advised and so alleges that the said Serline or Surline Wright died intestate about 19 years ago, that she left surviving her as her only heirs-at law, the following parties, to wit: a daughter, Katie Wright, one of the Defendants; Heney Brown, formerly Heney Wright, who left Queen Anne's County many years ago, whose adress is unknown to your Orator, whether she being living or dead is unknown to your orator, whether she died intestate or not, and who are her devyees or heirs-at-law being likewise unknown to your Orator; Nora Gibbs, formerly Nora Wright, a daughter of Sserline Wright, whose is since deceased, leaving no will nor has her estate been administered upon in Queen Anne's County, but leaving surviving her, a son, Samuel Gibbs, one of the Defendants, a resident of Barclay, Queen Anne's County, Mabel Gibbs, a daughter, Lilly Foster, a daughter and Gertrude Gibbs, a daughter, all the known heirs -at-law of the said Nora Gibbs, the residence of said daughters being unknown to your Orator; a son, Robert Wright, who resided in Queen Anne's County, Maryland, died about 10 years ago intestate, leaving so far as known by your Orator no child or children nor descendants of any child, nor wife; a son, John Wright, last known residence, Media, State of Pennsylvania, now deceased, his devisees or heirs-at-law being inknown to your Orator.

TO THE END THEREFORE:

1. That this Honorable Court may pass a final decree foreclosing all rights of redemption of the defendants in and to the hereinbefore described real estate.
2. That your Orator may have such other and further relief as may be right and proper in the premises.

May it please your Honors to grant unto your Orator the writs of subpoena directed unto the said Katie Wright of Church Hill, Queen Anne's County, Maryland, and unto Samuel Gibbs, Jr., of Barclay, Queen Anne's County, Maryland, commanding them and

each of them to be and appear in this Court on some day certain to be named therein, to answer Bill of Complaint or redeem the property in accordance with the law made and provided and abide and perform such decree as may as may be passed therein.

MAY IT ALSO PLEASE your Honors to grant unto your Orator the Order of Publication giving notice to all defendants, known or unknown, 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 some day certain to be named therein, to answer this bill, or to redeem the property in accordance with the law made and provided, and abide by and perform such decree as may be passed therein.

And as in duty bound, etc.

RICHARD T. EARLE  
Attorney for Complainant

Filed July 1, 1948.

AFFIDAVIT OF RICHARD T. EARLE, ATTORNEY  
FOR WESLEY DEMBY  
Filed July 1, 1948.

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

This is to certify that I have searched the Land Records of Queen Anne's County, all other Records in the Clerk's Office of said County and The Register of Wills Office for Queen Anne's County over a period of forty years prior to the filing of this Bill of Complaint and from said search located the land which was assessed to Surline Wright, described in the deed to her Serline Wright, but can find no conveyance from her, nor any mortgage or lien against said land, except as to the tax sale.

Outside of the Record I am advised that Surline Wright died intestate about 19 years ago, leaving Katie Wright, a daughter, who resides at Church; Heney Brown, formerly Heney Wright, a daughter, whose residence I have been unable to find, whether she be living or dead, whether she left a will or who her heirs at law are; Nora Gibbs, formerly Nora Wright, a daughter, deceased, leaving a son Samuel Gibbs, Jr., Barclay, Maryland, the following daughters known but their residence unknown, Mabel Gibbs, Lilly Foster and Gertrude Gibbs, any other heirs of Nora Gibbs unknown; Robert Wright, a son, who died ten years ago, as far as I am advised left no wife nor child or children or descendants of any child or children; John Wright, a son, not known whether living or dead. last known residence Media, State of Pennsylvania, unknown who his heirs-at-law or devisees are.

RICHARD T. EARLE  
Attorney for Wesley Demby

Subscribed and sworn to before me this 1st. day of July, 1948.

J. CARL STARKEY  
Notary Public

Notary  
Public  
Seal.

Filed July 1, 1948.

CERTIFICATE OF REDEMPTION  
COMPLAINANT'S EXHIBIT #1  
Filed July 1, 1948.

I. T. Sorden Pippin, Treasurer and Collector of taxes for the State of Maryland and the County of Queen Anne's, hereby certify that on May 20th, 1947, I sold to Wesley Demby at public auction for the sum of Thirty Dollars and No Cents, of which Thirty Dollars has been paid, the property in the Second Election District of Queen Anne's County, Maryland, and described as All that lot or parcel of land located on Hayden-Price Road, adjoining the lands of Hayden Heirs, assessed value \$150.00, consisting of lot and assessed to Surlina Wright.

The property described herein is subject to redemption. Upon redemption the holder of this certificate will be refunded the sums paid on account of the purchase price together with interest thereon at the rate of six per cent per annum from the date of payment to the date of redemption, together with all other amounts specified by Chapter 761 of the Acts of 1943, and acts amendatory thereof. The balance due on account of the purchase price and all taxes, together with interest and penalties thereon, accruing subsequent to the date of sale, must be paid to the Collector before a deed can be delivered to the purchaser. After May 23rd, 1948, a proceeding can be brought to foreclose all rights of redemption in the property. This certificate will be void unless such a proceeding is brought within two years from the date of this certificate.

Witness my hand and seal, this 20th day of May, 1947.

T. SORDEN PIPPIN  
Treasurer and Collector

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

I HEREBY CERTIFY, that on this 20th day of May, 1947, before the Subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, personally appeared T. Sorden Pippin, Treasurer and Collector of Taxes for the State of Maryland Certificate of Sale to be his act.

Witness my hand and notarial seal.

ROBERT T. NEWELL  
Notary Public

Notary  
Public  
Seal.

My Commission Expires: 5/2/49.

ORDER OF PUBLICATION  
Filed July 2, 1948.

ORDER OF PUBLICATION

Wesley Demby, Price, Queen Anne's County,  
State of Maryland, Complainant,

In the Circuit Court

VS.

for

Katie Wright, Church Hill, Queen Anne's  
County, Maryland,  
Heney Brown, last known address Chester,  
State of Pennsylvania, if living, but if dead,  
the unknown devisees or heirs-at-law of the  
said Heney Brown,  
Samuel Gibbs, Jr., Barclay, Queen Anne's County,  
Maryland, Mabel Gibbs, address unknown, Lilly  
Foster, residence unknown, Gertrude Gibbs,  
residence unknown, and all other unknown  
devisees or heirs-at-law of Nora Gibbs, deceased,  
The unknown residence of the devisees or heirs-  
at law of John Wright, deceased, whose last  
known residence was Media, State of Pennsylvania.  
(a) all that lot or parcel of land located in  
the Second District of Queen Anne's County,  
Maryland, on Hayden-Price Road, adjoining the  
lands of the Hayden Heirs and assessed to Sur-  
line Wright; AND ALL OTHER UNKNOWN OWNERS OF SAID  
PROPERTY, THEIR EXECUTORS, PERSONAL REPRESENTATIVES,  
ADMINISTRATORS, HEIRS, DEVISEES OR ASSIGNEES OF ANY  
PARTY CLAIMING ANY RIGHT, TITLE, INTEREST ANY ES-  
TATE IN SAID PROPERTY OR ASSIGNEE OR ASSIGNEES OF SAME,  
Defendants.

Queen Anne's County,

in Equity.

Cause No. 3580

The object of this suit is to foreclose all rights of redemption of all claimants in all that lot or parcel of land located on Hayden-Price Road adjoining the lands of Hayden Heirs, assessed value of \$150, consisting of a lot assessed to Surline Wright, purchased May 20th., 1947, at Tax Sale by Wesley Demby for \$30.00. The Bill states that Surline Wright or Serline Wright died seized and possessed of same, intestate and no letters of administration have been granted on her estate that she left the following children and grandchildren, to wit: Katie Wright, a daughter, residence Church Hill, Maryland; Heney Wright, a daughter, unknown whether living or dead; residence unknown, also her devisee or heirs-at law are unknown; Nora Gibbs, a daughter now deceased, left surviving her known Samuel Gibbs, Jr., Price, Maryland, a son, Mabel Gibbs, Lilly Foster and Gertrude Gibbs, residences unknown and all other heirs or devisees of Nora Gibbs, are unknown; Robert Wright, a son, deceased, no known heirs or devisees; John Wright, a son, last known residence Media, State of Pennsylvania, devisees and heirs-at-law unknown.

That a search of title failed to reveal the heirs of Surline Wright. That no one having any interest in said property has redeemed the same.

IT IS THEREUPON this 2nd day of July, 1948, by the Circuit Court for Queen Anne's County, in Equity, ORDERED, That notice be given by the insertion of a copy of this Order in some newspaper printed and published in Queen Anne's County, once a week for four successive weeks, warning all persons interested in said property to be and appear in this Court on or before the 8th day of September, 1948, and redeem the property assessed to Surline Wright and answer the Bill of Complaint or thereafter a final decree will be rendered foreclosing all rights or redemption in the property, and vesting in the Complainant a title, free and clear of all encumbrances.

WM. R. HORNEY  
Judge.

SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER  
Filed July 2, 1948.

The State of Maryland

QUEEN ANNE'S COUNTY, TO WIT:

TO Seal's  
Place.

Katie Wright, Church Hill, Queen Anne's County, Maryland,

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of July next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Wesley Demby, Price, Queen Anne's

County, Maryland, against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable J. Owen Knotts, Chief Judge of the Second Judicial Circuit of Maryland, the 7th. day of June, 1948.

Issued the 1st. day of July, 1948.

TO THE DEFENDANT (S):

You are required to file your answer or other defense in the Clerk's Office within fifteen days after the return day named in the above subpoena. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, Complainant (s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Name Richard T. Earle

Address Centreville, Maryland

NELLIE B. WHITELEY, Clerk

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

Within Subpoena served by reading to and leaving copy of Subpoena and Bill of Complaint with Katie Wright this 2nd day of July 1948. Oscar W. Tarr Sheriff.

SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER  
Filed July 2, 1948.

The State of Maryland

Seal's  
Place.

QUEEN ANNE'S COUNTY; TO WIT:

TO

Samuel Gibbs, Jr., of Barclay, Queen Anne's County, Maryland,

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of July next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Wesley Demby, Price, Queen Anne's County, Maryland, against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable J. Owen Knotts, Chief Judge of the Second Judicial Circuit of Maryland, the 7th. day of June, 1948.

Issued the 1st. day of July, 1948.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office within fifteen days after the return day named in the above subpoena. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Name Richard T. Earle

Address Centreville, Maryland

NELLIE B. WHITELEY, Clerk

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

Within Subpoena served by reading to and leaving Copy of Subpoena and bill of Complaint with Samuel Gibbs Jr. This 2nd day of July 1948.

Filed July 2, 1948.

OSCAR W. TARR  
Sheriff

CERTIFICATE OF PUBLICATION  
OF ORDER OF PUBLICATION  
Filed July 31, 1948.

ORDER OF PUBLICATION

Wesley Demby, Price, Queen Anne's County, State of Maryland, Complainant,

vs.

Katie Wright, Church Hill, Queen Anne's County, Maryland, Heney Brown, last known address Chester, State of Pennsylvania, if living, but if dead, the unknown devisees or heirs-at-law of the said Heney Brown, Samuel Gibbs, Jr., Barclay, Queen Anne's County, Maryland. Babel Gibbs, address unknown, Lilly Foster, residence unknown, Gertrude Gibbs, residence unknown, and all other unknown devisees or heirs-at-law of Nora Gibbs, deceased. The unknown residence of the devisees or heirs-at-law of John Wright, deceased, whose last known residence was Media, State of Pennsylvania. (a) all that lot or parcel of land located in the Second District of Queen Anne's County, Maryland, on Hayden-Price Road, adjoining the lands of the Hayden Heirs and assessed to Surline Wright; AND ALL OTHER UNKNOWN OWNERS OF SAID PROPERTY, THEIR EXECUTORS, PERSONAL REPRESENTATIVES, ADMINISTRATORS, HEIRS, DEVISEES OR ASSIGNEES OF ANY PARTY CLAIMING ANY RIGHT, TITLE, INTEREST AND ESTATE IN SAID PROPERTY OR ASSIGNEE OR ASSIGNEES OF SAME, Defendant.

IN THE CIRCUIT COURT FOR  
QUEEN ANNE'S COUNTY  
IN EQUITY  
Cause No. 3580

The object of this suit is to foreclose all rights of redemption of all claimants in all that lot or parcel of land located on Hayden-Price Road adjoining the lands of Hayden Heirs, assessed value of \$150, consisting of a lot assessed to Surline Wright, purchased May 20th, 1947, at Tax Sale by Wesley Demby for \$30.00. The Bill states that Surline Wright or Serline Wright died seized and possessed of same, intestate and no letters of administration have been granted on her estate that she left the following children and grand-children, to wit: Katie Wright, a daughter, residence Church Hill, Maryland; Heney Wright, a daughter, unknown whether living or dead, residence unknown, also her devisee or heirs-at-law are unknown; Nora Gibbs, a daughter now deceased, left surviving her known Samuel Gibbs, Jr., Price, Maryland, a son, Mabel Gibbs, Lilly Foster and Gertrude Gibbs, residence unknown and all other heirs or devisees of Nora Gibbs, are unknown; Robert Wright, a son, deceased, no known heirs or devisees; John Wright, last known residence Media, State of Pennsylvania, devisees and heirs-at-law unknown.

That a search of title failed to reveal the heirs of Surline Wright. That no one having any interest in said property has redeemed the same.

IT IS THEREUPON this 2nd day of July, 1948, by the Circuit Court for Queen Anne's County, in Equity, ORDERED, That notice be given by the insertion of a copy of this Order in some newspaper printed and published in Queen Anne's County, once a week for four successive weeks, warning all persons interested in said property to be and appear in this Court on or before the 8th day of September, 1948, and redeem the property assessed to Surlien Wright and answer the Bill of Complaint of thereafter a final decree will be rendered foreclosing all rights of redemption in the property, and vesting in the Complainant a title, free and clear of all encumbrances.

WM. R. HORNEY  
Judge.

True Copy:  
Test: NELLIE WHITELEY,  
Clerk.

Filed July 2, 1948.

The Queenstown News

Queenstown, Md. July 31, 1948

THE QUEENSTOWN NEWS, trading as a co-partnership between Michael W. Aker and George J. Steinfelt, do hereby certify that the Order of Publication in the estate of Wesley Demby vs. Katie Wright, et al. Cause No. 3580 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 8th day of September 1948, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS, a-weekly-newspaper-printed-and-published-at-Queenstown,-in-Queen-Anne's was on the 9th day of July 1948.

THE QUEENSTOWN NEWS

By GEORGE STEINFELT

FINAL DECREE  
Filed September 24, 1948.

Wesley Demby,  
Complainant,

VS.

Katie Wright, Heney Brown,  
if living, if dead, the unknown  
devisees or heirs at law of  
Heney Brown,  
Samuel Gibbs, Mabel Gibbs, Gertrude  
Gibbs, all other unknown devisees  
or heirs-at-law of Nora Gibbs, deceased,  
The unknown devisees and heirs-at-law  
of John Wright, deceased.  
(a) all that lot or parcel of land  
located in the Second Election District  
of Queen Anne's County, Maryland, on Hayden-  
Price Road, adjoining the lands of the Hayden  
Heirs, and assessed to Surline Wright.  
ALL OTHER UNKNOWN OWNERS OF SAID PROPERTY,  
THEIR EXECUTORS, PERSONAL REPRESENTATIVES,  
ADMINISTRATORS, HEIRS, DEVISEES, OR ASSIGNEES  
OF ANY PARTY CLAIMING ANY RIGHT, TITLE, INTEREST  
OR ESTATE IN SAID PROPERTY OR ASSIGNEE OR  
ASSIGNEES OF SAME.

#  
#  
#  
# IN THE CIRCUIT COURT  
#  
# FOR  
# QUEEN ANNE'S COUNTY,  
#  
# IN EQUITY.  
#  
# Cause No. 3580.

FINAL DECREE.

The Proceedings in the within and foregoing cause having been read and considered, and the Defendants having been either served with process or properly notified by an ORDER OF PUBLICATION issuing out of this Court, and it appearing that no redemption of said property has been made, nor any answer to the Bill of Complaint filed: IT IS THEREUPON this 24th day of September, 1948, ADJUDGED, ORDERED AND DECREED by the Circuit Court for Queen Anne's County, in Equity that the title to the real estate herein described and sold by T. Sordon Pippin, Treasurer for Queen Anne's County, he being the Collector of Taxes for said County, to Wesley Demby on the 21st. day of May, 1947, be and

the same is hereby vested in the said Wesley Demby by an absolute and indefeasible title in fee simple, free and clear of all liens and encumbrances and of all claims by the Defendants or any of them or any one claiming by, through or under them or any of them, except taxes and other liens accruing subsequent to the date of sale and public easements to which the property may be subjected, to the intent and purpose that the said Treasurer for Queen Anne's County shall grant and convey to Wesley Demby by a good and merchantable title in fee simple the following real estate, to wit: All that lot or parcel of land located on Hayden-Price road adjoining the lands of the late Isaac Hayden and assessed to Surlina Wright, and being the same property granted and conveyed to Serlina Wright by deed dated November the 25th., 1878, by Isaac Hayden and Elizabeth A. Hayden, his wife, and described in said deed as follows, to wit: All of that lot of land, it being a part of the waters land, lying on the new public road from price's Station to Ashland (now known as Hayden's Station) along the Queen Anne's and Kent Railroad, Beginning at a small bridge on said road and runs thence North 5 degrees West, 44-1/4 perches; thence North 84-1/4 degrees East 4.3 perches to said road; thence with said road South 39 degrees West, 69.9 perches to the beginning, containing six acres of land, said deed being duly recorded in Liber J. W. No. 9, folio 8&etc., a Land Record Book for Queen Anne's County.

AND IT IS FURTHER ADJUDGED, ORDERED AND DECREED that the said C. Percy Arrington, Present Treasurer for Queen Anne's County, shall execute and deliver to the said Wesley Demby a deed for the same granting and conveying said property to the said Wesley Demby, his heirs and assigns, in fee simply, upon the payment of any interest, penalties or taxes accruing subsequent to the date of sale.

WM. R. HORNEY

Judge

Filed September 24, 1948.



## CAUSE NUMBER 3408

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Twentieth day of September, in the year nineteen hundred and forty four the following ORDER TO DOCKET SUIT was filed for record, to wit:

Harrison W. Vickers, : In the Circuit Court for  
and Herbert E. Perkins :  
Assignees : Queen Anne's County, Md.

vs :

Catherine V. Price, and : In Equity, No. 3408  
William H. Price, her :  
husband :

Mr. A. Sydney Gadd, Jr. Clerk:

Please docket case entitled as above, record assignment of mortgage from Prudential Insurance Company to William D. Harkins, and assignment from William D. Harkins to Harrison W. Vickers and Herbert E. Perkins.

Make certified copy of mortgage Catharine V. Price & husband to Md. Va Joint Stock Bank with assignments from Md-Va Joint Stock Land Bank of Baltimore to Prudential Insurance Company, from Prudential Insurance Company to William D. Harkins, from William D. Harkins to Harrison W. Vickers and Herbert E. Perkins.

File and approve bond and enter our appearance as Solicitors for Complainants.

HARRISON W. VICKERS

HERBERT E. PERKINS  
Solicitors for Complainants

CERTIFIED COPY OF  
MORTGAGE

#11,166 QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the twenty sixth day of March, in the year nineteen hundred and twenty five, the following Mortgage was brought to be recorded, to wit:-

M A R Y L A N D

AMORTIZATION MORTGAGE

This Mortgage, made this first day of March, in the year one thousand nine hundred and twenty five, by and between Catherine V. Price, and William H. Price, her husband of Queen Anne's County, in the State of Maryland, hereinafter referred to as party of the first part, and THE MARYLAND-VIRGINIA JOINT STOCK LAND BANK OF BALTIMORE, Baltimore, Maryland, party of the second part, a body corporate, hereinafter mentioned as the Bank:

WHEREAS, the said party of the first part is justly indebted to and unto the said THE MARYLAND-VIRGINIA JOINT STOCK LAND BANK OF BALTIMORE in the full and just principal sum of One thousand dollars (\$1000) current money, this day loaned the said party of the first part by said Bank, the receipt whereof is hereby duly acknowledged; and

WHEREAS, the said party of the first part has executed and delivered unto the said Bank, a promissory note, dated on the first day of March, 1925, for said principal sum of One thousand (\$1000) dollars, with interest thereon at the rate of six per centum, per annum, payable to the order of said Bank in sixty five semi-annual payments of thirty five dollars and No. cents, each and a final payment of twenty nine dollars and twenty four cents, said payments beginning six months from the date hereof; which said payments are on the amortization plan, to better secure the payment of which said principal sum and the interest thereon as above set forth, as and when each of said payments shall become due and legally demandable, these presents are executed;

NOW, THEREFORE, This Mortgage Witnesseth; that for and in consideration of the premises and the sum of one dollar, the said party of the first part does hereby bargain and sell, grant and convey unto the said THE MARYLAND-VIRGINIA JOINT STOCK LAND BANK OF BALTIMORE, its successors and assigns the following described property, to wit:-

All that part of the Mallalieu Mills farm situate, lying and being in the seventh election district of Queen Anne's County aforesaid, and described as follows, that is to say: Beginning for the same at the most southerly point thereof at a concrete post 6x6 inches 3 feet long, marked "W.H.P." and running thence north forty seven degrees, twenty five minutes west, six hundred feet to a stone, thence north fifty one degrees west, five hundred and seventy two feet to the middle line of the public road leading from Church Hill to Millington, then with said road north forty degrees east seven hundred feet, then north twenty nine degrees fifteen minutes east, four hundred feet to the line of the land of George W. Todd, or the Queen Anne Cotton Company, then with same south fifty seven degrees thirty minutes east, one hundred and five and five tenths feet, then north thirty two degrees thirty minutes east, ninety one feet, then south forty nine degrees fifteen minutes east, one hundred and thirty two feet with a right of way for the use in common between the herein described land and the lands of the said George W. Todd, then still with the said right of way south fifty five degrees east, two hundred and forty four feet then south nineteen degrees forty five minutes east, three hundred and ninety four feet to a clump of Chesnut trees, then north eighty six degrees east, fifty three feet to the high water of the Mill Pond of the said George W. Todd, then meandering with the same by equivalent to a line south eighteen degrees thirty minutes seven hundred feet then south seventy degrees five minutes west six hundred and twenty four feet to the place of beginning and containing twenty nine and four one hundredths acres of land, more or less.

And being the same land conveyed to the said Catherine V. Price as Katherine V. Price, by deed from Mary E. M. Taylor and Gilbert B. Taylor and The Sudlers-

ville Bank of Maryland, dated the 2nd day of January, 1915, and recorded among the land records of said Queen Anne's County in Liber W. F. W. Number 6, folio 381.

TOGETHER with all buildings and improvements thereon and all rights, roads, ways, waters, privileges, appurtenances and advantages thereto belonging or in any wise appertaining. To have and To Hold the aforesaid parcel of ground and premises to and unto the proper use and benefit of the said Bank, its successors and assigns forever. And it is hereby covenanted and agreed with said Bank that said party of the first part is lawfully seized of said premises; that said party of the first part has a good right to sell or convey the same, and that the same are free and clear of all encumbrances. Provided, that if the said party of the first part, or the heirs, personal representatives or assigns of said party of the first part shall well and truly pay or cause to be paid the aforesaid principal sum and all interest thereon accrued, in accordance with the provisions for payment herein set forth, as and when the same may be due and payable, and shall perform all the covenants herein to be preformed, then this mortgage shall be void. The said party of the first part in the application for this loan, has made certain representations to said Bank as to the purpose or purposes for which the money loaned on this mortgage was borrowed. Such representations are hereby specifically referred to and made party of this mortgage. This mortgage is made to said party of the second part as a Joint Stock Land Bank doing business under the "Federal Farm Loan Act" approved July 17th. 1916, and amendments thereof, and is hereby agreed to be in all respects subject to and governed by the terms and provisions of same. The party of the first part shall pay simple interest on all defaulted or overdue smi - annual payments, at the highest rate allowed by this State, not to exceed eight per cent per annum, accounting from the date of such default. In the event that party of the first part shall fail to pay any taxes, liens, judgments or assessments against said premises when due, or to maintain insurance as herein provided for, the Bank may make such payments or maintain such insurance, and the amount paid therefor, shall become subject to lien of this mortgage and bear interest from date of payment at the highest rate allowed by this State, not exceeding eight per cent, per annum. At any payment period after five years from date hereof, the party of the first part shall have the privilege of paying on the principal of the debt hereby secured, the sum of twenty five dollars, or any multiple thereof, or the entire amount then due; such additional payments, if any, shall not reduce thereafter the periodical payments herein contracted to be made, but shall operate to discharge this debt at an earlier date, by reducing the percentage applicable to interest and increasing the percentage applicable to principal.

AND it is agreed that until default be made in the premises, the said party of the first part shall possess the aforesaid property upon paying in the meantime all taxes, liens, judgments and assessments, public debts and charges of every kind, levied, assessed, or to be levied or assessed on said hereby mortgaged property which taxes, liens, judgments or assessments, public dues, charges, mortgage debt and interest, the said party of the first part individually, and on behalf of heirs, personal representatives and assigns, does hereby duly covenant to pay when legally demandable. But if any of the payments in the above described note as herein provided to be made, be not paid when due, or if the party of the first part shall permit any taxes, liens, judgments or assessments on said land to become delinquent, or fail to keep the buildings insured as herein provided, or apply the proceeds of this loan to substantially different purposes from those for which it was obtained, or shall be neglect permit any unreasonable depreciation in value of said premises or the buildings thereon, or do or permit to be done, any act in respect to said lands which will reduce or impair the value of said lands as security for the loan hereby made, or make default in any of the conditions or covenants of this mortgage, then the whole debt hereby secured shall (at the option of the said Bank) become immediately due and demandable; and it shall be lawful for the said Bank, its successors and assigns or its duly appointed 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 or purchasers thereof, his, her or their heirs or assigns, which sale shall be in the manner following, viz: upon giving twenty days' notice of the time, place, manner and terms of sale, in some newspaper printed in the County wherein said lands or a part thereof are situated, and such other notice as by the mortgagee, its successors or assigns, 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 fee of twenty five dollars and a commission to the party making sale of said property, of 5% on the amount of sale; secondly, to the payment of all claims of the said mortgagee, its successors 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 said party of the first part or the personal representatives or assigns of said party of the first part or to whomever may be entitled to the same, and if at any time after the execution, delivery and recordation of this mortgage, the Bank shall be impleaded or made a party to any suit or legal proceeding of any kind whatsoever, to subject the land hereby conveyed to the payment of liens or charges of any kind thereon, and in such proceeding it becomes necessary in the discretion of the Bank to retain and employ an attorney for the proper representation and protection of its interest, the said Bank shall be entitled to recover of the mortgagor the attorney's fee and commissions hereinable provided for, fixed and allowed in cases of foreclosure by the Bank, which said attorney's fee and commissions shall attach and become immediately due upon the institution of such proceedings and retention and employment of an attorney by the Bank, and in either case shall become a part of the debt and demand secured to be paid by this mortgage and fully covered and protected by the lien thereby created.

And the said party of the first part individually and on behalf of heirs, personal representatives and assigns, does hereby covenant and agree that immediately upon the first insertion of the 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 commissions aforesaid, which said expenses, costs and commission the said party of the first part individually and on behalf of heirs, personal representatives and assigns hereby covenants to pay; and the said Mortgagee, its successors and assigns, or its duly appointed agent or 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 commissions, 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 commissions. It is further covenanted and agreed that if the said party of the first part has heretofore given, made or granted to any person or corporation any option, lease, right or privilege for any mineral, coal, oil, or other sub-surface, or surface right, rights, or for any right or privilege

other than for agricultural purposes, in any way affecting or appertaining to the lands conveyed by this indenture, or the property is in any way subject to any such option, lease, right or privileges, the rents, profits, royalties and revenues at any time arising from such option, lease, right or privilege during the continuance of this mortgage, and accruing to party of the first part, whether said option, lease, right or privilege be operated or exercised or not, at the time of the execution hereof, shall be paid over to said Bank and by it applied to the reduction of the principal of this mortgage, and this agreement shall serve as a full and sufficient assignment of the said mortgagor's interest in said option, lease, right or privilege for the purpose aforesaid; provided that in all cases where said option, lease, right or privilege has not been exercised or operated before the making of this indenture, but is thereafter exercised or operated, (thereupon the party of the second part before the making of this indenture, but is thereafter exercised or operated), thereupon the party of the second part, shall, at its election, have the right to demand of the party of the first part, payment in full of the debt secured to be paid by this indenture; provided, that before any proceedings for foreclosure shall be commenced or had the party of the second part shall give 30 days notice in writing to the party of the first part of such option, lease, right or privilege for any mineral coal, oil, or other sub-surface right shall be made or granted upon, to or in connection with said lands herein described, subsequent to the execution of this indenture, without the consent of the said Bank having been first obtaining in writing.

And the said party of the first part individually and on behalf of personal representatives and assigns, does further covenant to insure, and pending the existence of this mortgage, to keep insured in some good company satisfactory to said mortgagee, its successors or assigns, the improvements on the hereby mortgaged property to the amount of at least one thousand dollars and to cause the policy to be affected thereon, to be so framed or endorsed, as in the case of fire, to enure to the benefit of the said Mortgagee, its successors or assigns, to the extent of their lien or claim hereunder and to deliver said policy or policies to the said Mortgagee, its successors or assigns.

And it is further agreed by the parties hereto and those claiming through by or under them, that an assignment of this mortgage shall carry with it an assignment of the amortization note which it is given to secure.

Witness the hands and seals of the said Mortgagors.

Teste: C. M. Melvin, Jr.

CATHERINE V. PRICE (SEAL)

WILLIAM H. PRICE (SEAL)

STATE OF MARYLAND, KENT COUNTY, TO WIT:

I hereby certify that on this twenty fifth day of March, 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 the County aforesaid, personally appeared Catherine V. Price, and William H. Price, her husband, the mortgagors named in the foregoing mortgage and duly acknowledged the said mortgage to be their act; at the same time also appeared Edwin H. Brown, Jr. 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 agent of the within named mortgagee to make this affidavit.

As witness my hand and Notarial seal the day and year first above written.

Notary  
Public  
Seal.

C. M. Melvin Jr.  
Notary Public

My commission expires May, 1927.

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the third day of March in the year Nineteen Hundred and thirty six the following Assignment was brought to be recorded, to wit:

For value received and without recourse The Maryland Baltimore, Maryland Virginia Joint Stock Land Bank of Baltimore does hereby assign the within and foregoing mortgage and the mortgage debt secured thereby unto the Prudential Insurance Company of America.

In Witness Whereof the said The Maryland Virginia Joing Stock Land Bank of Baltimore has caused its name to be hereunto signed on its behalf by Hugh L. Pope, Its Vice-President, and its corporate seal to be hereunto affixed, attested by Benjamin H. Engle, its Secretary, this 25th day of February 1936.

Attest: Benj. H. Engle,  
Secretary

The Maryland Virginia Joint Stock Land  
Bank of Baltimore.

Corporate  
Seals  
Place.

HUGH L. POPE, Vice President

STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

I hereby certify that on the foregoing is truly taken and copied from Liber B.H.T. No. 3, folio 265, a Land Record Book for Queen Anne's County.

Seal's  
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 21st day of September in the year nineteen hundred and forty four.

A. SYDNEY GADD, Jr.  
Clerk of Court

CERTIFIED COPY  
OF ASSIGNMENT  
Filed Sept. 20, 1944

#22,701 QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Twenty  
First day of September, in the year nineteen hundred and forty four, the following Assign-  
ment was brought to be recorded, to wit:

352348

REF

ASSIGNMENT

FOR VALUE RECEIVED, The Prudential Insurance Company of America, a  
corporation of the State of New Jersey having its principal office in the city of Newark,  
and State of New Jersey, does hereby assign, transfer and set over unto William D. Harkins  
of 2617 Fidelity Philadelphia Tr. Bldg., 123 S. Broad Street, Philadelphia 9, Penna., all  
its right, title, and interest in and to a certain mortgage made and executed by Catherine  
V. Price, and William H. Price, her husband, to or for the use of THE MARYLAND-VIRGINIA  
JOINT STOCK LAND BANK OF BALTIMORE, bearing date the 1st day of March, A.D. 1925, which  
said mortgage was filed for record in the office of the Clerk of Queen Anne's County, Mary-  
land, on the 26th day of March, A.D. 1925, and recorded in Book B.H.T. No. 3, of Land Re-  
cords, on page 265, which was duly assigned to The Prudential Insurance Company of America  
by Short Assignment of Mortgage recorded in Liber No. 3, folio 269, of the Land Records of  
Queen Anne's County, on March 3, 1936.

THIS ASSIGNMENT is made by the said THE PRUDENTIAL INSURANCE COMPANY  
OF AMERICA without recourse on it and without impliedly or expressly warranting any of the  
matters contained in or which went to the making up of said mortgage and the note therein  
mentioned.

IN WITNESS WHEREOF, the said THE PRUDENTIAL INSURANCE COMPANY OF AMER-  
ICA has cause these presents to be signed by its Vice President and attested by its Assis-  
tant Secretary, and its corporate seal to be hereto affixed in Newark, New Jersey, this  
first day of September, A.D. 1944.

THE PRUDENTIAL INSURANCE COMPANY OF  
AMERICA,

By. J. A. Amerman  
Vice President.

G. H. BOSTOCK  
Assistant Secretary.

Corporate  
Seal.

Signed, Sealed and Delivered  
in the presence of us

HELEN W. WOLFE

E. A. GASPARINI

STATE OF NEW JERSEY        )  
                                  )  
COUNTY OF ESSEX            )        ss:

On this first day of September, 1944, before me, the undersigned, a  
Notary Public of New Jersey, personally known and known to me to be the Vice President and  
Assistant Secretary, respectively, of The Prudential Insurance Company of America, a corpora-  
tion organized under the laws of the State of New Jersey, and also known to me to be the  
identical persons whose names are subscribed to the foregoing instrument as Vice President  
and Assistant Secretary, respectively, of the above-mentioned corporation, who, being by  
me duly sworn, did say that they are a Vice President and Assistant Secretary, respectively,  
of The Prudential Insurance Company of America, the corporation described in and which exe-  
cuted the foregoing instrument and that the seal affixed to the foregoing instrument is the  
corporate seal of said corporation; that, being informed of the contents of said instrument,  
they signed, sealed and delivered the same, as such officers, in behalf of said corporation  
by authority of its Board of Directors; and that they executed the said instrument as their  
free and voluntary act and deed of the said corporation for the uses, purposes and considera-  
tion there in set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my offi-  
cial seal at my office in the City of Newark, the day and year first above written.

E. A. GASPARINI  
Notary Public in and for  
New Jersey

My commission expires June 13, 1945.

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  
A.S.G. Jr. No. 10, folio 137 A Land Record Book for Queen Anne's County.

In Testimony Whereof I have hereunto set my hand  
and affixed the Seal of the Circuit Court for  
Queen Anne's County on this 29th day of September  
in the year nineteen hundred and forty four.

Seal's  
Place

A. SYDNEY GADD Jr.  
Clerk of Court

CERTIFIED COPY  
OF ASSIGNMENT  
Filed Sept. 20, 1944

#22,702 QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Twenty First day of September, in the year nineteen hundred and forty four, the following Assignment was brought to be recorded, to wit:-

ASSIGNMENT

FOR VALUE RECEIVED, WILLIAM D. HARKINS, of 2617 Fidelity-Philadelphia Trust Building, Philadelphia, Penns., does hereby assign, transfer and set over unto Harrison W. Vickers and Herbert E. Perkins, of Chestertown, Maryland, all his rights, title and interest in and to a certain mortgage made and executed by Catherine V. Price and William H. Price, her husband, to or for the use of The Maryland-Virginia Joint Stock Bank of Baltimore, bearing date the 1st day of March, A.D. 1925, which said mortgage was filed for record in the Office of the Clerk of Queen Anne's County, Maryland, on the 26th day of March, A.D. 1925, and recorded in Book, B.H.T. No. 3, of Land Records, on page 265, which was duly assigned to The Prudential Insurance Company of America by Short Assignment of Mortgage recorded in Liber No. 3, Folio 269, of the Land Records of Queen Anne's County, on March 3rd, 1936, which said mortgage was further assigned by The Prudential Insurance Company of America to William D. Harkins by Short Assignment of Mortgage dated September 1st, 1944 and recorded in Liber No. , Folio of the Land Records of Queen Anne's County, on September, , 1944 and thereafter duly assigned by William D. Harkins to Harrison W. Vickers and Herbert E. Perkins by Short Assignment of Mortgage, dated September , 1944, and recorded in Liber No. , Folio of the Land Records of Queen Anne's County on September , 1944.

THIS ASSIGNMENT is made by William D. Harkins without recourse on him and without impliedly or expressly warranting any of the matters contained in or which went to the making up of said mortgage and the note therein mentioned.

IN WITNESS WHEREOF, that said WILLIAM D. HARKINS has hereunto set his hand and seal this Eleventh day of September, A.D. 1944.

Signed, Sealed and Delivered  
in the presence of us

WILLIAM D. HARKINS (SEAL)

HELEN B. WICK

GERTRUDE A. EICHHORN

STATE OF PENNSYLVANIA )  
 ) SS:  
COUNTY OF PHILADELPHIA )

On this 11th day of September, A.D. 1944, before me, the undersigned, a Notary Public of Pennsylvania, personally appeared WILLIAM D. HARKINS, to me personally known, and also known to me to be the identical person whose name is subscribed to the foregoing Assignment, who, being by me duly sworn, acknowledges that he signed, sealed and delivered the same and that he executed the said instrument as his free and voluntary act and deed for the uses, purposes and consideration therein set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the City of Philadelphia, the day and year first above written.

HELEN B. WICK  
Notary Public

My Commission Expires Jan 27, 1945.

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 A. S. G. Jr. No. 10, folio 137 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 29th day of September in the year nineteen hundred and forty four.

Seal's  
Place.

A. SYDNEY GADD Jr.  
Clerk of Court

CERTIFIED COPY OF BOND  
Filed Sept. 20, 1944.

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Twentieth day of September in the year nineteen hundred and forty four the following Bond was brought to be recorded, to wit:

Home Office

FIDELITY AND DEPOSIT COMPANY  
OF MARYLAND

Baltimore

KNOW ALL MEN BY THESE PRESENTS:



ed security, and after having given more than twenty days notice of the time, place, manner and terms of sale by advertisement inserted in 'Queen Anne's Record and Observer Publishing Company' a weekly newspaper published in Centreville, Queen Anne's County, Maryland, your Assignees did attend at the Court House in Centreville, Queen Anne's County, Maryland, on Friday, October 13, 1944 between the hour of 2:00 and 2:30 P.M., and then and there offered at public auction,

All that farm situated in the Seventh Election District of Queen Anne's County on the public road from Millington to Sudlersville and about four and one-half miles from Sudlersville, and containing 28.04 acres of land, more or less.

BEING, the same property conveyed to the said Catherine V. Price by deed from Mary E. M. Taylor and Gilbert B. Taylor, et al, by deed dated 2nd day of January 1915, and recorded among the Land Records of said Queen Anne's County, in Liber W. F.W. No. 6, folio 381.

And your Assignees then and there sold the above described property unto Emma A. Palmatory, at and for the sum of Two thousand one hundred fifty (\$2150.00) dollars, she being at that figure the highest bidder therefor.

(2) Your Assignees further report that the purchaser has complied with the terms of sale.

All of which is respectfully submitted.

HARRISON W. VICKERS  
Harrison W. Vickers

HERBERT E. PERKINS  
Herbert E. Perkins,  
Assignees

STATE OF MARYLAND, KENT COUNTY, TO WIT:

I hereby certify that on this 17th day of October 1944, before me, the Subscriber, a Notary Public of the State of Maryland, in and for Kent County aforesaid, personally appeared Harrison W. Vickers and Herbert E. Perkins, Assignees aforesaid, and made oath in due form of law that the matters and facts set forth in the aforesaid Report of Sale are true as therein stated to the best of their knowledge, information and belief, and that the sale therein reported is bona fide and was fairly made.

As witness my hand and notarial seal the day and years first above written.

Notary  
Public  
Seal.

MARY A. PENNINGTON  
Mary A. Pennington  
Notary Public

My Commission expires 5/7/45

NISI SALE  
Filed Oct. 18th, 1944.

N I S I

Harrison W. Vickers, Herbert	)	In the Circuit Court
E. Perkins, Assignees,	)	
	)	for Queen Anne's County
VS.	)	
	)	In Equity
Catherine V. Price and William	)	
H. Price, her husband.	)	Chancery No. 3408

ORDERED, This 18th. day of October A.D., 1944, that the sale of real estate made and reported in this cause by Harrison W. Vickers and Herbert E. Perkins, Assignees, by ratified and confirmed, unless cause to the contrary thereof be shown on or before the 18th. 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 18th. day of November next.

The Report states the amount of sales to be \$2150.00

A. SYDNEY GADD Jr. Clerk.

Filed October 18, 1944.

STATEMENT OF MORTGAGE DEBT.  
Filed Nov. 17th, 1944.

Harrison W. Vickers,	)	In the Circuit Court for
Herbert E. Perkins,	)	
Assignees	)	Queen Anne's County,
	)	
vs	)	In Equity, No. 3408
	)	
Catherine V. Price,	)	
William H. Price,	)	
her husband	)	

Statement of the mortgage claim of William D. Harkins, Assignee, under the mortgage from Catherine V. Price and William H. Price, her husband, to The Maryland-

Virginia Joint Stock Land Bank of Baltimore, dated 1st. day of March 1925, and recorded in Liber B.H.T. No. 3, folio 265.

1943						
Nov. 24	Prudential Ins. Co. of Amer.	Prin.	\$14.49,	int.	21.04	35.53
" 30	" " " " " "	Taxes				45.01
1944						
Feb. 5	" " " " " "	Interest				20.51
Apr. 3	Paid taxes					24.59
	Present principal balance		\$683.52			
	Interest due 9/1/44		<u>20.51</u>			<u>704.03</u>
						\$829.67
	Interest 9/44 to 10/13/44					<u>5.94</u>
						<u>\$835.61</u>

WILLIAM D. HARKINS, Assignee.  
William D. Harkins, Assignee

STATE OF PENNSYLVANIA, CITY OF PHILADELPHIA, TO WIT:

I hereby certify that on this 15 day of November 1944, before me, the Subscriber, a Notary Public of the State of Pennsylvania, in and for City of Philadelphia, aforesaid, personally appeared William D. Harkins, and made oath in due form of law that the foregoing is a true statement of the amount remaining due under mortgage claim described therein.

HELEN B. WICK  
Notary Public

Notary  
Public  
Seal.

NOTARY PUBLIC

My Commission Expires Jan. 27, 1945

In the Courts of Common Pleas of Philadelphia County

State of Pennsylvania )  
County of Philadelphia, ss. ) 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 J. Hoerr.

Seal's  
Place

do Certify, That Helen B. Wick 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 acknowledgments 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 Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court, this 15th day of NOVEMBER in the year of our Lord one thousand nine hundred forty-four (1944)

JOHN M. SCOTT, Prothonotary.

By MEREDITH HANNA Principa Deputy Prothonotary  
Durante Absentia, Secundum Legem.

Filed Nov. 17th, 1944.

MILITARY AFFIDAVIT  
Filed Jan 2, 1945

AFFIDAVIT

STATE OF MARYLAND, KENT COUNTY, to wit:

I HEREBY CERTIFY, that on this 23rd day of December in the year 1944, before me the subscriber, a Notary Public of the State of Maryland, in and for Kent County aforesaid, personally appeared Harrison W. Vickers and Herbert E. Perkins, and made oath in due form of law that after diligent inquiry it has been found that Catherine V. Price and William J. Price, are long since deceased.

The said Defendants 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.

AS WITNESS my hand and Notarial Seal.



Notary  
Public  
Seal.

MARY A. PENNINGTON  
Notary Public.

Filed Jan 2, 1945

CERTIFICATE OF PUBLICATION  
OF NISI SALE.  
Filed Jan. 2, 1945.

NISI

\_\_\_\_\_  
Harrison W. Vickers,  
Herbert E. Perkins,  
Assignees  
vs.  
Catherine V. Price  
and  
William H. Price, her husband

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

\_\_\_\_\_  
Chancery No. 3408

ORDERED, This 18th day of October A. D., 1944, that the sale of real estate made and reported in this cause by Harrison W. Vickers and Herbert E. Perkins, Assignees, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 18th 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 18th day of November, next.

A. SYDNEY GADD, JR.,  
Clerk.

Filed: October 18, 1944  
True Copy:  
Test: A. Sydney Gadd, Jr., Clerk

4t-11-9

QUEEN ANNE'S RECORD - OBSERVER

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=====  
Centreville, Md. Nov. 19, 1946

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Nisi Ordered in the case/estate of Harrison W. Vickers Herbert E. Perkins, Assignees vs Catherine V. Price and William H. Price, her husband Chancery No. 3408 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 18th. day of November 1944, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 19th. day of October 1944, and the last insertion on the 9th. day of November 1944.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

By PAUL B. SMITH

NISI

\_\_\_\_\_  
Harrison W. Vickers,  
Herbert E. Perkins,  
Assignees

vs.

Catherine V. Price

and

William H. Price, her husband

\_\_\_\_\_  
In the Circuit Court for  
Queen Anne's County  
In Equity

\_\_\_\_\_  
Chancery No. 3408

ORDERED, This 18th day of October A. S., 1944, that the sale of real estate made and reported in this cause by Harrison W. Vickers and Herbert E. Perkins, Assignees, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 18th day of December next; provided a copy of this order be insterted in some newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 18th day of November, next.

A. SYDNEY GADD, JR.,  
Clerk.

Filed: October 18, 1944  
True Copy:  
Test: A. Sydney Gadd, Jr., Clerk

4t-11-9

QUEEN ANNE'S RECORD - OBSERVER

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Centreville, Md. January 2nd. 1945

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the NISI in the case/estate of Harrison W. Vickers, Herbert E. Perkins, Assignees vs. Catherine V. Price and William H. Price, her husband. a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD-OVSERVER, a weekly newspaper printed and published at Centreville, in Queen Anne's County, Maryland, once a week for four successive weeks before the 18th. day of November 1944, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 26th. day of October 1944, and the last insertion on the 17th. day of November 1944

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

By JOHN H. PRICE

Filed Jan 2, 1945

CERTIFICATE OF PUBLICATION OF  
ADVERTISEMENT OF SALE  
Filed Feb. 17th, 1945.

ASSIGNEE'S SALE

of Vauable

Small Farm

in Seventh Election District

Under and by virtue of the Power of Sale contained in a mortgage from Catherine V. Price and William H. Price, her husband, to The Maryland-Virginia Joint Stock Land Bank of Baltimore, dated 1st day of March 1925, and recorded in Liber B.H.T. No. 3, folio 265, one of the Land Records of Queen Anne's County, State of Maryland, and which mortgage was assigned by mesne assignments on 11th day of September, 1944 to Harrison W. Vickers and Herbert E. Perkins, Assignees, the said Harrison W. Vickers and Herbert E. Perkins, Assignees, thereof will offer at public sale in front of the Court House Door, in Centreville, Maryland, on Friday, October 13, 1944 between the hour of 2:00 and 2:30

All that farm situated in the Seventh Election District of Queen Anne's County on the public road from Millington to Sudlersville and about four and one-half miles from Sudlersville, now occupied by Emma A. Palmatory, and containing 29.04 acres of land, more or less.

BEING, the same property conveyed to the said Catherine V. Price by deed from Mary E. M. Taylor and Gilbert B. Taylor, et al, by deed dated 2nd day of January 1915, and recorded among the Land Records of said Queen Anne's County in Liber W. F. W. No. 6, folio 381.

IMPROVED BY - Two and a half story frame dwelling, containing eighty (8) rooms.

Barn, stable and other suitable out-buildings in fair repair.

TERMS OF SALE - One-third of purchase money cash on day of sale and the balance of the purchase money in cash upon ratification of sale by the Circuit Court for Queen Anne's County, deferred payment to bear interest from day of sale and purchaser to pay cost of title papers including Revenue Stamps.

HARRISON W. VICKERS and  
HERBERT E. PERKINS,  
Assignees

J. Elmer Anthony, Auctioneer

QUEEN ANNE'S RECORD - OBSERVER

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Centreville, Md. February 17 1945

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Assignee's Sale in the case/estate of Catherine V. Price and William H. Price The Maryland-Virginia Joint Stock Land Bank 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 18 day of October 1944, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 21 day of Sept 1944, and the last insertion on the 12 day of Oct. 1944.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

By GLENN T. JAMES

Filed Feb. 17th, 1945.

STATE OF MORTGAGE DEBT.  
Filed Feb. 17th, 1945.

Harrison W. Vickers,	:	In the Circuit Court for
Herbert E. Perkins,	:	Queen Anne's County,
Assignees	:	
vs	:	In Equity, No. 3408
Catherine V. Price,	:	
William H. Price,	:	
her husband	:	

Statement of the mortgage claim of William D. Harkins, Assignee, under the mortgage from Catherine V. Price and William H. Price, her husband, to The Maryland-Virginia Joint Stock Land Bank of Baltimore, dated 1st. day of March 1925, and recorded in Liber B.H.T. No. 3, folio 265.

1943			
Nov. 24	Prudential Ins. Co. of Amer. Prin. \$14.49, int. 21.04		35.53
" 30	" " " " Taxes		45.01
1944			
Feb. 5	Prudential Ins. Co. of Amer. Interest		20.51
Apr. 3	Paid taxes		24.59
	Present principal balance.	\$683.52	
	Interest due 9/1/44	<u>20.51</u>	<u>704.03</u>
	Interest 9/44 to 10/13/44		\$829.67
			<u>5.94</u>
			<u>\$835.61</u>

HARRISON W. VICKERS  
Harrison W. Vickers.

HERBERT E. PERKINS  
Herbert E. Perkins, Assignees

State of Maryland, Kent County, to wit:

I hereby certify that on this 14th day of February, 1945, before me, the Subscriber, a Notary Public of the State of Maryland, in and for Kent County aforesaid, personally appeared Harrison W. Vickers and Herbert E. Perkins, and made oath in due form of law that the foregoing is a true statement of the amount remaining due under mortgage claim described therein.

Notary  
Public  
Seal.

MARY A. PENNINGTON  
Mary A. Pennington  
Notary Public

Filed Feb. 17th, 1945.

CERTIFIED COPY OF BOND  
Filed Feb. 17, 1945

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Seventeenth day of February in the year nineteen hundred and forty five, 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, Harrison W. Vickers and Herbert W. Perkins, 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 (\$200.00) hundred 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 14th day of February in the year of our Lord nineteen hundred and forty-five.

Whereas, the above bounden Harrison W. Vickers and Herbert E. Perkins by virtue of the power contained in a mortgage from Catherine V. Price and William H. Price her husband to the Maryland Virginia Joint Stock Land Bank of Baltimore bearing date the 1st day of March 1925 and recorded among the mortgage records of Queen Anne's County in Liber B.H.T. No. 3 Folio 265 and by mense assignments assigned to Harrison W. Vickers and Herbert E. Perkins, are about to sell the land and premises describe 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 Harrison W. Vickers and Herbert E. Perkins, Assignee do and shall well and truly and faithfully perform the trust reposed in them 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 thereof, 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 Harrison W. Vickers and Herbert E. Perkins has hereto set their hands and seals and the said body corporate has caused these presents to be duly signed by its Attorney, attested by its Attorney, the day and year first herein above written.

Signed, sealed and delivered  
in the presence of

MARY A. PENNINGTON  
Mary A. Pennington

HARRISON W. VICKERS (SEAL)  
Harrison W. Vickers

HERBERT E. PERKINS (SEAL)  
Herbert E. Perkins

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

By MARY A. PENNINGTON  
Mary A. Pennington

By HERBERT E. PERKINS  
Herbert E. Perkins  
Atty-in-fact.

Corporate  
Seal.

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

Bond Approved.

A. SYDNEY GADD JR. Clerk

Filed Feb. 17th 1945.

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 315 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 17th day of February in the year nineteen hundred and forty five.

Seal's  
Place.

A. SYDNEY GADD Jr.  
Clerk of Circuit Court.

MILITARY AFFIDAVIT  
Filed Feb. 17th, 1945.

STATE OF MARYLAND, KENT COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 15th. day of February, in the year nineteen hundred and forty-five, before me, the Subscriber, a Notary Public of the State of Maryland, in and for Kent County aforesaid, personally appeared Harrison W. Vickers and Herbert E. Perkins, Assignees, and made oath in due form of law that after diligent inquiry it has been found that the legatees of Olivia F. Gayton, deceased, owner of the mortgaged real estate,

Florence Gayton Woodland, 60, Tampa Florida  
Frank Gayton, 75, Albany, N.Y.  
Babs Gayton, 50, Santa Cruz, California  
Mrs. Annie Burnham, 87, Hatboro, Pa.  
Maria Sinclair  
Elmer O'Neill, Esq. 41, Attorney, Phila. Pa.  
Mrs. Anna Roydhouse  
Edward H. Friel, 75, Deland, Florida  
E. G. Turner, 80, Atlantic City, N.J.  
Marie Vansant, 50, Millington, Maryland  
Helen Price Couden  
Anna Mary Hopkins, 46, Lansdowne, Pa,  
Margaret Woodland, 40, Tampa, Florida  
Lillian Guest

are not 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 thereto.

Notary  
Public  
Seal.

MARY A. PENNINGTON  
Notary Public

Filed Feb. 17th, 1945

FINAL ORDER  
Filed Feb. 17th, 1945.

ORDERED, by the Circuit Court for Queen Anne's County, Maryland, in Equity, this 17th day of February 1945, that the sale made and reported by Harrison W. Vickers and Herbert E. Perkins, Assignees aforesaid, 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 notice appears to have been given as required by the Order Nisi passed in said cause and the Assignees are hereby allowed to usual commissions and such proper expenses as they shall produce vouchers for to the Auditor.

Wm. R. HORNEY  
Judge

Filed Feb. 17th, 1945.

AUDIT  
Filed Dec. 3rd 1946.

CAUSE NUMBER 3408:

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

Harrison W. Vickers and Herbert E. Perkins, Assignees,  
versus  
Catherine V. Price and William H. Price, Mortgagors.

To the Honorable, the Judges of said Court:

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

That the within Audit has been stated at the request of the Plaintiffs, Harrison W. Vickers and Herbert E. Perkins.

Two Accounts appear in this Audit herewith attached. The first Account is an Account wherein the Vendors of the Cause, said Plaintiffs, are charged with the gross amount of the sale made by them and are then allowed thereout the compensation for selling the land in accordance with the terms of the mortgage, the court costs of the Cause, costs of advertising notice of sale and notices of the several orders nisi of the Cause, costs of their bond, the charges of their Auctioneer for selling the land, and the fee of the Auditor.

Then to the same Vendors is allowed as Assignees of the Mortgage assigned unto them, the amount of the mortgage debt due on the day of the sale per statement filed, \$835.61

and then to Catherine V. Price the party Mortgagor owning the land is awarded the balance of the sale, being the net sale, \$1,045.34.

The second account herewith attached is an account in which is distributed the interest received by the Vendors on the credit sales of this Cause and this interest is distributed as follows;

Unto the Vendors is allowed their proportionate part of the interest on the amount of the compensation as the basis of the claim,

unto the same Vendors is allowed their proportionate part of said interest on the amount of the mortgage debt distributed to the Vendors in this Cause and

Unto Catherine V. Price is distributed her proportionate part of said interest based on the net amount of the sale distributed unto her in this Cause as the basis of her claim.

Which is respectfully submitted,

MADISON BROWN  
AUDITOR

DECEMBER 3rd, 1946.

CAUSE NUMBER 3408:

The proceeds of the sale of the mortgaged land of Catherine V. Price who is the owner of the land sold in the proceedings of this cause under the mortgage filed in this cause

IN ACCOUNT WITH

Harrison W. Vickers and Herbert E. Perkins, Assignees of said mortgage and as such the vendors making the sale of the land reported sold in this cause.

1944  
Oct.

CR.

13 By amount of the sale of the mortgaged real estate  
made this date by above named Vendors per their  
Report of Sale filed in this Cause, to wit: the  
sum of . . . . . \$2,150.00

DR.

" To Harrison W. Vickers and Herbert E. Perkins, Assignees, the vendors named above, for their compensation for selling the mortgaged land, per terms of said mortgage,  
 a fee of . . . . . \$25.00  
 a commission of 5% of amount of sale, 107.50  
 \$ 132.55 \$132.55

To the same Vendors, for the Court costs of the proceeding of this cause, per bill of costs made by clerk of Court exhibited, to wit:  
 Costs due the Clerk of Court . . . . \$ 27.50  
 Appearance fee of plaintiff's Attorney, . . . . . \$ 10.00  
 \$ 37.50 \$ 37.50

To same vendors, for amount paid J. E. Anthony, their auctioneer at sale made, for his services, per his receipt exhibited, to wit: . . . . . \$ 15.00 \$ 15.00

To same vendors, for costs of advertising notice of the sale made by them in Queen Anne's Record-Observer Newspaper, per receipted account exhibited, the sum of . . . . . \$ 40.50

To same vendors, for cost of advertising the order nisi relative to the report of sale, per account of same exhibited (does not appear to have been paid) the sum of . . . . . \$ 5.00

To same vendors for cost of advertising the order nisi to be passed as to this audit, the sum of . . . . . \$ 3.50

To same vendors for the costs or premium of the bond filed by them in this cause, first cost and renewal cost, the sum of . . . . \$ 24.00

To same vendors for costs of affidavits made by them to certain papers filed in this Cause, the sum of \$ 2.00

To Madison Brown, Auditor, for stating this Audit, (this account and account distributing the inter-\$ 9.00

To same vendors for the amount of the mortgage debt, principal and interest and taxes, due under said mortgage as of October 13, 1944, date of sale made in this Cause, per statement of mortgage debt filed, to wit: the sum of . . . . . \$835.61

\$ 1,104.66

To Catherine V. Price, said mortgagor, this balance being net sale, the sum of . . . . . \$ 1,045.34

\$ 2,150.00

\$ 2,150.00

December 3rd, 1946.

MADISON BROWN

AUDITOR

CAUSE NUMBER 3408:

The proceeds of the Interest received by the Vendors of this Cause on the proceeds of the land made by them

IN ACCOUNT WITH

Harrison W. Vickers and Herbert E. Perkins, Assignees and Vendors of this cause.

CR.

By amount of said Interest per their report to the Auditor, . . . \$64.48

DR.

Distribution of this Interest:

To Harrison W. Vickers and Herbert E. Perkins, Assignees and Vendors is distributed as

their pro rata share of said interest on \$132.55  
their compensation for making the sales,  
the sum of . . . . . \$ 4.24

To same Vendors is distributed as their prorata  
share of said interest on \$835.61, the amount of  
the mortgage debt distributed to them in  
aforegoing account, is distributed the sum of . . . \$26.75

To Catherine V. Price, Mortgagor, is distributed  
as her pro rata share of said interest on  
\$1,045.34, the amount distributed to her by  
aforegoing account as the amount of the mortgage  
due to her, is distributed the sum of . . . . . \$33.49

\$ 64.48 \$ 64.48

December 3, 1946.

MADISON BROWN

AUDITOR

Filed Dec 3<sup>rd</sup> 1946.

NISI AUDIT  
Filed Dec. 3<sup>rd</sup>, 1946.

Nisi Ratification of Audit

Harrison W. Vickers and Herbert )  
E. Perkins, Assignees, ) In the Circuit Court  
VS ) for Queen Anne's County  
Catherine V. Price and William ) In Equity  
H. Price, Mortgagors. ) Cause No. 3408

ORDERED, This 3<sup>rd</sup>. day of December in the year nineteen hundred and  
forty six, 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 27<sup>th</sup>. day of December, 1946; provided a copy of this order be published once  
a week in each of two successive weeks before the 20<sup>th</sup>. day of December, 1946, in some  
newspaper printed and published in Queen Anne's County.

A. SYDNEY GADD Jr. Clerk.

Filed December 3, 1946

CERTIFICATE OF PUBLICATION  
OF NISI AUDIT.  
Filed Dec. 27<sup>th</sup>, 1946.

Nisi Ratification of Audit

Harrison W. Vickers and Herbert  
E. Perkins, Assignees,  
vs.  
Catherine V. Price and William H.  
Price, Mortgagors.

Cause No. 3408

ORDERED, THIS 3<sup>rd</sup> day of Dec.ember in the year nineteen hundred and  
forty six, that the report and Account filed in these proceedings by Madison Brown, Audi-  
tor, be ratified and confirmed, unless cause to the contary thereof be shown on or before  
the 27<sup>th</sup>. day of December, 1946; provided a copy of this order be published once a week in  
each of two successive weeks before the 20<sup>th</sup>. day of December, 1946, in some newspaper  
printed and published in Queen Anne's County.

A. SYDNEY GADD, JR., Clerk

Filed December 3, 1946  
True Copy-  
Test: A. Sydney Gadd, Jr., Clerk

2t-12-12

Centreville, Md. Dec. 26, 1946.

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 Harrison W. Vickers and Herbert E. Perkins, Assignees vs Catherine V. Price and William H. Price, Mortgagors Cause 3403 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 20th. day of December 1946, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 5th. day of December 1946, and the last insertion on the 12th. day of December 1946.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

Filed Dec. 27th, 1946.

By PAUL B. SMITH

AUDIT  
Filed Dec. 27th 1946.

Harrison W. Vickers and  
Herbert E. Perkins, Assignees

vs.

Catherine V. Price and William  
H. Price, Mortgagors.

)  
)  
)  
)  
)  
)

Cause No. 3408

ORDER OF COURT

ORDERED this 27th. day of December, 1946, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court that the within and afore-going report and account of the Auditor be and the same is hereby ratified and confirmed, no cause to the contrary thereof having been shown, although due notice appears to have been given in accordance with the audit nisi heretofore passed in this cause, and the Assignees of mortgage are hereby directed to apply the proceeds of sale in accordance with said account with the due proportion of interest as the same has been or may hereafter be received.

Wm. R. HORNEY  
JUDGE.

Filed Dec. 27th, 1946.



C A U S E N O. 3 5 7 8

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 Fourth day of June, in the year nineteen hundred and forty nine, the following Bill of Complaint was brought to be recorded, to wit:

LINA V. JACOBS, ALFRED JACOBS, MARY	#	IN THE CIRCUIT COURT
JACOBS FRANKLIN and CLARENCE FRANKLIN,	#	FOR
her husband, DANIEL JACOBS, Infant, EDWIN	#	QUEEN ANNE'S COUNTY,
JACOBS, Infant, and EDNA JACOBS, Infant, by	#	IN EQUITY.
LINA V. JACOBS, their mother and next friend,	#	Cause No. 3578
all of Flowers Street, Berlin, Maryland, JOHN	#	
ROBERT JACOBS and HATTIE PURNELL JACOBS, his wife,	#	
and ROSETTA JACOBS, all of #2926 Haverford Ave,	#	
Philadelphia, Pennsylvania, HESTER JACOBS KILSON	#	
and ANDREW KILSON, her husband, Centreville, R.R.,	#	
Maryland, and SADIE DEEDON of Centreville, Mary-	#	
land,	#	
Complainants	#	
VS.	#	
DANIEL JACOBS, Infant, EDWIN JACOBS, Infant, and	#	
Edna Jacobs, Infant, all of Flowers Street, Berlin,	#	
Maryland.	#	
Defendants	#	

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Orators complaining, say:

1. That one, Cato Jacobs, late of Queen Anne's County, Maryland, deceased, died entestate in the year 1933, possessed of no personal estate of any value, and no letters of administration have been granted on his estate, but seized and possessed of all that tract or lot of land situate, lying and being on the North side of Liberty Street extended, in the town of Centreville, in the Third Election District of Queen Anne's County, State of Maryland, adjoining on the one side the property now or formerly owned by Talbot Gardner, and in the rear by the property now or formerly owned by the Wolley Heirs, with a frontage on said Liberty Street of 24 feet and a depth extending therefrom of 136 feet, the same being granted and conveyed to the said Cato Jacobs by deed from Margaret S. Bordley and James Bordley, her husband, by deed dated the 9th. day of April, 1925, and recorded in Liber B.H.T. No. 3, folio 340, a Land Record Book for Queen Anne's County, a certified copy of which deed marked "Complainants Exhibit No. 1" is filed herewith and prayed to be taken as a part hereof.
2. That the said Cato Jacobs being so seized and possessed, dying intestate, left surviving him the following heirs-at-law; Line V. Jacobs, surviving widow, and the following children, namely, Hester Jacobs Kilson, John Robert Jacobs, Rosetta Jacobs, Alfred Jacobs, Mary Jacobs Franklin, Daniel Jacobs, Edwin Jacobs, Edna Jacobs, Elwood Jacobs and Jerome Jacobs.
3. That the said Elwood Jacobs died in infancy on the 21st, day of October, 1942, and the said Jerome Jacobs died in infancy on the 27th. day of April, 1947, that upon the death of said infants, their interest in the aforesaid real estate became vested in their mother, the said Lina V. Jacobs: that the real estate aforesaid is now vested in your Oratrix, Lina V. Jacobs, to the extent of an undivided fourteen thirteths part or interest, and in John Robert Jacobs, Alfred Jacobs, Rosetta Jacobs, Mary Jacobs Franklin, Hester Jacobs Kilson, all Complainants herein, and in the Defendants, Infants, Daniel Jacobs, Edwin Jacobs, and Edna Jacobs, each to the extent of an undivided two thirtieth interest of part.
4. That the said Lina V. Jacobs, surviving widow, in the belief that said real estate was held by her and the said Cato Jacobs, as tenants by the entireties, and since the dwelling house, the only improvement on said real estate, was barely habitable, entered into a verbal agreement of sale with the Complainant, Sadie Deeton, to sell the same to her at and for the sum of FOUR HUNDRED AND FIFTY DOLLARD (\$450.00), sometime in the year 1942, and that the said Sadie Deeton then and there made a substantial payment on account of said purchase price, agreeing to shortly pay the balance thereof, took possession of same, making many payments on account of said purchase price, vastly improving the dwelling house thereon, paying water rent and taxes and fire insurance premiums on said improvements, so that there now remains as due and owing by her on the balance of the purchase money only the sum of \$92.74; and of the amounts so paid, the said Lina V. Jacobs has received the sum of \$125.00, and Charles E. Tucker, former attorney for the said Sadie Deeton, but now acting as Agent for the heirs of Cato Jacobs, now holds for said heirs the sum of \$232.26.
5. That all of the adult children of the said Cato Jacobs, deceased, believing that the sale to be to their interest and advantage, have entered into an agreement with the purchaser, and in which the said Lina V. Jacobs, has joined, admitting the receipt of payments as aforesaid and now seek the approval and ratification of the sale so made by this Honorable Court, a copy of which Contract of Sale marked "Complaints Exhibit No. 2", is attached hereto and prayed to be taken as a part hereof as fully as if set forth verbatim in this Bill.
6. That the aforesaid real estate is not susceptible of division among those entitled to same agreeably to their respective interestes therein without loss or injury.
7. That it is to the interest and advantage of the said Infants, Daniel Jacobs, Edwin Jacobs and Edna Jacobs that this Honorable Court pass a decree in this cause ratifying and confirming the said sale made to the said Sadie Deeton, upon terms thereof as set forth in said Contract of Sale.

8. That the Complainant, John Robert Jacobs, is married to the Complainant, Hattie Purnell Jacobs; that the complainant, Mary Jacobs Franklin, is married to the Complainant, Clarence Franklin; that the Complainant, Hester Jacobs Kilson, is married to the Complainant, Andrew Kilson: That all the other parties to this cause are unmarried: That all the parties to this cause save and except Daniel Jacobs, Edwin Jacobs and Edna Jacobs are adults.

Wherefore your Complainants respectfully prays:

1. That a Decree of this Court may be passed ratifying and confirming the sale of the aforesaid real estate to Sadie Deedon, in accordance with the terms of sale as set forth in said Contract of Sale filed herein, and may appoint a Trustee or Trustees to carry out said Contract and sale and upon full compliance therewith by the purchaser and the full payment of the purchase price, and not before, grant and convey the aforesaid real estate by a good and sufficient deed to the purchaser, granting and conveying to her all the right, title, interest and estate of all the parties to this cause or anyone claiming by through or under them or any of them.
2. That as soon as convenient after making said sale, the said Trustee or Trustees shall make a report of same to this Court and bring all purchase money still due and owing under said contract of sale into this Court for distribution under the further order of this Court.
3. That your Complainants may have such other and further relief as may be right and proper in the premises.

And as in duty bound &etc.,

RICHARD T. EARLE  
Atty. for Sellers

CLAYTON C. CARTER  
Atty. for Purchaser

CERTIFIED COPY OF DEED  
Filed June 4, 1948.

#11,213. QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the twenty third day of April, in the year nineteen hundred and twenty five, the following Deed was brought to be recorded, to wit:-

THIS DEED, made this ninth day of April, in the year nineteen hundred and twenty five by and between Margaret C. Bordley and James Bordley, her husband, parties of the first part, of Baltimore City, State of Maryland, and Cato Jacobs party of the second part, of Queen Anne's County, in the State of Maryland, witnesseth:

That in consideration of the sum of three hundred dollars the receipt of which is hereby acknowledged the said parties of the first part do hereby grant and convey unto the said Cato Jacobs in fee simple, all that house and lot situated in the town of Centreville, Queen Anne's County, State aforesaid, described as follows, Beginning for the same on the north side of Liberty Street extended and adjoining on one side the property of Talbot Gardner and on the rear by the property formerly owned by the Woolley heirs, with a frontage on said Liberty Street of twenty four feet and a depth of one hundred and thirty six feet being the same property described in a deed from on Susan C. Wilson to the said Margaret C. Bordley, dated July 22nd. 1924, and recorded among the land records of said Queen Anne's County, in Liber B.H.T. #2, folio 191, to which deed reference is hereby made for a more full and complete description of said hereby granted property.

Together with all the rights, roads, ways, buildings, privileges and appurtenances thereto belonging or otherwise appertaining, and the said Margaret C. Bordley covenants that she will warrant specially the property hereby conveyed.

As witness the hands and seals of the above grantors, the day and year above written.

TEST: Ruth M. Ogle.

Margaret C. Bordley. (SEAL)

James Bordley. (SEAL)

STATE OF MARYLAND, BALTIMORE CITY, SCT:-

I hereby certify that on this 11th. day of April, in the year nineteen hundred and twenty five, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore City aforesaid, personally appeared the within named Margaret C. Bordley, and Jas. Bordley, her husband, and did each acknowledged the within and foregoing deed to be their respective act.

Notary  
Public  
Seal.

Ruth M. Ogle. N.P.

One Fifty cent Int.  
Rev. Stamp, endorsed:  
CJ. 4/11/25.

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. 3, folio 340, a Land Record Book for Queen Anne's County.

Seal's  
Place.

In testimony whereof, I have hereunto subscribed my name and affixed the seal of the Circuit Court for Queen Anne's County this 3rd day of June in the year nineteen hundred and forty eight.

NELLIE B. WHITELEY  
Clerk.

COMPLAINANTS EXHIBIT #2  
 Filed June 4, 1948.

THIS CONTRACT OF SALE, made this 31st day of May 1948, by and between LINVA V. JACOBS, widow, of Worcester County, Maryland; JOHN ROBERT JACOBS and HATTIE PURNELL JACOBS, his wife of Philadelphia, Pennsylvania; ROSETTA JACOBS, single lady, of PHILADELPHIA, Pennsylvania; ALFRED JACOBS, bachelor, of Worcester County, Maryland; MARY JACOBS FRANKLIN and CLARENCE FRANKLIN, her husband, of Worcester County, Maryland; HESTER JACOBS KILSON and ANDREW KILSON, her husband of Queen Anne's County, Maryland; and DANIEL JACOBS, EDWIN JACOBS, EDNA JACOBS, infants, by Lina V. Jacobs, their mother and next friend, all of Worcester County, Maryland, parties of the first part and SADIE DEEDON, of Queen Anne's County, Maryland, party of the second part. The parties of the first part are hereinafter referred to as SELLERS, and the party of the second part is hereinafter referred to as PURCHASER.

WHEREAS, Cato Jacobs, late of Queen Anne's County, Maryland, deceased, departed this life sometime in the year 1933, intestate, seized and possessed of the following described real estate, to wit:

ALL that house and lot situated in the town of Centreville, Queen Anne's County, State of Maryland, described as follows: BEGINNING for the same on the north side of Liberty Street extended and adjoining on one side the property of or formerly of Talbot Gardner and on the rear by the property formerly owned by the Wolley heirs, with a frontage on said Liberty Street of twenty four feet and a depth of one hundred and thirty-six feet. BEING the same property described in a deed from Margaret C. Borderly and James Bordley, her husband, to Cato Jacobs, dated the 9th day of April, 1925 and recorded among the land records for Queen Anne's County in Liber B.H.T. No. 3, folio 340.

AND WHEREAS, the said Cato Jacobs departed this life, intestate as aforesaid, leaving surviving him as his only heirs at law and unto whom the said land descended, Lina V. Jacobs, his widow, to the extent of a one-third interest, Hester Jacobs Kilson, John Robert Jacobs, Rosetta Jacobs, Alfred Jacobs, Mary Jacobs Franklin, Daniel Jacobs, Edwin Jacobs, Edna Jacobs, Elwood Jacobs and Jerome Jacobs, his children, each to the extent of a two thirtieths interest; and

WHEREAS, Elwood Jacobs and Jerome Jacobs departed this life on the 31st day of October 1942 and the 27th day of April, 1947 respectively, each intestate, unmarried and possessed of a two thirtieths interest in the real estate aforesaid, leaving surviving them as their only heir at law, the said Lina V. Jacobs, their mother, unto whom their four thirtieths interest descended; and

WHEREAS, the said Lina V. Jacobs, believing that she was the sole owner of the aforesaid real estate by right of survivorship, agreed sometime in the year 1942 to sell the aforesaid real estate, together with the improvements thereon, at and for the sum of Four Hundred and Fifty (\$450.00) Dollars, to the said Purchaser because the said property was producing only a small annual income and was in such a state of disrepair that it was not fit for human habitation; and

WHEREAS, the said Purchaser entered into possession of said property on or about the 1st day of July, 1942 and has since that date kept the same insured against loss by fire, paid all charges for water rent and electricity and all taxes levied thereon and has made extensive improvements thereon; and

WHEREAS, the Purchaser has to date paid large sums of money on account of the said purchase price to the former agent of the said Lina V. Jacobs, Charles A. Haymaker of Centreville, Queen Anne's County, Maryland; and

WHEREAS, the said agent has paid over to the said Lina V. Jacobs the sum of One Hundred and Twenty Five (\$125.00) Dollars on account of her interest in said purchase money, and paid over the remainder of said sums to the Purchaser's former attorney, Charles E. Tucker of Centreville, Queen Anne's County, Maryland, in the amount of Two Hundred and Sixty-four Dollars and Thirty-nine Cents (\$264.39); and

WHEREAS, the said Charles E. Tucker is holding for the heirs at law of the said Cato Jacobs the said sum of Two Hundred and Sixty-four Dollars and Thirty-nine Cents (\$264.39) on account of the said purchase price, less the sum of \$16.75 expended for fire insurance and the sum of \$15.38 expended for taxes levied on said property, or a balance of \$232.26 on account of said purchase price; and

WHEREAS the parties hereto are now desirous of more fully defining their rights and obligations and of ratifying the aforesaid agreement of sale.

NOW, THEREFORE, THIS CONTRACT OF SALE WITNESSETH, that for and in consideration of the sum of Four Hundred and Fifty (\$450.00) Dollars, for which a receipt of One Hundred and Twenty-five (\$125.00) Dollars is hereby acknowledged by Lina V. Jacobs in her individual capacity, and a receipt of Two Hundred and Thirty-two Dollars and Twenty-six Cents (\$232.26) is hereby acknowledged by the said Sellers, said Sellers do hereby agree to sell unto the said Purchaser, and the said Purchaser does hereby agree to purchase from the Sellers, all that lot and premises as hereinbefore described, upon the following terms and conditions, that is to say:

1. PAYMENT OF PURCHASE MONEY. The balance of the said purchase price of Four Hundred and Fifty (\$450.00) Dollars, in the amount of Ninety Two Dollars and Seventy-four Cents (\$92.74), to be paid in cash or by check at the time of final settlement and passing of deed, which shall take place within thirty (30) days after the final ratification of this sale by the Circuit Court for Queen Anne's County, in Equity, as hereinafter provided for.

2. POSSESSION. The Purchaser is to remain in possession of said premises as it now exists.

3. TAXES. All State, County, School and Municipal taxes levied on said property shall be borne by said Purchaser so long as she shall remain in possession thereof.

4. INSURANCE. The Purchaser agrees to continue, so long as she remains in possession of said premises, such fire insurance policies covering the building on the aforesaid real estate as are now in force thereon.

5. INTEREST. No interest on the aforesaid purchase price, or any part thereof, shall be paid by the Purchaser.

6. CHANCERY PROCEEDINGS. The proceedings in chancery to procure the ratification of the sale under this Contract of Sale by the Circuit Court for Queen Anne's County, in Equity, shall be brought in the names of all said Sellers and Purchaser as complainants against Daniel Jacobs, Edwin Jacobs and Edna Jacobs, infants, and such other persons and bodies corporate, as defendants, as may be necessary to assure the Purchasers a good and marketable fee simple title to said lot and premises, free and clear of all liens and encumbrances of whatsoever kind or nature. All costs and expenses incident to said Chancery proceedings, including the usual commissions allowed trustees for selling real estate under a decree of the Circuit Court for Queen Anne's County, in Equity, to be paid to Richard T. Earle and Clayton C. Carter, and/or to such other person or persons as the said Court may appoint as trustees to carry out this Contract of Sale, shall be borne by the Sellers and shall be deducted from the proceeds of sale.

7. TITLE. It is understood and agreed that the Purchaser shall pay for the preparation of a deed from the trustee or trustees appointed by said Court as aforesaid unto said Purchaser, and pay also for the necessary revenue and recordation stamps to be affixed to said deed as well as all recording costs and charges incident thereto.

WITNESS the hands and seals of the parties to this Contract of Sale, executed the day and year first above written.

TEST:

FREDERICK W. BRUECKMANN as to LINA V. JACOBS (SEAL)  
Lina V. Jacobs

\_\_\_\_\_ as to JOHN ROBERT JACOBS (SEAL)  
John Robert Jacobs

\_\_\_\_\_ as to HATTIE PURNELL JACOBS (SEAL)  
Hattie Purnell Jacobs

\_\_\_\_\_ as to ROSETTA JACOBS (SEAL)  
Rosetta Jacobs

\_\_\_\_\_ as to ALFRED C. JACOBS (SEAL)  
Alfred Jacobs

\_\_\_\_\_ as to MARY JACOBS FRANKLIN (SEAL)  
Mary Jacobs Franklin

\_\_\_\_\_ as to CLARENCE FRANKLIN (SEAL)  
Clarence Franklin

CLAYTON C. CARTER as to HESTER JACOBS KILSON (SEAL)  
Hester Jacobs Kilson

CLAYTON C. CARTER as to ANDREW KILSON (SEAL)  
Andrew Kilson

DANIEL JACOBS  
Daniel Jacobs

AS TO Lina V. Jacobs  
for Infants: EDWIN JACOBS  
Edwin Jacobs

FREDERICK W. BRUECKMANN as to EDNA JACOBS  
Edna Jacobs

BY LINA V. JACOBS (SEAL)  
Lina V. Jacobs, their  
mother and next friend

Sellers.

WILLIAM M. FREESTATE as to SADIE DEEDON (SEAL)  
Sadie Deedon

Purchaser.

SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER  
June 11, 1948.

The State of Maryland

Seal's  
Place.

QUEEN ANNE'S COUNTY, TO WIT:

TO

Daniel Jacobs, infant, of Flowers Street, Berling, Maryland,

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of July next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Lina V. Jacobs, Alfred Jacobs, Mary Jacobs Franklin and Clarence Franklin, her husband, Daniel Jacobs, infant, Edwin Jacobs, infant, and Edna Jacobs, infant, by Lina V. Jacobs, their mother and next friend, all of Flowers Street, Berlin, Maryland, John Robert Jacobs and Hattie Purnell Jacobs, his wife, and Rosetta Jacobs, all of #2926 Haverford Ave., Philadelphia, Pennsylvania, Hester Jacobs Kilson and Andrew Kilson, her husband, Centreville, R. R., Maryland, and Sadie Deedon, of Centreville, Maryland, against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable J. Owen Knotts, Chief Judge of the Second Judicial Circuit of Maryland, the 3rd. day of May, 1948.

Issued the 4th. day of June, 1948.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office within fifteen days after the return day named in the above subpoena. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, Complaint(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Name Richard T. Earle  
Clayton C. Carter  
Address Centreville, Maryland.

NELLIE B. WHITELEY, Clerk

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

Received June 8, 1948 and forthwith delivered to the Sheriff of Worcester County.

Test: CHARLES W. NELSON, JR. Clerk.

Summoned the within named infant defendant, Daniel Jacobs, by reading within process to him in the presence of Lina V. Jacobs, mother of said infant defendant with whom said infant defendant resides and a copy of the process and of the bill of complaint left with the said Lina V. Jacobs, this 9th day of June, 1948, at 1.00 o'clock P.M.

Son. ans.

Arthur W. Duer  
Sheriff of Worcester County,  
Maryland.

By WALLACE CARMEAN  
Deputy.

SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
Filed June 11, 1948.

The State of Maryland

Seal's  
Place.

QUEEN ANNE'S COUNTY, TO WIT:

TO

Edwin Jacobs, infant, of Flowers Street, Berlin, Maryland,

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of July next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Lina V. Jacobs, Alfred Jacobs, Mary Jacobs Franklin and Clarence Franklin, her husband, Daniel Jacobs, infant, Edwin Jacobs, infant, and Edna Jacobs, infant, by Lina V. Jacobs, their mother and next friend, all of Flowers Street, Berlin, Maryland, John Robert Jacobs and Hattie Purnell Jacobs, his wife, and Rosetta Jacobs, all of #2926 Haverford Ave., Philadelphia, Pennsylvania, Hester Jacobs Kilson and Andrew Kilson, her husband, Centreville, R. R., Maryland, and Sadie Deedon, of Centreville, Maryland, against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable J. Owen Knotts, Chief Judge of the Second Judicial Circuit of Maryland, the 3rd. day of May, 1948.

Issued the 4th. day of June, 1948.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office within fifteen days after the return day named in the above subpoena. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, Complaint(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Name Richard T. Earle  
Clayton C. Carter  
Address Centreville, Maryland

NELLIE B. WHITELEY Clerk

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

Received June 8, 1948/forthwith delivered to the Sheriff of Worcester County.

Test: CHARLES W. NELSON, JR. Clerk

Summoned the within named infant defendant, Edwin Jacobs, by reading within process to him in the presence of Lina V. Jacobs, mother of said infant defendant with whom said infant defendant resides and a copy of the process and of the bill of complaint left with the said Lina V. Jacobs, this 9th day of June, 1948, at 1.00 o'clock P.M.

Son. Ans.

Arthur W. Duer  
Sheriff of Worcester County,  
Maryland.

By WALLACE CARMEAN  
Deputy.

SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
Filed June 11, 1948.

The State of Maryland

QUEEN ANNE'S COUNTY, TO WIT:

Seal's  
Place

TO

Edna Jacobs, infant, of Flowers Street, Berlin, Maryland,

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of July next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Lina V. Jacobs, Alfred Jacobs, Mary Jacobs Franklin and Clarence Franklin, her husband, Daniel Jacobs, infant, Edwin Jacobs, infant, and Edna Jacobs, infant, by Lina V. Jacobs, their mother and next friend, all of Flowers Street, Berlin, Maryland, John Robert Jacobs and Hattie Purnell Jacobs, his wife, and Rosetta Jacobs, all of #2926 Haverford Ave., Philadelphia, Pennsylvania, Hester Jacobs Kilson and Andrew Kilson, her husband, Centreville, R. R., Maryland, and Sadie Deedon, of Centreville, Maryland, against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable J. Owen Knotts, Chief Judge of the Second Judicial Circuit of Maryland, the 3rd. day of May, 1948.

Issued the 4th. day of June, 1948.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office within fifteen days after the return day named in the above subpoena. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named. Complaint(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Name Richard T. Earle  
Clayton C. Carter  
Address Centreville, Maryland

NELLIE B. WHITELEY, Clerk

Received June 8, 1948 and forth-  
with delivered to the Sheriff of Worcester  
County.

Test: CHARLES W. NELSON, Jr. Clerk.

Summoned the within named infant defendant, Edna Jacobs, by reading within process to her in the presence of Lina V. Jacobs, mother of said infant defendant with whom said infant defendant resides and a copy of the process and of the bill of complaint left with the said Lina V. Jacobs, this 9th day of June, 1948, at 1.00 o'clock P. M.

Son. ans.

ARTHUR W. DUER  
Sheriff of Worcester County,  
Maryland.

By WALLACE CARMEAN  
Deputy.

Filed June 11, 1948.

PETITION  
Filed July 6, 1948

LINA V. JACOBS, et al  
Complainants

vs.

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

DANIEL JACOBS, Infant, : Cause No. 3578  
et al, :  
Defendants :

:::

PETITION

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Richard T. Earle and Clayton C. Carter, Attorneys for the Complainants in the above entitled cause respectfully shows:

1. That all the Defendants in this cause are infants.
2. That the said Infants have all been duly summoned and copy of Bill of Complainant left with Lina V. Jacobs, their mother and natural guardian, as per return of said subpoenas duly filed herein.

WHEREFORE, your Petitioners pray

That a Guardian at Litem be appointed for said Infants and that he file an answer for said Infants to said Bill of Complaint.

AND AS in duty bound, etc.

RICHARD T. EARLE

CLAYTON C. CARTER  
Attys for Complainants.

Filed July 6, 1948

ORDER OF COURT  
Filed July 6, 1948

LINA V. JACOBS, et al,	:	IN THE CIRCUIT COURT FOR
Complainants	:	QUEEN ANNE'S COUNTY
vs.	:	IN EQUITY
DANIEL JABOS, Infant, et al	:	Cause No. 3578
Defendants	:	

:::

ORDER OF COURT

The within and foregoing Petition having been read and considered and the Infant Defendants having been duly summoned, IT IS THEREUPON this 6th day of July, 1948 ORDERED by the Circuit Court for Queen Anne's County, In Equity, that J. Thomas Clark be and he is hereby appointed Guardian Ad Litem for the Infant Defendants, Daniel Jacobs, Edwin Jacobs and Edna Jacobs in the above-entitled cause to file such an Answer in this cause as will protect the rights of said Infants.

Wm. R. HORNEY  
Judge

Filed July 6, 1948

ANSWER  
Filed July 7, 1948

Lina V. Jacobs, et al,	In The Circuit Court for
Complainants	Queen Anne's County
VS.	In Equity
Daniel Jacobs, Infant, et al	Cause No. 3578
Defendants	

To The Honorable, The Judges of Said Court:

The Answer of Daniel Jacobs, infant, Edwin Jacobs, infant, and Edna Jacobs, infant, by J. Thomas Clark, Guardian Ad Litem, duly appointed by order of the Circuit Court of Queen Anne's County, in equity, on the 6th day of July, 1948, to the Bill of Complaint of Lina V. Jacobs, et al, against them in this Court exhibited, these Defendants, being infants, cannot admit any of the matter and things in said Bill alleged, and submit their rights thereunder to the protection of this Court.

And as in duty bound, etc.

J. THOMAS CLARK  
Guardian Ad Litem

OATH OF GUARDIAN AD LITEM  
Filed July 7, 1948

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

I Hereby Certify, that on this 7th day of July, 1948, before me, the Subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared

J. Thomas Clark, Guardian Ad Litem for Daniel Jacobs, Edwin Jacobs, and Edna Jacobs, and made oath in due form of law that the matter and facts in the foregoing Answer are true to the best of his knowledge and belief.

NELLIE B. WHITELEY  
Clerk of the Circuit Court  
for Queen Anne's County

Filed July 7, 1948.

DEPOSITIONS  
Filed July 19, 1948.

LINA V. JACOBS, et al	:	IN THE CIRCUIT COURT FOR
Complainants	:	QUEEN ANNE'S COUNTY
vs.	:	IN EQUITY
	:	
DANIEL JACOBS, Infant, et al	:	Cause No. 3578
Defendants	:	
	:::	

TO THE HONORABLE, THE JUDGES OF SAID COURT:

One of the solicitors for the Complainants, Richard T. Earle, having notified the subscriber, one of the regular examiners for this Honorable Court, of his desire to take testimony in this case, your examiner did attend on the 17th day of July, 1948, in the law office of Clayton C. Carter, Esq., in the town of Centreville, Queen Anne's County, Maryland, at the hour of 11:00 o'clock A.M.; there being present Lina V. Jacobs and Sadie Deedon, two of the complainants in this cause, J. Grant Yates, Sr. and Charles A. Haymaker, two witnesses called by the Complainants and Richard T. Earle and Clayton C. Carter, solicitors for the Complainants, and proceeded to take the following testimony, to wit:

Lina V. Jacobs, one of the Complainants in this cause, of lawful age, being duly sworn and examined, did depose and say:

By Mr. Earle:

Q. 1. State your name, age, residence and occupation

A. Lina V. Jacobs; 53 years old; Berlin, Maryland; General house work.

Q. 2. Do you know the parties to this cause or any of them?

A. Yes, I am Lina V. Jacobs, one of the parties. Alfred Jacobs, Mary Jacobs Franklin, Daniel Jacobs, Edwin Jacobs, Edna Jacobs, John Roberts Jacobs and Rosetta Jacobs are all my children by Cato Jacobs, deceased, my late husband. Hester Jacobs Kilson is the daughter of Cato Jacobs by his first wife, now deceased. Sadie Deedon bought the property in question from me.

Q. 3. Did you know Cato Jacobs? Is he living or dead; if dead, did he leave a last will and testament; if not, have letters of administration ever been granted on his estate?

A. He was my husband, He is dead, having died in February, 1931. He did not leave a last will and testament, and no letters of administration have ever been taken out on his estate.

Q. 4. Did the said Cato Jacobs leave any personal estate of any value or any real estate?

A. He left no personal estate of any value, but he left real which is the basis of this suit.

Q. 5. I hand you now Complainants' "Exhibit No. 1", a certified copy of a deed from Margaret C. Bordley and James Bordley, her husband to Cato Jacobs. Can you identify the property therein described? Is that the property which is the subject of this cause?

A. Yes, this a deed of the property which the heirs of Cato Jacobs have agreed to sell to Sadie Deedon.

Q. 6. Are all the children of Cato Jacobs living or not? If not, when did they die and what age were those who died?

A. There are 2 children of Cato Jacobs who have died since Cato Jacobs died. Elwood died Oct. 31, 1942 at age 19 and Jerome died April 27, 1947 at age 18.

Q. 7. Are any of the children of Cato Jacobs married? If so, state the names of their respective husbands or wives and their residences.

A. Hester Jacobs married Andrew Kilson and they live in Queen Anne's County. Mary Jacobs married Clarence Franklin and they live with me at Flower Street, Berlin, Maryland. John Robert Jacobs married Hattie Purnell and they live at 2926 Haverford Avenue, Philadelphia, Penna..

Q. 8. Upon the death of Cato Jacobs, what became of any real estate left by Him?

A. Upon the death of Cato Jacobs, my children and I lived in his residence property here involved until about 1940; then I left with my children and went to Berlin, Maryland to live. Charles Haymaker of Centreville rented the property for me and paid me the rent until 1942 when I sold the property to Sadie Deedon, believing that I had a right to sell it as sole owner.

Q. 9. I now hand you Complainants' "Exhibit No. 2", purporting to be an agreement of sale between all of the heirs of Cato Jacobs and Sadie Deedon, the purchaser of said property. Can you identify the same, and are the terms therein set forth the terms that you and Sadie



Deedon agreed upon?

A. The agreement sets out fully all the terms we agreed upon. I have received the sum of \$125 of the purchase price, which Mr. Haymaker sent me some time ago. The agreement was signed by all the parties in my presence, except Sadie Deedon. The heirs and my self would like to have the court enforce the agreement for it is quite satisfactory to us.

Q. 10. Is the real estate, which you have identified as belonging to Cato Jacobs at the time of his death, able to be divided among you and his children equally? If not, why not?

A. No. The reason is that the property has only a frontage of 24 feet on Liberty Street and only one small dwelling house thereon and is therefore not capable of being divided between us.

Q. 11. How many payments have been made on the purchase price stated in the agreement of sale which you have before you, and how much of said payments have you received?

A. I have received \$125, paid to me by Mr. Charles Haymaker. The other payments I have no knowledge of because Mr. Tucker has not accounted to me, but I presume they are as stated in the agreement. I authorized Mr. Tucker to obtain the balance of the purchase money paid to Charles Haymaker and to try to get the title straightened out. Mr. Tucker advised me that the title was in my children as well as myself and that he would hold the money until the title had been straightened out by court action since some of it went to my children under 21.

Q. 12. Did you consider at the time of entering into this agreement of sale that the same was of interest and advantage to your infant children? If so, why?

A. I did because at the time of sale to Sadie Deedon the roof leaked, the porch was falling off and the house was hardly liveable, and I had no money for repairs; and, therefore, I considered the sale to the interest and advantage of the children.

EXAMINER'S SPECIAL

Do you know, or can you state, any other matter or thing which may be of advantage to the parties to this cause, or the matters in question between the parties? If so, state the same fully and at large in your answer.

A. Nothing that I can think of, except that Cato Jacobs was married three times. His first wife died leaving Hester Killson surviving. He had no children by his second wife, who died before he married me. Three of my children are under 21. They all live with me at Flower St., Berline, Maryland. Daniel is 18 and Edwin and Edna, who are twins, are 17.

LINA V. JACOBS

Sadie Deedon, one of the Complainants in this cause, being duly sworn and examined did depose and say:

By Mr. Carter:

Q. 1. State your name, age, residence and occupation.

A. Sadie Deedon; 40 years; Centreville, Maryland; housewife.

Q. 2. Are you one of the Complainants in this cause?

A. Yes.

Q. 3. Did you agree with Lina V. Jacobs to purchase the residence property of the late Cato Jacobs, deceased, located on North Liberty Street in the Town of Centreville in July 1942 for the purchase price of \$450.00?

A. I did.

Q. 4. What was the condition of the said property at that time?

A. It was in pretty bad condition, the front porch was very bad, one small room had to be completely torn down; the roof leaked in the back. New doors had to be put on and all the windows had to be fixed.

Q. 5. When did you enter into possession of said property?

A. I bought it in 1942 and made a payment on the same to Charles A. Haymaker, took possession of it and rented it for several years.

Q. 6. Have you made any improvements on said property? If so, state their nature and the approximate amount you expended in making such improvements.

A. Yes. I built a porch, had one room rebuilt, fixed the roof, had kitchen fixed with beaver board, put about 5 new doors in it and had to put panes in many windows and other fixed with putty. Had new base boards and molding put in six rooms. Painted and papered whole house and had whole house wired. I am now building a new kitchen. Had new sills placed under porch, and had some new flooring in part of house.

Q. 7. I now hand you a paper marked "Exhibit" 2. Please look at it and state what it is.

A. This is the contract of sale between the heirs of Cato Jacobs and myself, whereby I agreed to pay \$450 for the property in question.

Q. 8. Have you made any payments on account of the purchase price.

If so, state to whom you made the payments.

A. I have paid on the purchase price of \$450 all except \$92.74. All payments were made to Mr. Charles A. Haymaker.

Q. 9. Have you paid the taxes, water rent and insurance on this property since you agreed to buy it?

A. Yes, I have paid all fire insurance and all taxes on the property except certain payments made by Charles E. Tucker.

Q. 10. Has Lina Jacobs or any of the heirs of Cato Jacobs, deceased, to your knowledge paid any taxes, water rent, or insurance on this property since 1942?

A. No sir, but Charles E. Tucker has paid some of the taxes and insurance, but I have always paid the water rent since I bought the property in 1942.

EXAMINER'S SPECIAL

Do you know, or can you state, any other matter or thing which may be of advantage to any of the parties to this cause, or the matters in question between the parties? If yes, state the same fully and at large in your answer.

A. No - HCB

SADIE DEEDON

Charles A. Haymaker, the next witness of lawful age produced on the Plaintiffs, being duly sworn and examined, did depose and say:

By Mr. Carter:

Q. 1. State your name, age, residence and occupation.

A. Charles A. Haymaker; 42 years; Centreville, Md.; salesman.

Q. 2. Do you know any or all of the parties to this cause?

A. Yes, I know them all.

Q. 3. Do you know whether or not Sadie Deedon agreed with Lina V. Jacobs sometime in the year 1942 to purchase the residence property on North Liberty Street in the Town of Centreville of the late Cato Jacobs, deceased?

A. Yes, Lina V. Jacobs wrote me a letter that she had sold it to Sadie Deedon for \$450.00.

Q. 4. Would you please state fully how you knew of said agreement and what part you played, if any, in helping the parties to this cause to carry it out.

A. I was informed by Lina Jacobs and she asked me to collect the payments on the purchase price.

Q. 5. How much of the purchase money that you collected as agent of Lina V. Jacobs did you turn over to her?

A. \$125.00 I paid over to Lina V. Jacobs direct.

Q. 6. What did you do with the remainder of the purchase money you collected?

A. I took out a commission as agent in the amount of \$22.50 and I turned over to Charles E. Tucker, Att'y. the sum of \$264.39 by check dated December 12, 1944, No. 273 drawn on the Brooklyn-Curtis Bay Bank of Annapolis Banking and Trust Company of Baltimore, Maryland payable to the order of Charles E. Tucker, Att'y., which check was endorsed by Mr. Tucker and A. J. Epstein and has been returned to me as a cancelled check.

Q. 8. Do you have personal knowledge of the condition of the property here involved, and if so, state what was its condition in July 1942.

A. Yes. The porch was in fair condition, but I had done some repairs to the property to the date previous to the purchase.

Q. B. A. Are you familiar with real estate values in Centreville?

A. Yes, I am.

Q. 9. As of July 1942, do you think that the price of \$450.00 was a fair and reasonable price for the purchase of the residence property of the late Cato Jacobs?

A. 10. In your opinion would it have been to the interest and advantage of the infant children of Cato Jacobs, deceased, to have their interest in said real estate sold and the proceeds invested in some productive fund under the protection of a Court of competent jurisdiction?

A. Yes.

Q. 11. Would you state whether or not the residence property of the late Cato Jacobs, deceased, is susceptible of division or partition among his heirs at law.

A. No, it was no way possible to divide it other than selling it.

EXAMINERS'S SPECIAL:

Do you know, or can you state, any other matter or thing which may be of advantage to the parties to this cause, or the matters in question between the parties? If so, state the same fully and at large in your answer.

A.

C. A. HAYMAKER

J. Grant Yates, Sr., the next witness of lawful age produced on the part of the Plaintiffs, being duly sworn and examined, did depose and say:

By Mr. Carter:

Q. 1. State your name, age, residence and occupation.

A. J. Grant Yates, Sr., 49 years, Centreville, Maryland; farmer.

Q. 2. Are you familiar with the residence property on North Liberty Street in the Town of Centreville of the late Cato Jacobs, deceased?

A. I am.

Q. 3. As of July 1942 when Sadie Deeton, the purchaser, first agreed to buy the Cato Jacobs residence property, do you think that the price of \$450.00 was a fair price?

A. It was.

Q. 4. State your reasons why you think \$450.00 was a fair price.

A. It was running down and would have required a great many repairs to put it in a livable condition.

Q. 4A. Are you familiar with real estate values in Centreville?

A. I am.

Q. 5. In your opinion would it have been to the interest and advantage of the infant children of Cato Jacobs, deceased to have their interest in said real estate sold and the proceeds invested in some productive fund.

A. I would say yes.

Q. 6. Would you state whether or not the residence property of the late Cato Jacobs, deceased, is susceptible of division or partition among his heirs at law?

A. No, because it is only a small lot with a small house on it.

EXAMINER'S SPECIAL

Do you know, or can you state, any other matter or thing which may be of advantage to the parties to this cause, or the matters in question between the parties? If yes, state the same fully and at large in your answer.

A. No.

J. GRANT YATES

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 Examiner now makes his return and certifies that he was engaged as such Examiner in taking this testimony days and examined four witnesses, making the costs chargeable in this Cause as follows, to wit:

Harry C. Butler, Examiner.....	\$8.00
All witnesses waiver their fee.....	.00
	<u>\$8.00</u>

Your Examiner has been advised by Richard T. Earle, one of the solicitors for Complainants in this cause that Charles E. Tucker, agent of Lina V. Jacobs and the children of Cato Jacobs, was notified of the time of taking testimony in this Cause, but that he did not desire to testify; however, the said Charles E. Tucker has read the transcript of the testimony in this Cause and indicated his approval of the same.

HARRY C. BUTLER  
HARRY C. BUTLER  
Examiner

Filed July 19, 1948.

DECREE  
Filed July 30, 1948.

LINA V. JACOBS et al, Complainants	:	IN THE CIRCUIT COURT
	:	FOR
vs.	:	QUEEN ANNE'S COUNTY
DANIEL JACOBS, Infant, et al Defendants	:	IN EQUITY
	:::	Cause No. 3578

## DECREE

This Cause standing ready for hearing, and being submitted without argument, the Bill of Complaint and other proceedings were read and considered.

IT is thereupon, on this 30th day of July, 1948, by the Circuit Court for Queen Anne's County, In Equity, and by the authority of said Court, ADJUDGED, ORDERED and DECREED as follows:

That the real estate mentioned and described in these proceedings having been sold under a contract of sale filed in these proceedings as Complainants' "Exhibit No. 2" to one of the Complainants, Sadie Deedon, at and for the sum of Four Hundred and Fifty Dollars (\$450.00), upon the terms set forth in said contract of sale, subject to the final ratification of said sale by this Court, be sold to her for the purpose of partition of the proceeds of sale among the parties entitled thereto.

That Richard T. Earle and Clayton C. Carter, of Queen Anne's County, State of Maryland, be and there are hereby appointed Trustees to carry out the terms of said contract and to make said sale, but before they shall proceed to act as such Trustees they shall file with the Clerk of this Court a bond to the State of Maryland to be executed by themselves, with a surety or sureties thereon to be approved by this Court, or the Clerk thereof, in the penalty of Four Hundred and Fifty Dollars (\$450.00) if corporate surety be given, and in double that amount if personal surety be given, conditioned upon the faithful performance of the trust reposed in them by this decree or which may be reposed in them by any future decree or order in the premises.

That as soon as may be convenient thereafter said Trustees shall return to this Court a full and particular account of said sale, with an affidavit of the truth and fairness thereof annexed.

That upon the final ratification of said sale by this Court, after the passage of the usual order nisi thereon and upon the payment to them of the whole purchase price, less the amount of One Hundred and Twenty-Five Dollars (\$125.00) previously paid to Lina V. Jacobs, one of the Complainants to this Cause, on account of her share of the proceeds of the said sale, and not before, said Trustees shall by a good and sufficient deed, to be by them executed and acknowledged agreeably to law, convey to the purchaser the property and estate so sold to her, free, clear and discharged of all claims of the parties to this cause, and of those claiming by, through and under them, or any of them.

That said Trustees shall bring into this Court all of the money arising from said sale, less the amount of One Hundred and Twenty-Five Dollars (\$125.00) previously paid to Lina V. Jacobs, one of the Complainants to this Cause, on account of her share of the proceeds of said sale, to be distributed under the future order of this Court, deducting thereout the costs of this proceeding and such commissions to said Trustees as the Court shall think proper to allow in consideration of the skill, attention and fidelity wherewith they shall appear to have discharged their trust.

AND it appearing that Lina V. Jacobs, one of the Complainants to this Cause, has previously received the sum of One Hundred and Twenty Five Dollars (\$125.00) on account of her share of the proceeds of this sale, the Trustees be and they are hereby relieved of bringing said sum into this Court; and further, the Regular Auditor of this Court be and he is hereby authorized and directed, upon the stating of the audit of this sale, to credit the sum of One Hundred and Twenty Five Dollars (\$125.00) to the share of the proceeds of this sale to which the said Lina V. Jacobs may be entitled.

AND IT IS FURTHER ORDERED that the Trustees in this Cause be and they are hereby directed to give notice to creditors of Cato Jacobs, Elwood Jacobs and Jerome Jacobs, deceased, as provided by law, not exceeding ninety days from the first publication thereof.

Wm. R. HORNEY  
WM. R. HORNEY  
Judge

Filed July 30, 1948

CERTIFIED COPY OF  
TRUSTEES' BOND  
Filed July 31, 1948

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Thirty First day of July, in the year nineteen hundred and forty eight, the following TRUSTEES' 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, Richard T. Earle and Clayton C. Carter, of Queen Anne's County, State of Maryland, as principals, and WILLIAM H. CARTER and J. GRANT YATES, SR., as sureties, are held and firmly bound unto the State of Maryland, in the full and just sum of Nine Hundred Dollars (\$900.00) current money of the United States of America, 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, our and each of our heirs, executors administrators and assigns, in the whole and for the whole, jointly and severally, formally by these presents seals with our seals and dated this 31st day of July, 1948;

WHEREAS, the above bounded Richard T. Earle and Clayton C. Carter have been appointed by a decree of the Circuit Court for Queen Anne's County in equity, passed on the 30th day of July, 1948, trustees to make sale of the real estate mentioned and described in the cause in said court entitled "Lina V. Jacobs, et al., vs Daniel Jacobs, Infant, et al.", being Cause No. 3578 on the Chancery Docket of said Court;

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH that if the above

bounded Richard T. Earle and Clayton C. Carter 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 order or decree 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:

WILLIAM M. FREESTATE

RICHARD T. EARLE (SEAL)

CLAYTON C. CARTER (SEAL)

J. GRANT YATES SR. (SEAL)

WM. H. CARTER (SEAL)

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

Security approved and Bond filed July 31, 1948.

NELLIE B. WHITELEY  
Clerk

STATE OF MARYLAND  
QUEEN ANNE'S COUNTY, to wit:

I HEREBY CERTIFY that the aforesaid is truly taken and copied from  
Liber A.S.G. Jr. No. 1, folio 61, 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 Thirty First day of July, in the year nineteen hundred and forty eight.

Seal's  
Place.

NELLIE B. WHITELEY  
Clerk

REPORT OF SALE  
Filed July 31, 1948

Lina V. Jacobs, et al.,  
Complainants

IN THE CIRCUIT COURT FOR  
QUEEN ANNE'S COUNTY

vs.

IN EQUITY

DANIEL JACOBS, Infant, et al.,  
Defendants

Cause No. 3578

:::

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Sale of the real estate made in this cause by Richard T. Earle and Clayton C. Carter, the trustees appointed to make such sale and to carry out the terms of the contract for the sale thereof, unto your Honors, respectfully shows;

1. That Pursuant to the decree of this Honorable Court passed on the 30th day of July, 1948, your trustees filed in this cause a bond in the penalty of Nine Hundred Dollars (\$900.00), with personal sureties thereon, which said bond was duly approved by the Clerk of this Court.

2. That thereupon, pursuant to said decree, your trustees on the 31st day of July, 1948, proceeded to carry out the terms of the contract for the sale of and sold the lot of land and premises mentioned and described in these proceedings, which is described as follows, to wit:

All that house and lot situated in the town of Centreville, Queen Anne's County, State of Maryland, described as follows: Beginning for the same on the north side of Liberty Street extended and adjoining on one side the property of or formerly of Talbot Gardner and on the rear by the property of or formerly owned by the Wolley heirs, with a frontage on said Liberty Street of twenty-four feet and a depth of one hundred and thirty-six feet, and being the same property described in a deed from Margaret C. Bordley and James Bordley, her husband, to Cato Jacobs, dated the 9th day of April, 1925 and recorded among the land records for Queen Anne's County in Liber B.H.T. No. 3, folio 340; unto Sadie Deedon at and for the sum of Four Hundred and Fifty-Dollars (\$450.00), upon the terms and conditions set forth in the contract of sale mentioned in this cause, which said contract of sale is designated "Complainants Exhibit No. 2" and is filed herein.

3. That the said Sadie Deedon has previously paid unto Lina V. Jacobs the sum of One Hundred and Twenty-five Dollars (\$125.00) as more fully set forth in the aforesaid contract of sale and supported by the testimony of Lina V. Jacobs filed herein, and has paid the sum of Two Hundred Sixty-four Dollars and Thirty-nine Cents (\$234.39) on account of the purchase money, which sum is now in the possession of Charles E. Tucker, Agent for the Sellers; and the said Sadie Deedon has agreed to pay the balance due and owing on the purchase money at the time of the passing of the deed to the property aforesaid.

RICHARD T. EARLE  
Richard T. Earle

bounded Richard T. Earle and Clayton C. Carter 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 order or decree 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:

WILLIAM M. FREESTATE

RICHARD T. EARLE (SEAL)

CLAYTON C. CARTER (SEAL)

J. GRANT YATES SR. (SEAL)

WM. H. CARTER (SEAL)

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

Security approved and Bond filed July 31, 1948.

NELLIE B. WHITELEY  
Clerk

STATE OF MARYLAND  
QUEEN ANNE'S COUNTY, to wit:

I HEREBY CERTIFY that the aforesaid is truly taken and copied from  
Liber A.S.G. Jr. No. 1, folio 61, 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 Thirty First day of July, in the year nineteen hundred and forty eight.

Seal's  
Place.

NELLIE B. WHITELEY  
Clerk

REPORT OF SALE  
Filed July 31, 1948

Lina V. Jacobs, et al.,  
Complainants

IN THE CIRCUIT COURT FOR  
QUEEN ANNE'S COUNTY

vs.

IN EQUITY

DANIEL JACOBS, Infant, et al.,  
Defendants

Cause No. 3578

:::

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Sale of the real estate made in this cause by Richard T. Earle and Clayton C. Carter, the trustees appointed to make such sale and to carry out the terms of the contract for the sale thereof, unto your Honors, respectfully shows;

1. That Pursuant to the decree of this Honorable Court passed on the 30th day of July, 1948, your trustees filed in this cause a bond in the penalty of Nine Hundred Dollars (\$900.00), with personal sureties thereon, which said bond was duly approved by the Clerk of this Court.

2. That thereupon, pursuant to said decree, your trustees on the 31st day of July, 1948, proceeded to carry out the terms of the contract for the sale of and sold the lot of land and premises mentioned and described in these proceedings, which is described as follows, to wit:

All that house and lot situated in the town of Centreville, Queen Anne's County, State of Maryland, described as follows: Beginning for the same on the north side of Liberty Street extended and adjoining on one side the property of or formerly of Talbot Gardner and on the rear by the property of or formerly owned by the Wolley heirs, with a frontage on said Liberty Street of twenty-four feet and a depth of one hundred and thirty-six feet, and being the same property described in a deed from Margaret C. Bordley and James Bordley, her husband, to Cato Jacobs, dated the 9th day of April, 1925 and recorded among the land records for Queen Anne's County in Liber B.H.T. No. 3, folio 340; unto Sadie Deedon at and for the sum of Four Hundred and Fifty-Dollars (\$450.00), upon the terms and conditions set forth in the contract of sale mentioned in this cause, which said contract of sale is designated "Complainants Exhibit No. 2" and is filed herein.

3. That the said Sadie Deedon has previously paid unto Lina V. Jacobs the sum of One Hundred and Twenty-five Dollars (\$125.00) as more fully set forth in the aforesaid contract of sale and supported by the testimony of Lina V. Jacobs filed herein, and has paid the sum of Two Hundred Sixty-four Dollars and Thirty-nine Cents (\$234.39) on account of the purchase money, which sum is now in the possession of Charles E. Tucker, Agent for the Sellers; and the said Sadie Deedon has agreed to pay the balance due and owing on the purchase money at the time of the passing of the deed to the property aforesaid.

RICHARD T. EARLE  
Richard T. Earle

CLAYTON C. CARTER  
 Clayton C. Carter  
 TRUSTEES

STATE OF MARYLAND :  
 QUEEN ANNE'S COUNTY :

I HEREBY CERTIFY that on this 31st. day of July, 1948, before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared Richard T. Earle and Clayton C. Carter, the trustees in the above entitled cause, and made oath in due form of law, that the matters and facts set forth in the foregoing REPORT OF SALE are true and bona fide as therein stated, and that the sale was fairly made.

NELLIE B. WHITELEY  
 Nellie B. Whiteley  
 Clerk

Filed July 31, 1948

ORDER NISI  
 Filed July 31, 1948.

NISI

Lina V. Jacobs, et al., Complainants,	)	In the Circuit Court
	)	
	)	for Queen Anne's County
	)	
VS.	)	In Equity
	)	
Daniel Jacobs, Infant, et al., Defendants	)	Chancery No. <u>3578</u>

ORDERED, This 31st. day of July A.D., 1948, that the sale of real estate made and reported in this cause by Richard T. Earle and Clayton C. Carter, Trustees, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 4th. 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 4th. day of September next.

The Report states the amount of sales to be \$450.00

NELLIE B. WHITELEY Clerk.

Filed July 31, 1948

PETITION TO FILE SUPPLEMENTAL BILL  
 OF COMPLAINT.  
 Filed Aug. 21, 1948.

LINA V. JACOBS, et al., Complainants,	#	In the Circuit Court
	#	
	#	for
	#	Queen Anne's County, in Equity.
	#	
VS.	#	
	#	
DANIEL JACOBS, Infant, et al. Defendants.	#	No. 3578.

PETITION TO FILE SUPPLEMENTAL BILL OF COMPLAINT.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Clayton C. Carter and Richard T. Earle, Trustees in this cause, to your Honors respectfully shows:

1. That this suit is instituted for the purposes of selling certain real estate in accordance with a written contract of sale filed herein and the Bill alleges that said sale is for the interest and advantage of the Infant Defendants and that said real estate is not susceptible of division without loss and injury.
2. That the Bill of Complaint alleges that the vendee in said contract of sale has made payment of certain moneys on account of the purchase money, the larger portion of which payments have been made to Charles E. Tucker, Agent for the Vendors and he as Agent holds same for the benefit of the vendors.
3. That a final decree of sale was passed in this cause on July 30th., 1948, appointing your petitioners Trustees to sell said property in accordance with the written contract filed herein, and that your Trustees have filed an approved bond, made sale of said real estate, reported said sale to this Honorable Court, has a nisi on said report published as likewise a Notice to Creditors as provided for in said decree.
4. That since said sale, your Petitioners have taken up with the said Charles E. Tucker, Agent for the Vendors, an accounting for that portion of the purchase money in his hands as Agent for the vendors, so that your Trustees might be able to secure full amount of purchase money, less \$125.00 paid to Lina V. Jacobs, to which she will be entitled and for which your Trustees will receive a release for same, but the said Charles E. Tucker, Agent as aforesaid, seems unwilling to account for said money so received.
5. That the said Charles E. Tucker is not a party to these proceedings, nor was it nec-

CLAYTON C. CARTER  
Clayton C. Carter  
TRUSTEES

STATE OF MARYLAND :  
QUEEN ANNE'S COUNTY :

I HEREBY CERTIFY that on this 31st. day of July, 1948, before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared Richard T. Earle and Clayton C. Carter, the trustees in the above entitled cause, and made oath in due form of law, that the matters and facts set forth in the foregoing REPORT OF SALE are true and bona fide as therein stated, and that the sale was fairly made.

NELLIE B. WHITELEY  
Nellie B. Whiteley  
Clerk

Filed July 31, 1948

ORDER NISI  
Filed July 31, 1948.

NISI

Lina V. Jacobs, et al., Complainants,	)	In the Circuit Court
	)	
	)	for Queen Anne's County
VS.	)	
	)	In Equity
	)	
Daniel Jacobs, Infant, et al., Defendants	)	Chancery No. <u>3578</u>

ORDERED, This 31st. day of July A.D., 1948, that the sale of real estate made and reported in this cause by Richard T. Earle and Clayton C. Carter, Trustees, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 4th. 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 4th. day of September next.

The Report states the amount of sales to be \$450.00

NELLIE B. WHITELEY Clerk.

Filed July 31, 1948

PETITION TO FILE SUPPLEMENTAL BILL  
OF COMPLAINT.  
Filed Aug. 21, 1948.

LINA V. JACOBS, et al., Complainants,	#	In the Circuit Court
	#	
	#	for
VS.	#	Queen Anne's County, in Equity.
	#	
DANIEL JACOBS, Infant, et al. Defendants.	#	No. 3578.
	#	

PETITION TO FILE SUPPLEMENTAL BILL OF COMPLAINT.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Clayton C. Carter and Richard T. Earle, Trustees in this cause, to your Honors respectfully shows:

1. That this suit is instituted for the purposes of selling certain real estate in accordance with a written contract of sale filed herein and the Bill alleges that said sale is for the interest and advantage of the Infant Defendants and that said real estate is not susceptible of division without loss and injury.
2. That the Bill of Complaint alleges that the vendee in said contract of sale has made payment of certain moneys on account of the purchase money, the larger portion of which payments have been made to Charles E. Tucker, Agent for the Vendors and he as Agent holds same for the benefit of the vendors.
3. That a final decree of sale was passed in this cause on July 30th., 1948, appointing your petitioners Trustees to sell said property in accordance with the written contract filed herein, and that your Trustees have filed an approved bond, made sale of said real estate, reported said sale to this Honorable Court, has a nisi on said report published as likewise a Notice to Creditors as provided for in said decree.
4. That since said sale, your Petitioners have taken up with the said Charles E. Tucker, Agent for the Vendors, an accounting for that portion of the purchase money in his hands as Agent for the vendors, so that your Trustees might be able to secure full amount of purchase money, less \$125.00 paid to Lina V. Jacobs, to which she will be entitled and for which your Trustees will receive a release for same, but the said Charles E. Tucker, Agent as aforesaid, seems unwilling to account for said money so received.
5. That the said Charles E. Tucker is not a party to these proceedings, nor was it nec-



essary to make him a party to these proceedings before the passing of the decree, as he would have no bearing upon the title of the real estate decreed to be sold, but the said Charles E. Tucker now become a necessary party to these proceedings so that a final settlement of the purchase money may be obtained.

Wherefore your petitioners pray:

That your Petitioners may file a supplement bill of complaint in this cause naming the said Charles E. Tucker, individually and as Agent for the Vendors, as a party to these proceedings.

And as in duty bound & etc.,

RICHARD T. EARLE

CLAYTON C. CARTER

Trustees.

Filed Aug. 21, 1948

ORDER OF COURT.

Filed Aug. 23, 1948

ORDER OF COURT.

The within and foregoing petition having been read and considered, IT IS THEREUPON this 21st day of August, 1948, ORDERED by the Circuit Court for Queen Anne's County, in Equity, that the Trustees in this cause be and they hereby are granted permission to file a Supplemental Bill of Complaint in this cause for the purposes alleged in said petition.

Wm. R. HORNEY

Judge.

Filed Aug. 23, 1948

SUPPLEMENTAL BILL OF COMPLAINT.

Filed Aug. 23, 1948

LINA V. JACOBS et al.,  
Complainants,

VS.

DANIEL JACOBS, Infant,  
et al. Defendants.

#  
#  
#  
#  
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#  
#

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY, IN EQUITY.

Cause No. 3578.

SUPPLEMENTAL BILL OF COMPLAINT.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Orators complaining, say:

1. That on the Bill of Complaint, and Exhibits filed herein, answer of the Infant, Defendants, by their Guardian ad Litem, depositions taken in support of said Bill, and a decree of sale of the real estate described herein, Trustees appointed, who have qualified by filing of an approved bond, sale of real estate in accordance with said decree and report of said sale to this Court, nisi to said report of sale and Notice to Creditors given in accordance with said decree; a petition filed for the purpose of securing permission to file this Supplemental Bill of Complaint and Order of Court thereon.

2. That the depositions filed in this Cause show that Charles A. Haymaker, Agent for Lina V. Jacobs, one of the Vendors in this cause, collected from Sadie Deedon, Vendee, certain sums of money to be applied on the purchase price of the real estate sold herein; and that said Charles A. Haymaker paid to the said Lina V. Jacobs the sum of \$125.00, of said sum, as part payment of her interest in said real estate, and on account of receiving the same, the said Lina V. Jacobs is willing to execute a release to your petitions for said money so received; the depositions further show that the said Charles A. Haymaker from said money so collected paid over to Charles E. Tucker the further sum of \$264.39, in order that the said Tucker could pay certain taxes and fire insurance premium then due, leaving a balance of \$232.26 in the hands of the said Charles E. Tucker to apply on the purchase price at and when a good title to the aforesaid real estate would pass to the vendee under the said contract of sale.

3. That the Trustees have made a sale of the aforesaid real estate in accordance with the contract of sale filed herein, and there after have made numerous demands upon the said Charles E. Tucker, individually and as Agent for either the vendors or vendee for the aforesaid sum of \$232.26, in order to apply the same on the purchase price, and have as often been refused said sum, on the grounds that that said sum should not be applied in accordance with the terms of the written contract of sale.

Wherefore, your orators pray:

1st. That the said Charles E. Tucker, either individually or as Agent for either the vendors or vendee pay over to your orators, as Trustees, the aforesaid sum of \$232.26 to be applied by said Trustees as part of the purchase money for the real estate sold in this cause.

2nd. 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 subpoena directed to the said Charles E. Tucker, either individually or as Agent for either the vendors or vendee, to be and appear in this Court on a day certain to be named therein, either in person or by solicitor, to answer this Supplemental Bill of Complaint and to abide by and perform any decree or order that may be passed in the premises.

And as in duty bound & etc.

RICHARD T. EARLE

CLAYTON C. CARTER

Trustees.

Filed Aug. 23, 1948

SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER.  
Filed Aug. 26, 1948

The State of Maryland

Seal's  
Place

QUEEN ANNE'S COUNTY, TO WIT:

TO

Charles E. Tucker, either individually or as Agent for either the vendors or vendee, Centreville, Maryland

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of September next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Lina V. Jacobs, Alfred Jacobs, Mary Jacobs Franklin and Clarence Franklin, her husband, Daniel Jacobs, infant, Edwin Jacobs, infant, and Edna Jacobs, infant, by Lina V. Jacobs, their mother and next friend, all of Flowers Street, Berlin, Maryland, John Robert Jacobs and Hattie Purnell Jacobs, his wife, and Rosetta Jacobs, all of #2926 Haverford Avenue, Philadelphia, Penna., Hester Jacobs Kilson and Andrew Kilson, her husband, Centreville R. R., Maryland, and Sadie Deedon, of Centreville, Maryland, against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable J. Owen Knotts, Chief Judge of the Second Judicial Circuit of Maryland, the 2nd. day of August, 1948.

Issued the 23rd. day of August, 1948.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office within fifteen days after the return day named in the above subpoena. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Name Richard T. Earle  
Clayton C. Carter  
Address Centreville, Maryland

NELLIE B. WHITELEY, Clerk

On the back of the foregoing is the following endorsement, to wit:

Within Subpoena served by reading to and leaving copy of and copy of Petition, Order of Court and supplementary Bill of Complaint with Charles E. Tucker this 26th day of August 1948 Oscar W. Tarr Sheriff.

CERTIFICATE OF PUBLICATION OF ORDER NISI  
Filed Oct. 2, 1948.

NISI

Lina V. Jacobs, et al.,  
Complainants,  
VS.  
Daniel Jacobs, Infant, et al.,  
Defendants

\_\_\_\_\_  
In the Circuit Court  
for Queen Anne's County  
In Equity

\_\_\_\_\_  
Chancery No. 3578

ORDERED, This 31st day of July A.D., 1948, that the sale of real estate made and reported in this cause by Richard T. Earle and Clayton C. Carter, Trustees, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 4th. 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 4th. day of September next.

This Report states the amount of sales to be \$450.00.

NELLIE B. WHITELEY, Clerk

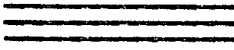
Filed: July 31, 1948.

True Copy-

Test: Nellie B. Whiteley, Clerk

4t-8-26

QUEEN ANNE'S RECORD - OBSERVER



Centreville, Md. October 2, 1948

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Ordered Nisi in the case/estate of Lina V. Jacobs, et al, complainants, vs. Daniel Jacobs, 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 4th day of September 1948, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 5th day of August 1948, and the last insertion on the 26th day of August 1948.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

Filed Oct. 2, 1948

By CHARLOTTE M. MEARS

CERTIFICATE OF PUBLICATION  
OF NOTICE TO CREDITORS  
Filed Oct. 2, 1948

LINA V. JACOBS, et al.,  
Complainants  
vs.  
DANIEL JACOBS, INFANT, et al  
Defendants

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

Chancery No. 3578

NOTICE TO CREDITORS

Pursuant to the Decree of said Court passed in said Cause, Notice is hereby given to the Creditors of the following decedents:

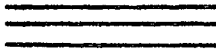
CATO JACOBS  
ELWOOD JACOBS  
JEROME JACOBS

to file their claims against the same, with the proper vouchers thereof, with the Clerk of said Court at Centreville, Maryland, within ninety days from the 12th day of August, 1948.

RICHARD T. EARLE  
CLAYTON C. CARTER  
Trustees

4t-9-2

QUEEN ANNE'S RECORD - OBSERVER



Centreville, Md. October 2, 1948

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 Lina V. Jacobs, et al, Complainants, vs Daniel Jacobs, 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 10th day of September 1948, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 12th day of August 1948, and the last insertion on the 2nd day of September 1948.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

Filed Oct. 2, 1948

By CHARLOTTE M. MEARS

PETITION TO DISMISS SUPPLEMENTAL BILL  
Filed Oct. 15, 1948.

LINA V. JACOBS, et al.,  
Complainants : IN THE CIRCUIT COURT FOR  
: QUEEN ANNE'S COUNTY  
vs. : IN EQUITY  
: Cause No. 3578  
DANIEL JACOBS, Infant, et al.,  
Defendants :

:::

PETITION TO DISMISS SUPPLEMENTAL BILL

TO THE HONORABLE, THE JUDGES OF SAID COURT:

1. That heretofore, on the 23rd day of August, 1948, a Supplemental Bill of Complaint was filed in this cause against Charles E. Tucker, after an order of this Court was passed on the 21st day of August, 1948 granting the Trustees in this cause permission to file said Bill

2. That the subpoena directed to the Charles E. Tucker was returned to this Court "Served" on the 26th day of August, 1948.

3. That since the filing of the said Supplemental Bill, the said Charles E. Tucker has departed this life and all the matters complained of as set forth in said Supplemental Bill of Complaint have been fully and satisfactorily adjusted by Florence S. Tucker, Administratrix of Charles E. Tucker, deceased, and therefore, said Supplemental Bill of Complaint has no further use in this cause.

WHEREFORE your Petitioners pray that an Order of this Court may be passed dismissing the aforesaid Supplemental Bill of Complainant.

Respetfully submitted:

CLAYTON C. CARTER

RICHARD T. EARLE  
TRUSTEES

Filed Oct. 15, 1948

ORDER OF COURT GRANTING ABOVE PETITION.  
Filed Oct. 15, 1948.

ORDER OF COURT

The within and foregoing Petition having been read and considered, IT IS HEREUPON this 15th day of October, 1948,

ORDERED by the Circuit Court for Queen Anne's County, in Equity, that the Supplemental Bill of Complaint heretofore filed in this cause, be and it is hereby dismissed, and need not be recorded.

Filed Oct. 15, 1948

Wm. R. HORNEY  
JUDGE

ORDER OF COURT FINALLY RATIFYING SALE.  
Filed Oct. 15, 1948

ORDERED this 15th day of October, in the year nineteen hundred and forty eight, 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 repoted herein by the Trustees 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 the previous order Nisi to said sale; and the Trustees herein are allowed the usual commissions and all expenses of this suit, not personal, upon the production of proper vouchers thereof before the Auditor of this Court.

Filed Oct. 15, 1948.

Wm. R. HORNEY  
Judge

REPORT AND ACCOUNT OF AUDITOR  
Filed Dec. 6, 1948.

LINA V. JACOBS, et al.,

vs.

DANIEL JACOBS, et al.

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

Cause No. 3578

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of Howard Wood, 3rd, your Auditor, unto your Honors respectfully sets forth:

1. That the within account has been stated at the direction of Richard T. Earle and Clayton C. Carter, the Trustees appointed by the decree of Sale filed in this Cause to sell the real estate of the several heirs at law of Cato Jacobs, deceased.

2. That in the within account the Auditor has charged the Trustees with the amount of the gross sale of said real estate as made by said Trustees per their report of sale filed July 31, 1948, the sum of \$450.00; although he has allowed said Trustees the prepaid portion thereof, per said report of sale, or the sum of \$125.00, in the Distribution of her share to Lina V. Wright, the receipt of such prepaid portion.

3. That in the within account the Auditor has allowed the Trustees the Court Costs of the Cause, per statement of same made by the Clerk of the Court, the cost of advertising the several orders nisi and the notices to creditors of the Cause, the usual commissions to said Trustees based on the gross sale, and the fee of the Auditor.

4. The balance after said allowances, or the net sale, of this Cause has then been distributed in accordance with the allegations of the Bill of Complaint and proof thereof, the shares of Daniel Jacobs, Edwin Jacobs and Edna Jacobs, infants, to remain subject to the order of this Court as to the payment thereof.

Which is respectfully submitted,

December 6, 1948.

HOWARD WOOD, 3rd. Auditor.

Filed Dec. 6, 1948

CAUSE NO. 3578

The proceeds of the sale of the real estate of the Heirs of Cato Jacobs, deceased, late of Queen Anne's County, deceased, IN ACCOUNT WITH Richard T. Earle and Clayton C. Carter, as the Trustees appointed by the decree of this Court passed in this Cause to sell said real estate.

1948  
 July 31: CR.  
 By amount of the gross sale of the said real estate per report of Sale of the Trustees, to wit: the sum of.. \$450.00

1948  
 July 31: DR.  
 To Richard T. Earle and Clayton C. Carter, Trustees, for the Court costs of these proceedings, per statement of Clerk exhibited to the Auditor, as follows:  
 Clerk .....\$ 65.90  
 Appearance fee ..... 10.00  
 Sheriff, Worcester County, 2.25  
 Sheriff, Queen Anne's Co., .75  
 Guardian ad Litem ..... 4.00  
 Examiner ..... 8.00 \$ 90.00

To the same Trustees, for their commissions for making said sale, per rule of Court, to wit: the sum of ..... 31.50

To the same Trustees, for costs of advertising the Order Nisi passed on Report of Sale and Notice to Creditors in Queen Anne's Record Observer, per statement exhibited, the sum of ..... 15.00

To the same Trustees, for cost of advertising the Order Nisi to be passed on this Audit in Queenstown News, the sum of ..... 3.50

To Howard Wood, 3rd, Auditor, for stating this Account, the sum of ..... 4.50  
 \$ 145.40 \$145.40

CR.  
 By balance for distribution among joint owners, heirs-at-law of Cato Jacobs, Elwood Jacobs and Jerome Jacobs: ..... \$304.60

DR.  
 DISTRIBUTION among said joint owners:  
 To Lina V. Jacobs, widow of Cato Jacobs, mother and only heir of Elwood Jacobs and Jerome Jacobs:  
 7/15 of said balance, to wit: ..... \$142.15  
 Less: portion of share paid prior to institution of this suit ..... 125.00 \$ 125.00  
 To Balance of this share to be distributed ..... \$ 17.15 \$ 17.15

To Hester Jacobs Kilson, daughter of Cato Jacobs:  
 1/15 of said balance, to wit: ..... \$ 20.31

HOWARD WOOD, 3rd. Auditor.

To John Robert Jacobs, son of Cato Jacobs,  
 1/15 of said balance, to wit:..... \$ 20.31

To Rosetta Jacobs, daughter of Cato Jacobs,  
 1/15 of said balance, to wit: ..... 20.31

To Alfred Jacobs, son of Cato Jacobs,  
 1/15 of said balance, to wit: ..... 20.31

To Mary Jacobs Franklin, daughter of Cato Jacobs,  
 1/15 of said balance, to wit: ..... 20.31

To Daniel Jacobs, infant son of Cato Jacobs, to remain subject to the future order of this Court as to the payment thereof,  
 1/15 of said balance, to wit: ..... 20.30

To Edwin Jacobs, infant son of Cato Jacobs, to remain subject to the future order of this Court as to the payment thereof,  
 1/15 of said balance, to wit: ..... 20.30

To Edna Jacobs, infant daughter of Cato Jacobs, to remain subject to the future order of this Court as to the payment thereof,  
 1/15 of said balance, to wit: ..... 20.30  
 \$ 304.60 \$ 304.60

December 6, 1948.

HOWARD WOOD, 3rd. Auditor

Filed Dec. 6, 1948

NISI RATIFICATION OF AUDIT ISSUED  
Filed Dec. 6, 1948.

Nisi Ratification of Audit

Lina V. Jacobs, et al.,	)	In the Circuit Court
	)	
VS	)	for Queen Anne's County
	)	
	)	In Equity
Daniel Jacobs, et al.	)	Cause No. <u>3578</u>

ORDERED, This 6th. day of December in the year nineteen hundred and forty eight, that the Report and Account filed in these proceedings by Howard Wood, 3rd., Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 3rd. day of January, 1948; provided a copy of this order be published once a week in each of two successive weeks before the 25th. day of December, 1948, in some newspaper printed and published in Queen Anne's County.

NELLIE B. WHITELEY Clerk.

Filed Dec. 6, 1948.

PETITION OF TRUSTEES TO DEPOSIT PROCEEDS  
OF SALE DUE INFANTS IN A BANK, SUBJECT  
TO ORDER OF COURT  
Filed Jan. 7, 1949

LINA V. JACOBS, et al.,	:	IN THE CIRCUIT COURT FOR
Complainants	:	QUEEN ANNE'S COUNTY
VS.	:	IN EQUITY
DANIEL JACOBS, Infant, et al.	:	Cause No. 3578
Defendants	:	
	:::	

PETITION OF TRUSTEES

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Richard T. Earle and Clayton C. Carter, Trustees in the above-entitled cause, respectfully sets forth:

1. That the report and account of the proceeds of sale in the afore-said cause filed by the Regular Auditor of this Court on the 6th day of December, 1948, has, after due publication of the Nisi Ratification of Audit, been finally ratified by this Court.
2. That the aforesaid Audit shows the sum of \$20.30 each to Daniel Jacobs, Edwin Jacobs and Edna Jacobs, infants, to remain subject to the further order of this Court as to the payment thereof.
3. That your Petitioners know of no legal guardian entitled to said proceeds.
4. That your Petitioners and their bondsmen desire to be released from further responsibility for said sums of money now in their hands.

WHEREFORE your Petitioners respectfully pray:

1. That an Order of this Court be passed directing the Trustees in this cause to deposit the share of the proceeds of sale to which the said Daniel Jacobs, Edwin Jacobs and Edna Jacobs, infants, would be entitled, in the savings department of a Banking institution to be named by this Court, in an account in each of their respective names, subject to the future order of this Court,
2. That upon depositing said proceeds as aforesaid and placing the pass book with the Clerk of this Court, your Petitioners and their bondsmen shall be released from further accountability of the said proceeds of share to which the said infants would be entitled.
3. That your Petitioners may have such other and further relief as may be right and proper in the premises.

RICHARD T. EARLE

CLAYTON C. CARTER  
TRUSTEES

Filed Jan 7, 1949

ORDER OF COURT  
Filed Jan. 7, 1949

ORDER OF COURT

The within and foregoing Petition having been read and considered,  
IT IS THEREUPON, on this 7th day of January, 1949, by the Circuit Court

for Queen Anne's County, in Equity, and by the authority of said Court, ORDERED:

That the Trustees in this Cause deposit the proceeds of sale, which were distributed to Daniel Jacobs, Edwin Jacobs and Edna Jacobs, infants, in the Report and Account of the Regular Auditor of this Court heretofore filed and finally ratified by this Court, in accounts in the Savings Department of The Centreville National Bank of Maryland in the name of Daniel Jacobs, Edwin Jacobs and Edna Jacobs, each of which shall read "Subject to the Future Order of the Circuit Court for Queen Anne's County, In Equity".

That upon depositing said proceeds of sale as aforesaid, the Trustees aforesaid shall file each of the pass books with the Clerk of this Court, who shall file the same among the papers in this Cause.

That upon depositing said proceeds as aforesaid and filing said pass books with the Clerk of this Court, the said Trustees, be and they are hereby, relieved and finally discharged from the further administration of this Trust, so far as Daniel Jacobs, Edwin Jacobs and Edna Jacobs are concerned.

WM. R. HORNEY

Judge

Filed Jan. 7, 1949

CERTIFICATE OF NISI RATIFICATION  
OF AUDIT Filed Jan. 7, 1949.

NISI RATIFICATION OF AUDIT

LINA V. JACOBS, et al.,

Vs.

DANIEL JACOBS, et al.

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

Cause No. 3578

ORDERED, This 6th day of December in the year nineteen hundred and forty eight, that the Report and Account filed in thses proceedings by Howard Wood, 3rd, Auditor be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 3rd day of January, 1948; provided a copy of this order be published once a week in each of two successive weeks before the 25th day of December, 1948, in some newspaper printed and published in Queen Anne's County.

NELLIE B. WHITELEY

Clerk.

True Copy:

Test: NELLIE B. WHITELEY,  
Clerk.

Filed December 6, 1948.

THE QUEENSTOWN NEWS

Queenstown, Md. December 20, 1948

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 Lina V. Jacobs, et al., Vs. Daniel Jacobs, et al., Cause No. 3578 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 25th day of Dec. 1948, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 10th day of Dec. 1948

THE QUEENSTOWN NEWS

By GEORGE STEINFELT

FINAL ORDER OF RATIFICATION  
Filed Jan. 7, 1949.

FINAL ORDER OF RATIFICATION

It is ORDERED this 7th day of January, 1949, by the Circuit Court for Queen Anne's County, in Equity, that the within and aforesaid Report and Account of Howard Wood, 3rd, 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 shown by the Certificate of Publication of the Nisi Ratification of Audit filed herewith, and Richard T. Earle and Clayton C. Carter, Trustees in this Cause, are hereby directed to make distribution in accordance therewith.

WM. R. HORNEY

Judge

## CAUSE NUMBER 3076

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this  
Twenty Ninth day of April, in the year nineteen hundred and thirty six, the following  
BILL OF COMPLAINT was filed for record, to wit:

ADA R. ROLPH and  
J. FLETCHER ROLPH, her husband,  
MARY W. DULANEY,  
LENA W. TURNER, and  
J. FLETCHER ROLPH and  
THOMAS J. KEATING, Jr., Trustees  
Under the Will of Elizabeth J.  
Keating, deceased.

VS.

WILLIAM K. WEEDON and  
LILLIAN K. WEEDON, his wife,  
A. MARION GREEN and  
M. ISABEL GREEN, Assignees of  
Mortgage, and  
WILLIAM R. HORNEY, ROBERT E. C.  
LOWE and DAVID D. TAYLOR, Trustees,  
Assignees of Mortgage, and WILLIAM T.  
BISHOP.

IN THE  
CIRCUIT COURT  
FOR  
QUEEN ANNE'S COUNTY,  
IN EQUITY.  
Chancery No. 3076

To the Honorable, the Judges of said Court:

Your Orators complaining say:

1. That Elizabeth J. Keating, late of Queen Anne's County, deceased, departed this life about the year 1862, leaving a last will and testament, dated June 1, 1862, duly executed to pass title to real estate and duly admitted to probate by the Orphan's Court of Queen Anne's County on the Ninth day of September, 1862, said will being of record in Liber S. T. H. #1, folio 233, etc., a Will Record Book for Queen Anne's County, a certified copy thereof being filed herewith as a part hereof marked Plaintiff's Exhibit #1.

2. That by Item Six of said last will and testament, as will appear by reference thereto, said testatrix did dispose of the residue of her estate, of which the real estate hereinafter mentioned was a part, as follows:

"I give bequeath and devise to my beloved son Thomas James Keating all my personal property not hereinbefore bequeathed and all my real estate consisting of the houses and lots of Ground in Centreville devised to me by my dear brother George C. Plamer deceased and specified in his Will and of a small Lot of Ground purchased of Daniel Newman to be held by my said son Thomas in Trust for the following purpose: that is to say to collect and to pay over annually the interest income and profits thereof to my three daughters hereinbefore named in equal shares during their natural lives and should any of my said daughters die without issue living at the time of her death to divide her share of said interest income and profits equally between her surviving sisters so long as they both shall live, and should two of my said daughters die without issue living at the time of their respective deaths to pay the entire amount of said interest income and profits to their surviving sister; and should any or all of my three daughters before named die and leave issue living at the time of their respective deaths I give bequeath and devise to the issue of each of my said daughters the proportion and share of the real and personal property designated in this item, answering to the proportion and share of this interest income and profits thereof receivable by her at the time of her death. And should all three of my said daughters die without issue living at the time of their respective deaths I Give, bequeath and devise the real and personal property designated in this Item to my beloved son Thomas James Keating, George Palmer Keating, William Devorix Keating and Michael Keating, and Benjamin Palmer Keating share and share alike and should any or all of my said daughters die and leave a child or children living and should said child or children die before attaining the age of twenty-one years, it is my will that the share or shares of the real and personal property designated in this Item which is or are bequeathed and devised to said Child or children shall go and be distributed under this will as if said child or children had never lived."

3. That said Elizabeth J. Keating died seized and possessed of the real estate mentioned in the aforesaid Item Six of her said last will and testament, said real estate consisting of:

Parcel # 1 - A lot of land on the southeast corner of Commerce Street



and Railroad Avenue in Centreville, improved by a combined store property and dwelling and lot at the rear thereof.

Parcel #2 - A lot of land on the north side of Water Street in Centreville, adjoining on the East the property of or formerly of Alfred M. Green, and on the West the property of the Town of Centreville improved by three store houses.

4. That the testatrix's son, Thomas James Keating, took possession of the aforesaid real estate upon the testatrix' death and continued to administer the trust until the time of his death in the year, Eighteen hundred and ninety-eight, and subsequent to his death The Circuit Court for Queen Anne's County, in Equity, took jurisdiction of said trust and appointed J. Fletcher Rolph and Thomas J. Keating, II., Trustees to carry out the terms of said trust in a proceeding in said Court entitled "In the Matter of the Trust Estate under the Will of Elizabeth J. Keating, late of Queen Anne's County, deceased" and numbered 1615 on the Chancery Docket of Said Court.

5. That the testatrix' three daughters named in said Will, all survived her but the daughter, Mary Ellen, who married one Chambers, died about the year 1909, without ever having had issue and therefore without issue surviving her, and the daughter, Margaret Ann never married and died about the year 1912 and left no issue surviving her.

6. That the last surviving daughter of the testatrix was Martha Johanna Weedon (nee Keating) who departed this life on February Twenty-seven, Nineteen hundred and thirty-six, leaving the following as the only issue surviving her, to wit: Your Oratrix Ada R. Rolph, a daughter, Your Oratrix Mary W. Dulaney, a daughter, Your Oratrix Lena W. Turner, a daughter, and the defendant William K. Weedon, a son, That said Martha Johanna Weedon was twice married and had other children than those above mentioned but none of said other children survived her nor did any of said other children ever have issue or leave issue surviving them.

7. That the trustees, J. Fletcher Rolph and Thomas J. Keating, II, hereinbefore mentioned in paragraph 4 hereof continued to conduct said trust estate from the date of their appointment on May 30, 1903, to the date of the resignation of said Thomas J. Keating, II, on the First day of February, 1932, on which said last date this Honorable Court, by its order passed in said Chancery Cause #1615, did discharge the said Thomas J. Keating, II, as trustee and did appoint Thomas J. Keating, III, (herein called Thomas J. Keating, Jr.) to act with J. F. Rolph a trustee of said estate, and said Thomas J. Keating, Jr., did qualify and has continued to act as co-trustee with said J. Fletcher Rolph from the date of his appointment until the present time.

8. That as will appear by reference to the proceedings in the aforesaid Chancery Cause #1615, the previous trustees, J. F. Rolph and Thomas J. Keating, II, were by the said Court, by its order passed on the 4th day of December, 1922, authorized and empowered to borrow the sum of Four thousand and Six hundred dollars (\$4600.00) the petition upon which said order was passed requesting authority to borrow \$4650.00 and the discrepancy therein being evidently a mistake) upon a mortgage to be given by said trustees, on certain of the trust property to Alfred M. Green, the proceeds of said loan to be used for paying off a pre-existing mortgage and for making certain improvements to the property to be mortgaged.

9. That pursuant to the aforesaid order of Court said Trustees did borrow Four thousand Six hundred and fifty dollars (\$4650.00) and did on December 8, 1922, execute to said Alfred M. Green, a mortgage to secure said sum upon certain of the trust property, to wit: the parcel hereinbefore designated as Parcel #2, and although the interest has been regularly paid by the trustees, when due, as will appear by their several annual reports of receipts and disbursements, there has been no payment on account of the principal mortgage debt, and said mortgage is now held by assignment by A. Marion Green and M. Isable Green, two of the defendants, as will appear by reference to a certified copy of said mortgage and assignments filed herewith as a part hereof marked Plaintiff's "Exhibit # 2."

10. That on the Nineteenth day of September, Nineteen hundred and twenty-four, the aforesaid Martha Johanna Weedon, and her children who were then living, joined in a mortgage of their respective interests in all of the real estate comprising the aforesaid trust estate, and being all of the real estate described in Paragraph 3 hereof, unto The Centreville National Bank of Maryland, and said mortgage is now held by the defendants, William R. Horney, R.E.C. Lowe, and David D. Taylor, Trustee, as will appear by reference to a certified copy thereof filed herewith as a part hereof marked "Plaintiff's Exhibit #3;" th at there has been no payment on the principal of said mortgage and the interest is in arrears.

11. That by reason of the death of the said Martha J. Weedon, as aforesaid, your orators, Ada R. Rolph, Mary W. Dulaney, and Lena W. Turner, and the defendant William K. Weedon, are seized and possessed of the aforesaid real estate as tenants in common, subject to the two mortgages aforesaid.

12. That the Defendant William T. Bishop, is the holder of a Judgment against Ada R. Rolph, one of your Orators, in the amount of Three thousand and three dollars and thirty-nine cents (\$3003.39), with interest from February 28, 1931, with costs and commissions of One hundred and fifty dollars and seventeen cents (\$150.17), said judgment being entered in the Circuit Court for Queen Anne's County as #20 Appearances, January Term, 1931, a certified copy thereof being filed herewith as "Plaintiff's Exhibit #4."

13. That said real estate cannot be divided among the parties entitled thereto without loss or injury to the parties owning interests therein, and that it will be to the interest and advantage of the parties owning the same or interested therein, either as co-parceners or lienors, to have said real estate sold and the proceeds arising therefrom divided among the parties interested therein according to their respective rights therein, the sale or sales thereof to be made free clear and discharged of the liens of the two aforesaid mortgages and said judgment, said liens to be preserved as against the proceeds arising from said sales.

14. That your oratrix, Ada R. Rolph, is an adult and is married to J. Fletcher Rolph, that your Oratrix, Mary W. Dulaney, is an adult and a widow, that your Oratrix, Lena W. Turner, is an adult and a widow.

15. That all of the defendants are adults and reside in Queen Anne's

County, Maryland, except William K. Weedon and Lilliam K. Weedon, his wife, who are non-residents of the State of Maryland, residing in Wilmington, Delaware.

To the End, therefore:

1. That the aforesaid real estate may be sold and a division of the proceeds arising from the sale or sales may be had among the parties owning same, or interested therein, both as ceparceners and as mortgage and judgment lienors as hereinbefore set forth, according to their respective rights therein.

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 against the defendants, A. Marion Green, and M. Isabel Green, Assignees of Mortgage, and William R. Horney, Robert E. C. Lowe, and David D. Taylor, Trustees, Assignees of Mortgage, and William T. Bishop, directed to the Sheriff of of Queen Anne's County, Maryland, and an Order of Publication against the non-resident Defendants, William K. Weedon, and Lillian K. Weedon, his wife, stating the object and substance of the Bill of Complaint, and commanding them to be and appear in this Court on some certain day to be named therein to answer the premises and abide by and perform any decree that may be passed herein.

And as in duty bound, etc.

THOS. J. KEATING JR.  
SOLICITOR FOR PLAINTIFFS

ADA R. ROLPH

J. F. ROLPH

MARY W. DULANEY

LENA W. TURNER

and

J. F. ROLPH

THOS. J. KEATING, JR.  
Trustees under the Will of  
Eliz. J. Keating.  
PLAINTIFFS

Filed April 29th, 1936.

PLAINTIFF'S  
EXHIBIT NO. 1  
Filed April 29, 1936.

In the name of God, Amen: I, Elizabeth J. Keating of Queen Anne's County, in the State of Maryland, being weak and feeble in body, but of sound and disposing mind, do make publish and declare this my last Will and Testament, as follows:-

I give and bequeath to my beloved son, George Palmer Keating two hundred dollars, to be paid to him by my Executor, hereinafter named, out of the first money remaining after the payment of my debts funeral charges and the expenses of administration upon my personal estate.

Item, I give and bequeath to my beloved daughter Mary Ellen Keating, my negro girl Clara and my Mahogany Bureau with marble top.

Item, I give and bequeath to my beloved daughter Margaret Ann Keating, my negro woman Mary Ellen for the balance of the term of servitude my negro boy John Charles and my Mahogany Commode with marble top.

Item, I give and bequeath to my beloved daughter Martha Johannah Keating, my negro boy Nat. my negro girl Alice, my looking glass with gilt Frame, and my walnut Rocking Chair, and my walnut stand with marble top.

Item, I give and bequeath to my three daughters above named, the balance of my Household and Kitchen Furniture to divide equally among themselves and in the event they shall not be able to agree upon the articles each shall take in making the division I direct my Executor to sell the same and divide the proceeds of the sale equally among them.

I give, bequeath and devise to my beloved son Thomas James Keating all my personal property not hereinbefore bequeathed, and all my real estate consisting of the Houses and lots of Ground in Centreville devised to me by my dear brother George C. Palmer deceased and specified in his Will, and of a small lot of Ground purchased of Daniel Newnan, to be held by my said son Thomas, in Trust, for the following purposes:- that is to say to collect and to pay over annually the interest, income and profits thereof to my three daughters hereinbefore named, in equal shares during their natural lives; and should any of my said daughters die without issue living at the time of her death, to divide her share of said interest, income and profits equally between her surviving sisters so long as they both shall live, and should two of my said daughters die without issue living at the time of their respective deaths, to pay the entire amount of said interest, income and profits to their surviving sister; and should any or all of my three daughters before named die and leave issue living at the time of their respective deaths, I give, bequeath and devise to the issue of each of my said daughters the proportion and share of the real and personal property designated in this Item, answering to the proportion and share of the interest, income and profits thereof receivable by her at the time of her death; and should all three of my said daughters die without issue living at the time of their respective deaths, I give, bequeath and devise the real and personal property designated in this Item to my beloved sons Thomas James Keating, George Palmer Keating, William Devony Keating & Michael Keating and Benjamin Palmer Keating share and share alike; and should any or all of my said daughters die and leave a child or children living, and should said child or children die before attaining the age of twenty one years, it is my will that the share or shares of the real and personal property designated in this Item, which is or are bequeathed and devised to said child or children, shall go and be distributed under this will, as if said child or children had never lived.

And I hereby authorize and empower my son Thomas J. Keating to make sale and dispose of all or any part of my real estate aforesaid, if at any time during the continuance of his Trusteeship he shall deem it advisable and to invest the proceeds of said

sale as well as the personal property bequeathed to him in Trust, and to reinvest the same as often as, and in such manner as he in the exercise of a sound discretion may think best to promote the interest of those for whose benefit this will is made.

Item, It is my will, and I hereby direct that if my beloved son, Benjamin Palmer Keating, shall be living with me at the time of my death, without sufficient employment to afford him a support, equal proportions of the income of my daughters devised under this will shall be appropriated from the share of each, necessary to procure comfortable board and clothing for my said son, Benjamin until my Executor shall be able to procure said employment for him. It is also my will that the provisions of this Item shall be executed to my beloved son, Michael Keating, if he shall be living with me at the time of my death without sufficient employment to afford him a support.

Lastly, I constitute and appoint my beloved son Thomas James Keating executor of this my last Will and Testament.

In Testimony Whereof I hereunto set my hand and affix my seal this twenty first day of June eighteen hundred and sixty two.

E. J. KEATING (SEAL)

Signed, sealed, published and declared by Elizabeth J. Keating, 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 in the presence of each other have subscribed our names, as witnesses hereunto, the words "and Benjamin Palmer Keating" having been previously inserted between the second and third lines of the third page hereof.

Wm. F. Parrott  
John W. Perry  
John F. McFeely

QUEEN ANNE'S COUNTY, SCT;  
September 9th, 1862.

Then came Wm. F. Parrott, John W. Perry and John F. McFeely the subscribing witnesses to the foregoing Will, and made oath on the Holy Evangely of Almighty God, that they did see E. J. Keating, the within named Testatrix sign her name to the foregoing Will, that they heard her publish, pronounce and declare the same to be her last Will and Testament, that at the time of so doing she was to the best of their apprehension of sound and disposing mind, memory and understanding, and that they subscribed their names, as witnesses to the said Will, in the presence of each other, in the presence of the Testatrix, and at her request.

W. A. JOHNSON Reg. Wills for Queen Anne's County.

Queen Anne's County, SCT:  
September 9th, 1862.

Then came Thos. J. Keating the executor herein named, and made oath on the Holy Evangely of Almighty God, that the foregoing is the true and whole last Will and Testament of E. J. Keating, late of Queen Anne's County, deceased, that has come to his hands, or possession, and that he knows of no other.

W. A. Johnson, Reg. Wills 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 aforegoing is a true copy of the last Will and Testament of Elizabeth J. Keating, deceased, as filed and passed in this office on Sept. 9-1862 and recorded in Liber S. T. H. No. 1 Folio 233 etc., in the Orphans' Court for Queen Anne's County, Maryland.

Seal's Place.

In testimony whereof I hereunto subscribe my name and affix the seal of my office this 17th day of April 1936

NORMAN S. DUDLEY  
Register of Wills for Queen Anne's County, Maryland

PLAINTIFF'S  
"EXHIBIT NO. 2"  
Filed April 29th, 1936.

.....  
#9699. QUEEN ANNE'S COUNTY, TO WIT: be it remembered that on the eighth day of December, in theyear nineteen hundred and twenty two, the following Mortgage was brought to be recorded, to wit:-

THIS MORTGAGE, made this eighth day of December, in the year nineteen hundred and twenty two, by Thomas J. Keating and J. Fletcher Rolph, of Queen Anne's County, in the State of Maryland, trustees as hereinafter set forth.

WHEREAS, on the thirtieth day of May, in the year 1903, the said Thomas J. Keating and J. Fletcher Rolph were appointed by an order of the Circuit Court for Queen Anne's County, in Equity, as successors to Thomas J. Keating, as trustees under the will of Elizabeth J. Keating, late of Queen Anne's County, deceased, by an order of said court passed in a cause in said Court entitled "In the matter of the trust estate under the Will of Elizabeth J. Keating", being chancery cause No. 1615;

And whereas, by an order passed in said Chancery cause No. 1615, the said Thomas J. Keating and J. Fletcher Rolph, Trustees as aforesaid, on the fourth day of December, in the year 1922, where duly authorized and empowered to borrow the sum of forty

six hundred and fifty dollars (\$4650.00) for the purpose of paying the costs of certain improvements and betterments upon the property hereinafter described and conveyed and also for the purpose of paying off and having released a mortgage upon said property originally executed by said trustees to Martha J. Dodd and now held by Alfred Green of Queen Anne's County aforesaid;

And whereas, in pursuance of the aforesaid order of the Circuit Court for Queen Anne's County, in Equity, the said Thomas J. Keating and J. Fletcher Rolph, Trustees as aforesaid, have borrowed from the said Alfred Green the said sum of forty six hundred and fifty dollars and applied the said amount to the payment of the costs of the improvements and betterments upon said property and to the the payment of the present outstanding mortgage upon said property;

And whereas, the said Thomas J. Keating and J. Fletcher Rolph, trustees as aforesaid, have agreed to repay unto the said Alfred Green the said sum of forty six hundred and fifty dollars (\$4650.00) at the expiration of three years from the date hereof and to pay the interest thereon in the meantime semi-annually from the date hereof at the rate of six per cent per annum, and pursuant to the aforesaid order of Court, to secure the payment thereof by the execution and delivery of this mortgage.

Now, therefore, this mortgage witnesseth that, for and in consideration of the premises and of the sum of one dollar and in execution of the power conferred upon them as trustees as aforesaid, the said Thomas J. Keating and J. Fletcher Rolph, Trustees as aforesaid, do hereby grant and convey unto the said Alfred Green, his heirs and assigns in fee simple, the following real estate, to wit:- All that lot of land, or lots of land, situate on the north side of Water Street in the town of Centreville, Queen Anne's County, Maryland, adjoining on one side the property of the said Alfred Green, on another side the property of The Town Commissioners of Centreville, and in the rear the property of the Queen Anne's National Bank of Centreville, and of the Centreville Observer, the said real estate being now improved by a store house now in the occupancy of Barton Brother, a baryer shop now in the occupancy of William Hard and a Store and dwelling now in the occupancy of Israel Levinson, and said real estate constituting a part of the real estate of which Elizabeth J. Keating died seized and possessed.

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. Provided, that if the said Thomas J. Keating and J. Fletcher Rolph trustees as aforesaid, their successors or assigns shall well and truly pay to the said Alfred Green, his the aforesaid sum of forty six hundred and fifty dollars (\$4650.00) 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 their part to be performed, then this mortgage shall be void; and until default be made in the premises the said Thomas J. Keating, and J. Fletcher Rolph trustees as aforesaid, their successors and assigns, shall possess said property.

And the said Thomas J. Keating and J. Fletcher Rolph, Trustees as aforesaid, for themselves, their successors 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 Alfred Green, 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, 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 Alfred Green, his executors, administrators or assigns, or 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 the said Thomas J. Keating and J. Fletcher Rolph, Trustees as aforesaid, 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 Alfred Green, his executors, administrators, assigns, 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 Thomas J. Keating and J. Fletcher Rolph, Trustees as aforesaid, for themselves, their successors and assigns, hereby covenant to pay.

Witness the hands and seals of the grantors the day and year first above written.

Test: W. L. Holton, Jr.

Thomas J. Keating (SEAL)

J. Fletcher Rolph,  
Trustees.

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

I hereby certify that on this eighth day of December, in the year 1922, before the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, duly commissioned and qualified, personally appeared Thomas J. Keating and J. Fletcher Rolph, Trustees and grantors above named, and did each acknowledge the foregoing mortgage to be their respective act and deed. And at the same time before me also personally appeared Alfred Green, 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.

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

W. L. Holton, Jr.  
Notary Public.

Notary  
Public  
Seal.

Queen Anne's County, to wit: Be it remembered that on the 6th day of February, in the year 1934, the following Assmignment was brought to be recorded, to wit:

For value received and pursuant to an order of the Orphans' Court of Queen Anne's County, passed on the 6th day of February, 1934, in the matter of the estate of Alfred Green, deceased, I, A. Marion Green, Executor of the last will and testament of the said Alfred Green, deceased, do hereby transfer and assign the within and foregoing mortgage unto M. Isabelle Green, with interest from the 8th day of December, 1933.

Witness my hand and seal, this 6th day of February, 1934.

A. Marion Green (SEAL)  
Executor of Alfred Green.

Test: Wm. R. Horney

Queen Anne's County, to wit: Be it remembered that on the 9th day of February, in the year 1934, the following Assignments were brought to be recorded, to wit:

For value received, I, M. Isabelle Green, do hereby transfer and assign the within and foregoing mortgage unto William R. Horney, with interest from the 8th day of December, 1933;

Witness my hand and seal this 8th day of February, 1934;

M. ISABELLE GREEN (SEAL)

Test: Laura V. Smith

For value received, I, William R. Horney, do hereby transfer and assign the within and foregoing mortgage unto M. Isabelle Green and Alfred M. Green, as joint tenants and unto the survivor of them with interest from the 8th day of December, 1933, without recourse or guarantee.

Witness my hand and seal, this 8th day of February, 1934.

William R. Horney (SEAL)

Test: Laura V. Smith.

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. 10, folios 57, etc., Land Record Book for Queen Anne's County.

Seal's  
Place.

In testimony whereof I hereunto subscribe my name and affix the seal of the Circuit Court for Queen Anne's County this Fifteenth day of April, in the year nineteen hundred and thirty six.

William H. Carter Clerk.

PLAINTIFF'S  
EXHIBIT NO. 3.  
Filed Apr. 29, 1936.

.....  
#10,875. QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the twenty sixth 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 nineteenth day of September, in the year nineteen hundred and twenty four, by Martha J. Weedon, widow, of Queen Anne's County, in the State of Maryland and Ada Roberts Rolph and J. Fletcher Rolph, her husband, of said County and State, G. Clinton Robert of the City of Baltimore, State of Maryland, Mary W. Dulaney, widow of the City of Long Branch State of New Jersey, Lena W. Turner, widow, of Queen Anne's County, State of Maryland, William K. Weedon and Lillian K. Weedon, his wife, of the City of Wilmington, in the State of Delaware, parties of the first part and The Centreville National Bank of Md. a body corporate of said County and State, party of the second part.

WHEREAS, the said parties of the first part are justly indebted unto the said party of the second part in the full and just sum of (\$16,150.00) sixteen thousand one hundred fifty Dollars, for money this day loaned and for the repayment of which five years from date of these presents with the interest to accrue thereon which interest is payable semi-annually at the rate of (6) six per centum per annum at the Banking House of said Bank in the town of Centreville. Queen Anne's County aforesaid and to further secure and assure the prompt payment of said principal sum of sixteen thousand one hundred and fifty dollars as condition precedent thereto and the interest to accrue thereon this mortgage is executed.

NOW THEREFORE THIS MORTGAGE witnesseth that in consideration of the premises and the further sum of ten dollars said parties of the first part do hereby grant and convey unto the said party of the second part all their right, title, right and interest and estate, in fee simple, in and to all that town property situated in the town of Centreville, in Queen Anne's County aforesaid as follows: First:

First: All that corner lot improved by a frame storehouse and dwelling on the southeast corner of Commerce and Water Streets in said town now in the occupancy of F. Gurney Jump and others, and bounded on the south side by the Ford Building and on the east by the William McKenney Home Property, and others.

Second. All those three properties located on the north side of Water Street in said town consisting of a lot improved by a store building now in the occupancy of Barton Brothers, a lot improved by a barber Shop now in the occupancy of Wm. Hard, and a lot improved by a store house and dwelling now in the occupancy of I. Levinson adjoining on one side the property of Alfred Green on another side the property of the Town Commissioners of Centreville, and in the rear the property of The Queen Anne's National Bank and The Centreville Observer and said real estate constituting part of the real estate of which Elizabeth J. Keating died seized and possessed and which said real estate passed unto said parties of the first part under the last will and testament of said Elizabeth J. Keating, late of Queen Anne's County, deceased, and filed among the will records of said County, to which will reference is hereby made for a more full and perfect description of said hereby mortgaged property.

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 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 parties of the first part their heirs, executors, administrators or assigns, shall well and truly pay to the said party of the second part its successors, executors, administrators or assigns the aforesaid sum of sixteen thousand one hundred and fifty dollars and the interest to accrue thereon, as above set forth, and shall perform 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 party of their heirs and assigns shall possess said property.

And the said parties of the first part 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 the full insurable value thereof in some company or companies approved by the said party of the second part, its 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, 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 party of the second part, its executors, administrators or assigns, or Madison B. Bordley, 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 said 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, 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 said shall have then matured or not, and third, the balance to the parties of the first part, 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 party of the second part, executors, administrators, successors or assigns, or Madison B. Bordley, 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 parties of the first part for their heirs, executors, administrators and assigns, hereby covenant to pay.

As witness our hands and seals the day and year above written.

Test: W. L. Holton, Jr.

Martha J. Weedon (SEAL)

" W. L. Holton Jr.

Ada R. Rolph (SEAL)

" W. L. Holton Jr.

J. Fletcher Rolph (SEAL)

Test:	W. L. Holton, Jr.	Mary W. Dulany	(SEAL)
"	W. L. Holton, Jr.	Lena W. Turner	(SEAL)
"	Barnett Gluchman	William K. Weedon	(SEAL)
"	Barnett Gluchman	Lillian K. Weedon	(SEAL)
"	Loretta M. Noha	G. Clinton Roberts	(SEAL)

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

I hereby certify that on this 19th. day of September, in the year nineteen hundred and twenty four, personally appeared before me, the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County aforesaid, the within named Martha J. Weedon, Ada Roberts Rolph, and J. Fletcher Rolph, her husband, Mary W. Dulany and Lena W. Turner, and did each acknowledge the foregoing mortgage to be their respective act.

W. L. Holton, Jr.  
Notary Public.

Notary  
Public  
Seal.

STATE OF DELAWARE, CITY OF WILMINGTON, TO WIT:

I hereby certify that on this twentieth day of September, in the year nineteen hundred and twenty four, before me, the subscriber, a Notary Public of the State of Delaware, in and for the City of Wilmington, personally appeared the within named William K. Weedon and Lillian K. Weedon, his wife, and did each acknowledge the foregoing mortgage to be their respective act.

Barnet Gluchman  
Notary Public.

Notary  
Public  
Seal.

STATE OF MARYLAND, BALTIMORE CITY, to wit:-

I hereby certify that on this 20 day of Sept. in the year nineteen hundred and twenty four, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore City personally appeared the within named G. Clinton Roberts and acknowledged the foregoing mortgage to be his act.

Loretta M. Noha  
Notary Public.

Notary  
Public  
Seal.

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

I hereby certify that on this 26th. day of September, in the year nineteen hundred and twenty four, personally appeared Madison B. Bordley, Vice-President of said Centreville National Bank of Maryland, and made oath in due form of law that the consideration stated in the foregoing mortgage is just and true as therein set forth. Said Madison B. Bordley, Vice-President as aforesaid further makes oath that he is the duly constituted agent of said Bank to make the above oath, said oath and affidavit being made before W. Layton Holton, a Notary Public of the State of Maryland, in and for Queen Anne's County aforesaid.

W. L. Holton, Jr.  
Notary Public.

Notary  
Public  
Seal.

Queen Anne's County, to wit: Be it remembered that on the eighth day of August, in the year 1934, the following Assignment was brought to be recorded, to wit:-

For value received, The Centreville National Bank of Maryland a body corporate does hereby transfer and assign the within and foregoing mortgage unto William R. Horney, Robert E. C. Lowe and David D. Taylor Trustees of the Truited Assets of The Centreville National Bank of Maryland, without recourse or guarantee.

Witness the hand of said body corporate by William R. Wilson, its President, attested by and its seal affixed by W. Ray Tabler, its Cashier, this 30 day of July, 1934.

Attest: W. Ray Tabler,  
Its Cashier.

Seal's  
Place.

The Centreville National Bank of Maryland  
By Wm. R. Wilson,  
Its President.

✓

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 343, etc., a Land Record Book for Queen Anne's County aforesaid.

In testimony whereof I hereunto subscribe my name and affix the seal of the Circuit Court for Queen Anne's County this fifteenth day of April, in the year nineteen hundred and thirty six.

Seal's Place.

William H. Carter Clerk

PLAINTIFF'S  
EXHIBIT No. 4  
Filed April 29, 1936

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY:

No. 20 Apprs. Jan. Term, 1931

H & H William T. Bishop )  
 ) Filed February 28th, 1931 Order to docket suit,  
 ) Narr, and Note with power to enter judgment by  
 ) confession &c.  
 ) February 28th, 1931. Judgment entered by con-  
 ) fession by the Defendants in favor of the Plain-  
 ) tiff for the sum of Three Thousand and three  
 ) dollars and thirty nine cents (\$3003.39) with  
 ) interest from date hereof until paid, and costs  
 ) of suit, with all exemptions waived, and one  
 ) hundred and fifty dollars and seveteen cents  
 ) commissions.  
 )

versus

J. F. Rolph  
Ada Rolph

Statement of Costs:

Plaintiff's Costs:

Defendant's Costs:

Attorney \$ 5.00  
Clerk 2.65  
Sheriff .40 this copy  
Witnesses \_\_\_\_\_

Attorney, \$  
Clerk,  
Sheriff,  
Witnesses \_\_\_\_\_

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

I Hereby Certify, That the foregoing is a true Copy of the Docket Entries and Short Copy of the Judgment in the above entitled cause, taken from Liber B.H.T. No. One folio 133 of the Judgment Record Books for Queen Anne's County, Maryland.

I Hereby further certify. That the said Record contains no entry nor proceedings to show that the Judgment aforesaid has been Satisfied, either in whole or in part.

In Testimony Whereof I hereunto subscribe my name and the Seal of the Circuit Court for Queen Anne's County affix, at Centreville, Maryland, on this 15th day of April A. D. 1936.

Seal's Place.

William H. Carter  
Clerk of the Circuit Court for Queen Anne's  
County, Maryland

ORDER OF PUBLICATION  
Filed Apr. 29, 1936

ADA R. ROLPH and  
J. FLETCHER ROLPH, her husband,  
MARY W. DULANY,  
LENA W. TURNER, and  
J. FLETCHER ROLPH and  
THOMAS J. KEATING, JR.,  
Trustees under the Will of Elizabeth  
J. Keating, deceased.  
VS.  
WILLIAM K. WEEDON and  
LILLIAN K. WEEDON, his wife,  
A. MARION GREEN and  
M. ISABEL GREEN, Assignees of  
Mortgage, and WILLIAM R. HORNEY,  
ROBERT E. C. LOWE and DAVID D.  
TAYLOR, Trustees, Assignees of  
Mortgage, and WILLIAM T. BISHOP.

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

Chancery No. 1615

ORDER OF PUBLICATION

The object of the Bill is to procure a sale of certain real estate particularly mentioned in the Bill, being the real estate comprising the trust estate created under the will of Elizabeth J. Keating late of Queen Anne's County, deceased,

The above was done in error, as this case is recorded at length in Liber A. S.G.Jr. No. 1, folios 478, a Judgment In Extenso Record.



CAUSE No. 3594

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the First day of October, in the year nineteen hundred and forty eight, the following Bill of Complaint was filed for record, to wit:

HOWARD T. WELCH, Barclay,  
Queen Anne's County, Maryland,  
PLAINTIFF.

VS.

MRS. SUDLER BAXTER, Chestertown,  
Kent County, Maryland;  
ALL OTHER UNKNOWN DEVISEES or  
Heirs-at-Law of Elizabeth Wallace, dec'd.;  
LINWOOD WALLACE, Annapolis, Maryland;  
MRS. NELLIE H. BUTLER, Towson, Maryland;  
ALL OTHER UNKNOWN DEVISEES or heirs-at-  
law of LOTTA WALLACE, Deceased;  
MRS. ELIZABETH VANDEWALKER, Philadelphia,  
State of Pennsylvania;  
ALL OTHER UNKNOWN DEVISEES or heirs-at  
law of MARY WELCH, Deceased;  
BIRDIE WARE and HARRY NICKERSON, both of  
Barclay, Queen Anne's County, Maryland;  
ALL OTHER UNKNOWN DEVISEES or heirs-at-  
law of ETTA NICKERSON, deceased;  
NETTIE IRVIN of Chads Ford, State of Pennsy-  
lvania;  
ALL OTHER DEVISEES and heirs-at-law of  
REBECCA BOWERT, deceased;  
RICHARD E. PHILLIPS, Barclay, BERT PHILLIPS,  
Barclay, EDWARD PHILLIPS, Church Hill; WILLIAM  
PHILLIPS, Greensboro;  
ALL OTHER DEVISEES and heirs-at-law of JOHN  
PHILLIPS, deceased;  
ROY PHILLIPS, Goldsboro, REMBERT PHILLIPS,  
Barclay, JESSE IRVIN, Wilmington, Delaware,  
ALL OTHER UNKNOWN DEVISEES, or heirs-at-law  
of JESSE PHILLIPS, deceased;  
CHARLES PHILLIPS, North Carolina, and ALL  
OTHER UNKNOWN DEVISEES or heirs-at-law of  
CHARLES PHILLIPS, deceased;  
PRESTON COURSEY, Centreville, Maryland,  
ELWOOD COURSEY, Barclay, Maryland, and ALL  
OTHER DEVISEES and heirs-at-law of  
CHRISTOPHER COURSEY, deceased;  
ALL OTHER UNKNOWN HEIRS-AT-LAW of RICHARD W.  
PHILLIPS and MARTHA A. PHILLIPS, deceased;  
and ALL that lot or parcel of land in Barclay,  
adjoining the lands of L. L. Nickerson, consist-  
ing of a lot and dwelling assessed to RICHARD  
H. PHILLIPS;  
And ALL OTHER UNKNOWN OWNERS OF SAID P ROPERTY,  
THEIR EXECUTORS, PERSONAL REPRESENTATIVES,  
ADMINISTRATORS, HEIRS-At-Law, DEVISEES OR ASSIGNEES,  
OR ANY PARTY CLAIMING ANY RIGHT, TITLE, INTEREST  
AND ESTATE IN SAID PROPERTY, OR ASSIGNEE OR  
ASSIGNEES OF SAME,  
DEFENDANTS.

IN  
THE  
CIRCUIT  
COURT  
FOR  
QUEEN  
ANNE'S  
COUNTY,  
IN  
EQUITY.  
Cause No. 3594

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Orator complaining, says:

1. Your Orator became the purchaser at a tax sale held in Queen Anne's County, Maryland, on May 20th, 1947, by T. Sordon Pippin, Treasurer for Queen Anne's County, and by virtue of said office Collector of State and County Taxes for Queen Anne's County, the tax sale aforesaid being due to default in the payment of taxes, of all that lot or parcel of land located in Barclay, Maryland, adjoining the lands of L. L. Nickerson, assessed value of \$750.00 consisting of a lot and dwelling assessed to Richard H. Phillips, at and for the sum of One Thousand (\$1000.00) Dollars payment in full made on day of sale, all of which appears by a certificate of redemption attached hereto and made a part hereof.
2. That the aforesaid land was sold under the General Tax Laws of this State that provides for the redemption thereof by any party having any interest therein, within a year and a day after said sale, but that no such party has redeemed the same.
3. That a search of the Title of said real estate for more than forty (40) years reveals the fact that the said Richard H. Phillips became seized and possessed thereof by virtue of a deed from Thomas H. Gough, dated June 25th, 1896 and recorded in Liber W.H.C. #4, folio 498, a land record book for Queen Anne's County, and in which deed the said land is described as follows, to wit:

ALL that tract or parcel of land situate at Barclay Station in Queen Anne's County, Maryland, lying on the road from Barlay to Templeville, adjoining the lands of W. H. Smith of D., BEGINNING for the same on the North side of said road where it adjoins the said Smith's Lot and runs thence with said Lot North 19-1/4 degrees East, 163 feet to an alley; thence North 70-3/4 degrees West, 40 feet; thence South 19-3/4 degrees West, 163 feet to said road; thence 70-3/4 degrees East, 40 feet to the place of beginning.

4. That the said Richard H. Phillips being so seized and possessed, died intestate in 1928, leaving surviving him as his only heirs-at-law, a widow, Martha A. Phillips, but no child nor children nor descendants from any child or children no father nor mother, but brothers and sisters and descendants from deceased brothers and sisters, as follows, to wit:

- (a) Mrs. Sudler Baxter of Chestertown, Maryland, a daughter and children of Harry Wallace, a deceased son of Elizabeth Wallace, formerly Elizabeth Phillips, a deceased sister of the said Richard H. Phillips, the names and addresses of the children of Harry Wallace being unknown to your Orator as well as all other devisees of heirs-at-law of Elizabeth Wallace.
- (b) Linwood Wallace, Annapolis, Maryland and Mrs. Nellie H. Butler, Towson, Maryland, the only known heirs-at-law of Lotta Wallace nee P hillips a deceased sister of Richard H. Phillips.
- (c) Elizabeth Vandewalker, Philadelphia, Pennsylvania, a daughter of Mary Welch nee Phillips, a deceased sister of Richard H. Phillips, all other heirs or devisees of the said Mary Welch being unknown;
- (d) Birdie Ware and Harry Nickerson, both of Barclay, only known heirs-at-law of Etta Nickerson nee P hillips, a deceased sister of the said Richard H. Phillips, and all other unknown heirs of the said Etta Nickerson.
- (e) Nettie Irvin, Chads Ford, State of Pennsylvania, only known heir-at-law of Rebecca Bowert, a deceased sister of the said Richard H. Phillips.
- (f) Richard E. Phillips, Barclay. Bert Phillips. Barclay, Edward Phillips, Church Hill, William Phillips, Greensboro, the known children and heirs-at-law of John Phillips and the unknown Devisees and heirs-at-law of May Laferty, a deceased daughter of the said John Phillips, who was a deceased brother of the said Richard H. Phillips.
- (g) Roy Phillips, Goldsboro, Rembert Phillips, Barclay, Mrs. Jesse Ivins of Wilmington, Delaware, Charles Phillips of Chestertown, Maryland, are all the known heirs of Jesse Phillips, a deceased brother of the said Richard H. Phillips.
- (h) Charles Phillips of North Carolina, a son of Charles Phillips, a deceased brother of the said Richard H. Phillips.

5. That Letters of Administration on the estate of Richard H. Phillips, deceased, were granted his widow, Martha A. Phillips, and that she has filed a First and Final Administration Account showing the overpayment of the personal estate.

6. That Martha A. Phillips widow of Richard H. Phillips, being seized and possessed of an undivided one half interest in the aforesaid real estate died intestate in the year 1935, that letters on her estate were granted to Richard E. Phillips, who has filed a final administration account in which the inheritance tax has been paid on the assessed value of the real estate in question.

7. That the said Martha A. Phillips left no husband, child or children nor descendants of any such child or children, no father nor mother surviving her, but nephews and nieces or grand-nephews and grand nieces as her only heirs-at-law as follows, to wit:

- (a) Preston, Coursey, Centreville, Maryland, Elwood Coursey, Barclay, Maryland, sons of Christopher Coursey, and the unknown heirs of Fred Coursey, a deceased son of Christopher Coursey, a deceased brother of the said Martha A. Phillips;
- (b) Harry Nickerson, a son of Nickerson, a daughter of the said Martha A. Phillips;
- (c) All of the children herein set forth of John Phillips, being also children of a deceased sister of the said Martha A. Phillips.

TO THE END THEREFORE:

1. That this Honorable Court may pass a final decree foreclosing all rights of redemption of the defendants in and to the hereinbefore described real estate.

2. That your Orator may have such other and further relief as may be right and proper in the premises.

May it please your Honors to grant unto your Orator the writs of subpoena directed to the Sheriff of Kent County, Maryland, commanding him to summon Mrs. Sudler Baxter and Charles Phillips both of Chestertown, Maryland, and to the Sheriff of Queen Anne's County, Maryland, commanding him to summons Mrs. Birdie Ware, Harry Nickerson, Richard E. Phillips, Bert Phillips and Rembert Phillips, all of Barclay, and Elwood Choursey of Barclay, Edward Phillips of Church Hill and Preston Coursey of Centreville, and to the Sheriff of Anne Arundel County, Maryland, commanding him to summon Linwood Wallace of Annapolis, and to the Sheriff of Baltimore County, Maryland, commanding him to summon Mrs. Nellie H. Butler of Towson, and to the Sheriff of Caroline County, Maryland commanding him to summon William Phillips of Greensboro and Roy Phillips of Goldsboro, to be and appear in this Court, either in person or by solicitor, on a day certain to be named therein to answer this Bill of Complaint or redeem the property in accordance with the law made and provided and abide by and perform such decree or order as may be passed therein.

May it please your Honors to grant unto your Orator the Order of Publication giving notice to all defendants, known or unknown, 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 some day certain to be named therein, to answer this Bill, or to redeem the property in accordance with the Law made and provided, and abide by and perform such decree or order as may be passed therein.

And as in duty bound, etc.,

HARRY C. BUTLER  
Harry C. Butler, Atty.  
for Complainant.

CERTIFICATE AS TO  
TITLE SEARCH  
Filed Oct. 1, 1948

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

This is to certify that I have searched the Land Records of Queen Anne's County and all other Record in the Clerk's Office of said County as well as all Records in the Register of Wills Office for Queen Anne's County for over a period of forty years prior to the filing of this Bill of Complaint, and from said search find that Richard H. Phillips died in 1928, intestate, leaving no child nor children nor descendants from any child or children and no father or mother, but descendants from brothers or sister, whether living or dead, I could not fully ascertain, and a widow, Martha A. Phillips, who was granted letters of Administration on said estate; that the said Martha A. Phillips died intestate in 1935, seized and possessed of a one half interest in said real estate, and that Richard E. Phillips, her nephew, administered upon her estate, and have not been able to ascertain from said records all the heirs of Richard H. Phillips or of Martha A. Phillips, but have set forth all the known heirs of both in said Bill of Complaint.

HARRY C. BUTLER  
Atty. for Plaintiff

Subscribed and sworn to before me this            day of October, 1948.

Frances Jane Blakslee  
Notary Public.

Notary  
Public  
Seal.

CERTIFICATE OF  
TREASURER AND COLLECTOR  
Filed Oct. 1, 1948.

I, T. Sorden Pippin, Treasurer and Collector of taxes for the State of Maryland and the County of Queen Anne's, hereby certify that on May 20th, 1947, I sold to Howard T. Welch at public auction for the sum of One Thousand Dollars and No Cents, of which One thousand Dollars has been paid, the property in the First Election District of Queen Anne's County, Maryland, and described as All that lot or parcel of land located in Barclay, adjoining the lands of L. L. Nickerson, assessed value \$750.00, consisting of lot and dwelling and assessed to Richard H. Phillips.

The property described herein is subject to redemption. Upon redemption the holder of this certificate will be refunded the sums paid on account of the purchase price together with interest thereon at the rate of six per cent per annum from the date of payment to the date of redemption, together with all other amounts specified by Chapter 761 of the Acts of 1943, and acts amendatory thereof. The balance due on account of the purchase price and all taxes together with interest and penalties thereon, accruing subsequent to the date of sale, must be paid to the Collector before a deed can be delivered to the purchaser. After May 23rd, 1948, a proceeding can be brought to foreclose all rights of redemption in the property. This certificate will be void unless such a proceeding is brought within two years from the date of this certificate.

Witness my hand and seal, this 20th day of May, 1947.

T. SORDEN PIPPIN  
Treasurer and Collector

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

I HEREBY CERTIFY, that on this 20th day of May, 1947, before the Subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, Personally appeared T. Sorden Pippin, Treasurer and Collector of Taxes for the State of Maryland and the County of Queen Anne's and acknowledged the foregoing Certificate of Sale to be his act.

Witness my hand and notarial seal.

ROBERT. NEWELL  
Notary Public

My Commission Expires: 5/2/49

Notary  
Public  
Seal.

ORDER OF PUBLICATION  
Filed Oct. 4, 1948



SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER.  
Filed Oct. 9, 1948.

(EQUITY SUBPOENA)

The State of Maryland

QUEEN ANNE'S COUNTY, TO WIT:

Seal's Place

TO Mrs. Nellie H. Butler  
Towson, Maryland.

Baltimore County

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of November next and ending December 2, 1948 thereafter cause your answer or other defense to be filed to the complaint of Howard T. Welch, Barclay, Queen Anne's County, Maryland, against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable J. Owen Knotts, Chief Judge of the Second Judicial Circuit of Maryland, the 6th day of September, 1948.

Issued the 4th day of October, 1948.

TO THE DEFENDANT(S):

You are required to file your answer to the bill of complaint in the Clerk's Office of Queen Anne's County on or before the 2nd. day of December, 1948, or redeem the property described in said bill of complaint on or before said day. In case of your failure to do so, a final decree will be rendered foreclosing your right of redemption in the property.

Solicitor for Complainant  
Name Harry C. Butler, Attorney  
Address Centreville, Maryland.

NELLIE B. WHITELEY, Clerk

And on the back of the foregoing are the following endorsements, to wit:-

Received 10-7-1948, at 9A.M. forthwith delivered to Sheriff of Baltimore County T. Braden Silcott Clerk Date Oct. 7 1948 SERVED COPY LEFT L. BROWN Deputy Sheriff.

Summoned Mrs. Nellie H. Butler, this 7th day of October, 1948 and a copy of subpoena and Bill of Complaint, foreclosing your right of redemption, left with her. CLARENCE E. DEITZ Clarence E. Deitz CW Cost .95¢

SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER  
Filed Oct. 11, 1948

(EQUITY SUBPOENA)

The State of Maryland

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO Mrs. Sudler Baxter  
Kent County  
Chestertown, Maryland.

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of November next and ending December 2, 1948 thereafter cause your answer or other defense to be filed to the complaint of Howard T. Welch, Barclay, Queen Anne's County, Maryland, against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable J. Owen Knotts, Chief Judge of the Second Judicial Circuit of Maryland, the 6th day of September, 1948.

Issued the 4th day of October, 1948.

TO THE DEFENDANT (S):

You are required to file your answer to the bill of complaint in the Clerk's Office of Queen Anne's County on or before the 2nd. day of December, 1948, or redeem the property described in said bill of complaint on or before said day. In case of your failure to do so, a final decree will be rendered foreclosing your right of redemption in the property.

Solicitor for Complainant

Name Harry C. Butler, Attorney

Address Centreville, Maryland.

NELLIE B. WHITELEY, Clerk

And on the back of the foregoing is the following endorsement, to wit:

Summons this 9th day of October and a copy of same and a copy of Bill of Complaint left with the within named defendant.

BARTUS O. VICKERS  
Sheriff Kent Co.

SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER.  
Filed Oct. 9, 1948.

(EQUITY SUBPOENA)

The State of Maryland

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO Charles Phillips  
Chestertown, Maryland.

Kent County

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of November next and ending December 2, 1948 thereafter cause your answer or other defense to be filed to the complaint of Howard T. Welch, Barclay, Queen Anne's County, Maryland, against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable J. Owen Knotts, Chief Judge of the Second Judicial Circuit of Maryland, the 6th day of September, 1948.

Issued the 4th day of October, 1948.

TO THE DEFENDANT (S):

You are required to file your answer to the bill of complaint in the Clerk's Office of Queen Anne's County on or before the 2nd day of December, 1948, or redeem the property described in said bill of complaint on or before said day. In case of your failure to do so, a final decree will be rendered foreclosing your right of redemption in the property.

Solicitor for Complainant

Name HARRY C. BUTLER, Attorney

Address Centreville, Maryland.

NELLIE B. WHITELEY, Clerk

And on the back of the foregoing is the following endorsement, to wit:-

Non - Est. Oct. 9, 1948.

ORDER TO ISSUE SECOND SUBPOENA  
FOR CHARLES PHILLIPS TO SHERIFF  
OF QUEEN ANNE'S COUNTY.  
Filed Oct. 11, 1948.

HOWARD T. WELCH )  
Plaintiff )

vs. )

Mrs. Sudler Baxter et al )  
Defendants )

IN THE CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY

IN EQUITY

Madam Clerk.

Order to issue second subpoena for Charles Phillips to Sheriff of Queen Anne's County.

HARRY C. BUTLER  
Harry C. Butler, Atty for  
Plaintiff.

Filed Oct. 11, 1948

PETITION TO AMEND BILL OF COMPLAINT  
Filed Oct. 14, 1948.

HOWARD T. WELCH,  
Plaintiff,

#

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

#

VS.

#

Cause No. 3594.

MRS. SUDLER BAXTER ET AL.  
Defendants.

#

TO THE HONORABLE, THE JUDGES OF SAID COURT:

That through error the Bill of Complaint alleged that Elwood Phillips, a son of John Phillips, is one of the heirs at law of both Richard H. Phillips and also Martha A. Phillips, his wife, that the correct name of the said defendant should be Edward Phillips and his address is Church Hill, Queen Anne's County, Maryland.

To the end, therefore;

That the name of Elwood Phillips should be stricken from the said Bill of Complaint and that Edward Phillips should be made a defendant in his place and stead and that a summons be served upon him together with a copy of the Bill of Complaint.

Respectfully submitted.

HARRY C. BUTLER  
Attorney for Complainant.

Filed Oct. 14, 1948

ORDER OF COURT  
Filed Oct. 15, 1948

ORDER OF COURT

Upon the foregoing Petition it is ordered this 15th day of October, in the year nineteen hundred and forty-eight, by the Circuit Court of Queen Anne's County, in Equity, that Howard T. Welch, the Complainant, be and he is hereby authorized to amend his Bill of Complaint by striking out the name of Edward Phillips; and the Clerk is directed to issue a subpoena to be issued upon Edward Phillips together with a copy of the Bill of Complaint.

Wm. R. HORNEY  
Judge

Filed Oct. 15, 1948

SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER.  
Filed Oct. 18, 1948.

(EQUITY SUBPOENA)

The State of Maryland

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO Elwood Phillips  
Church Hill, Maryland.

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of November next and ending December 2, 1948 thereafter cause your answer or other defense to be filed to the complaint of Howard T. Welch, Barclay, Queen Anne's County, Maryland, against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable J. Owen Knotts, Chief Judge of the Second Judicial Circuit of Maryland, the 6th day of September, 1948.

TO THE DEFENDANT(S):

You are required to file your answer to the bill of complaint in the Clerk's Office of Queen Anne's County on or before the 2nd. day of December, 1948, or redeem the property described in said bill of complaint on or before said day. In case of your failure to do so, a final decree will be rendered foreclosing your right of redemption in the property.

Solicitor for Complainant

Name HARRY C. BUTLER, Attorney

Address Centreville, Maryland.

NELLIE B. WHITELEY, Clerk

And on the back of the foregoing is the following endorsement, to wit:-

Non Est Oct. 15 - 1948 Oscar W. Tarr Sheriff.

SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER.  
Filed Oct. 18, 1948.

(EQUITY SUBPOENA)

The State of Maryland

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO Richard E. Phillips  
Barclay, Maryland.

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of November next and ending December 2, 1948 thereafter cause your answer or other defense to be filed to the complaint of Howard T. Welch, Barclay, Queen Anne's County, Maryland, against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable J. Owen Knotts, Chief Judge of the Second Judicial Circuit of Maryland, the 6th day of September, 1948.

Issued the 4th day of October, 1948.

TO THE DEFENDANT(S):

You are required to file your answer to the bill of complaint in the Clerk's Office of Queen Anne's County on or before the 2nd. day of December, 1948, or redeem the property described in said bill of complaint on or before said day. In case of your failure to do so, a final decree will be rendered foreclosing your right of redemption in the property.

Solicitor for Complainant

Name Harry C. Butler, Attorney

Address Centreville, Maryland.

NELLIE B. WHITELEY, Clerk

And on the back of the foregoing is the following endorsement, to wit:-

Within subpoena served by reading to and leaving copy and copy of Bill of Complaint with Richard E. Phillips this 13 day of October 1948.

Oscar W. Tarr  
Sheriff

SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER.  
Filed Oct. 18, 1948.

(EQUITY SUBPOENA)

The State of Maryland

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO Harry Nickerson  
Barclay, Maryland.

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of November next and ending December 2, 1948 thereafter cause your answer or other defense to be filed to the complaint of Howard T. Welch, Barclay, Queen Anne's County, Maryland, against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable J. Owen Knotts, Chief Judge of the Second Judicial Circuit of Maryland, the 6th day of September, 1948.

Issued the 4th day of October, 1948.

TO THE DEFENDANT(S):

You are required to file your answer to the bill of complaint in the Clerk's Office of Queen Anne's County on or before the 2nd. day of December, 1948, or redeem the property described in said bill of complaint on or before said day. In case of your failure to do so, a final decree will be rendered foreclosing your right of redemption in the property.

Solicitor for Complainant

Name Harry C. Butler, Attorney

Address Centreville, Maryland.

NELLIE B. WHITELEY, Clerk

And on the back of the foregoing is the following endorsement, to wit:-



Within subpoena served by reading to and leaving copy and copy of Bill of Complaint with Harry Nickerson this 13 day of October 1948 Oscar W. Tarr Sheriff

SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER.  
Filed Oct. 18, 1948.

(EQUITY SUBPOENA)

The State of Maryland

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO Mrs. Birdie Ware  
Barclay, Maryland.

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of November next and ending December 2, 1948 thereafter cause your answer or other defense to be filed to the complaint of Howard T. Welch, Barclay, Queen Anne's County, Maryland, against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable J. Owen Knotts, Chief Judge of the Second Judicial Circuit of Maryland, the 6th day of September, 1948.

Issued the 4th day of October, 1948.

TO THE DEFENDANT(S):

You are required to file your answer to the bill of complaint in the Clerk's Office of Queen Anne's County on or before the 2nd. day of December, 1948, or redeem the property described in said bill of complaint on or before said day. In case of your failure to do so, a final decree will be rendered foreclosing your right of redemption in the property.

Solicitor for Complainant

Name Harry C. Butler, Attorney

Address Centreville, Maryland.

NELLIE B. WHITELEY, Clerk

And on the back of the foregoing is the following endorsement, to wit:-

Within subpoena served by reading to and leaving copy and copy of Bill of Complaint with Mrs. Birdie Ware this 13 day of October 1948 Oscar W. Tarr Sheriff.

SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER.  
Filed Oct. 18, 1948.

(EQUITY SUBPOENA)

The State of Maryland

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO Elwood Coursey  
Barclay, Maryland.

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of November next and ending December 2, 1948 thereafter cause your answer or other defense to be filed to the complaint of Howard T. Welch, Barclay, Queen Anne's County, Maryland, against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable J. Owen Knotts, Chief Judge of the Second Judicial Circuit of Maryland, the 6th day of September, 1948.

Issued the 4th day of October, 1948.

TO THE DEFENDANT(S):

You are required to file your answer to the bill of complaint in the Clerk's Office of Queen Anne's County on or before the 2nd. day of December, 1948, or redeem the property described in said bill of complaint on or before said day. In case of your failure to do so, a final decree will be rendered foreclosing your right of redemption in the property.

Solicitor for Complainant

Name Harry C. Butler, Attorney

Address Centreville, Maryland.

NELLIE B. WHITELEY, CLERK

And on the back of the foregoing is the following endorsement, to wit:

Within subpoena served by reading to and leaving copy and copy of Bill of Complaint with Elwood Coursey this 13 day of October 1948 Oscar W. Tarr Sheriff

SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER.  
Filed Oct. 18, 1948

(EQUITY SUBPOENA)

The State of Maryland

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO BERT PHILLIPS  
Barclay, Maryland.

GREETING:

We command and enjoin you that you do within the tender limited by law, beginning on the first Monday of November next and ending December 2, 1948 thereafter cause your answer or other defense to be filed to the complaint of Howard T. Welch, Barclay, Queen Anne's County, Maryland, against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable J. Owen Knotts, Chief Judge of the Second Judicial Circuit of Maryland, the 6th day of September, 1948.

Issued the 4th day of October, 1948.

TO THE DEFENDANT(S):

You are required to file your answer to the bill of complaint in the Clerk's Office of Queen Anne's County on or before the 2nd. day of December, 1948, or redeem the property described in said bill of complaint on or before said day. In case of your failure to do so, a final decree will be rendered foreclosing your right of redemption in the property.

Solicitor for Complainant

Name Harry C. Butler, Attorney

Address Centreville, Maryland.

NELLIE B. WHITELEY, Clerk

And on the back of the foregoing is the following endorsement, to wit:-

Within subpoena served by reading to and leaving copy and copy of Bill of Complaint with Bert Phillips this 13 day of October 1948 Oscar W. Tarr Sheriff.

SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER.  
Filed Oct. 18, 1948.

(EQUITY SUBPOENA)

The State of Maryland

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO Rembert Phillips  
Barclay, Maryland.

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of November next and ending December 2, 1948 thereafter cause your answer or other defense to be filed to the complaint of Howard T. Welch, Barclay, Queen Anne's County, Maryland, against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable J. Owen Knotts, Chief Judge of the Second Judicial Circuit of Maryland, the 6th day of September, 1948.

Issue the 4th day of October, 1948.

TO THE DEFENDANT(S):

You are required to file your answer to the bill of complaint in the Clerk's Office of Queen Anne's County on or before the 2nd. day of December, 1948, or redeem the property described in said bill of complaint on or before said day. In case of your failure to do so, a final decree will be rendered foreclosing your right of redemption in the property.

Solicitor for Complainant

Name Harry C. Butler, Attorney

Address Centreville, Maryland.

NELLIE B. WHITELEY, Clerk

And on the back of the foregoing is the following endorsement, to wit:-

Within subpoena served by reading to and leaving copy and copy of Bill of Complaint with Rembert Phillips this 12th day of October 1948. Oscar W. Tarr Sheriff.

SUBPOENA FOR RESPONDENT TO APPEAR  
AND ANSWER.  
Filed Oct. 18, 1948.

(EQUITY SUBPOENA)

The State of Maryland

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO Edward Phillips,  
Church Hill, Queen Anne's County, Maryland,

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of November next and ending December 2, 1948, thereafter cause your answer or other defense to be filed to the complaint of Howard T. Welch, Barclay, Queen Anne's County, Maryland, against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable J. Owen Knotts, Chief Judge of the Second Judicial Circuit of Maryland, the 6th. day of September, 1948.

Issued the 15th. day of October, 1948.

TO THE DEFENDANT(S):

You are required to file your answer to the bill of complaint in the Clerk's Office of Queen Anne's County on or before the 2nd. day of December, 1948, or redeem the property described in said bill of complaint on or before said day. In case of your failure to do so, a final decree will be rendered foreclosing your right of redemption in the property.

Solicitor for Complainant(s)

Name HARRY C. BUTLER

Address Centreville, Maryland.

NELLIE B. WHITELEY, Clerk

And on the back of the foregoing is the following endorsement, to wit:-

Within subpoena served by reading to and leaving copy and copy of Bill of Complaint with Edward Phillips this 16 day of October 1948. Oscar W. Tarr Sheriff.

SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER.  
Filed Oct. 18, 1948.

(EQUITY SUBPOENA)

The State of Maryland

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO Charles Phillips, Queen Anne's County,  
Centreville, Maryland

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of November next and ending December 2, 1948, thereafter cause your answer or other defense to be filed to the complaint of Howard T. Welch, Barclay, Queen Anne's County, Maryland, against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable J. Owen Knotts, Chief Judge of the Second Judicial Circuit of Maryland, the 6th. day of September, 1948

Issued the 11th, day of October, 1948.

TO THE DEFENDANT(S):

You are required to file your answer to the bill of complaint in the Clerk's Office of Queen Anne's County on or before the 2nd. day of December, 1948, or redeem the property described in said bill of complaint on or before said day. In case of your failure to do so, a final decree will be rendered foreclosing your right of redemption in the property.

Solicitor for Complainant(s)

Name Harry C. Butler

Address Centreville, Maryland

NELLIE B. WHITELEY, Clerk

And on the back of the foregoing is the following endorsement, to wit:-

Within Subpoena served by reading to and leaving copy and copy of Bill of Complaint with Charles Phillips this 15 day of October 1948. Oscar W. Tarr Sheriff.

SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER.  
Filed Oct. 20, 1948.

(Equity Subpoena)

Seal's Place The State of Maryland  
TO Roy Phillips QUEEN ANNE'S COUNTY, TO WIT:  
Goldsboro, Maryland. Caroline County

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of November next and ending December 2, 1948 thereafter cause your answer or other defense to be filed to the complaint of Howard T. Welch, Barclay, Queen Anne's County, Maryland, against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable J. Owen Knotts, Chief Judge of the Second Judicial Circuit of Maryland, the 6th day of September, 1948.

Issued the 4th day of October, 1948.

TO THE DEFENDANT(S):

You are required to file your answer to the bill of complaint in the Clerk's Office of Queen Anne's County on or before the 2nd. day of December, 1948, or redeem the property described in said bill of complaint on or before said day. In case of your failure to do so, a final decree will be rendered foreclosing your right of redemption in the property.

Solicitor for Complainant

Name Harry C. Butler, Attorney  
Address Centreville, Maryland. NELLIE B. WHITELEY, Clerk

SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER.  
Filed Oct. 21, 1948.

(EQUITY SUBPOENA)

Seal's Place The State of Maryland  
TO Preston Coursey QUEEN ANNE'S COUNTY, TO WIT:  
Centreville, Maryland.

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of November next and ending December 2, 1948 thereafter cause your answer or other defense to be filed to the complaint of Howard T. Welch, Barclay, Queen Anne's County, Maryland, against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable J. Owen Knotts, Chief Judge of the Second Judicial Circuit of Maryland, the 6th day of September, 1948.

Issued the 4th day of October, 1948.

TO THE DEFENDANT(S):

You are required to file your answer to the bill of complaint in the Clerk's Office of Queen Anne's County on or before the 2nd. day of December, 1948, or redeem the property described in said bill of complaint on or before said day. In case of your failure to do so, a final decree will be rendered foreclosing your right of redemption in the property.

Solicitor for Complainant

Name Harry C. Butler, Attorney  
Address Centreville, Maryland. NELLIE B. WHITELEY, Clerk.

And on the back of the foregoing is the following endorsement, to wit:-

Within subpoena issued by reading to and leaving copy and copy of Bill of Complaint with Preston Coursey this 21st day of October 1948 Oscar W. Tarr Sheriff.

SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER.  
Filed Oct. 27, 1948.

(EQUITY SUBPOENA)

The State of Maryland

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO Linwood Wallace, Annapolis, Maryland

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of November next and ending December 2, 1948, thereafter cause your answer or other defense to be filed to the complaint of Howard T. Welch, Barclay, Queen Anne's County, Maryland, against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable J. Owen Knotts, Chief Judge of the Second Judicial Circuit of Maryland, the 6th, day of September, 1948.

Issued the 4th. day of October, 1948.

TO THE DEFENDANT(S):

You are required to file your answer to the bill of complaint in the Clerk's Office of Queen Anne's County on or before the 2nd. day of December, 1948, or redeem the property described in said bill of complaint on or before said day. In case of your failure to do so, a final decree will be rendered foreclosing your right of redemption in the property.

Solicitor for Complainant(s)

Name Harry C. Butler

Address Centreville, Maryland

NELLIE B. WHITELEY, Clerk

And on the back of the foregoing is the following endorsement, to wit:-

Received this 7 day of Oct. 1948 and forthwith delivered to the Sheriff of Anne Arundel County, Md. Test John H. Hopkins, 3rd. Clerk.

Summoned the within named defendant this 20th day of October 1948 by leaving with him a copy of the summons and nur. Joseph W. Alton Sheriff of A.A.Co. #1.45 Costs.

SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER.  
Filed Nov. 2, 1948.

(EQUITY SUBPOENA)

The State of Maryland

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO William Phillips  
Greensboro, Maryland.

Caroline County

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of November next and ending December 2, 1948 thereafter cause your answer or other defense to be filed to the complaint of Howard T. Welch, Barclay, Queen Anne's County, Maryland, against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable J. Owen Knotts, Chief Judge of the Second Judicial Circuit of Maryland, the 6th day of September, 1948.

Issued the 4th day of October, 1948.

TO THE DEFENDANT(S):

You are required to file your answer to the bill of complaint in the Clerk's Office of Queen Anne's County on or before the 2nd. day of December, 1948, or redeem the property described in said bill of complaint on or before said day. In case of your failure to do so, a final decree will be rendered foreclosing your right of redemption in the property.

Solicitor for Complainant

Name Harry C. Butler, Attorney

Address Centreville, Maryland.

NELLIE B. WHITELEY, Clerk

And on the back of the foregoing is the following endorsement, to wit:-

I hereby certify that on the 28th day of October, 1948, I read the within writ to the Defendant therein named and copy of process and bill left with him: William E. Andrew Sheriff of Caroline County. Fee \$1.05

CERTIFICATE OF PUBLICATION OF  
ORDER OF PUBLICATION  
Filed Dec. 1, 1948

ORDER OF PUBLICATION

HOWARD T. WELCH, BARCLAY,  
Queen Anne's County, Maryland,  
Plaintiff,  
VS.

Mrs. Sudler Baxter, Chestertown, Maryland; All other unknown Devisee or Heirs-at-Law of Elizabeth Wallace, deceased; Linwood Wallace, Annapolis, Maryland; Mrs. Nellie H. Butler, Towson, Maryland; All other unknown Devisees or Heirs-at-Law of Lotta Wallace, deceased; Mrs. Elizabeth Vandwalker, Philadelphia, State of Pennsylvania;

All other unknown Devisees or Heirs-at-Law of Mary Welch, deceased; Birdie Ware and Harry Nickerson, both of Barclay, Queen Anne's County, Maryland;

All other unknown Devisees or Heirs-at-Law of Etta Nickerson, deceased;

Mettie Irvin of Chads Ford, State of Pennsylvania, and all other unknown Devisees and Heirs-at-Law of Rebecca Bowert, deceased;

Richard E. Phillips, Barclay, Bert Phillips, Barclay, Elwood Phillips Church Hill, William Elwood Phillips boro, and all other unknown Devisees and Heirs-at-Law of John Phillips, deceased;

Roy Phillips, Goldsboro, Rembert Phillips, Barclay, Jesse Irvin, Wilmington, Del., Charles Phillips, Chestertown, and all other unknown Devisees and Heirs-at-Law of Jesse Phillips, deceased;

Chares Phillips, North Carolina, and all other unknown Devisees and Heirs-at-Law of Charles Phillips, Deceased;

Preston Coursey, Centreville, Maryland, Elwood Coursey, Barclay, Maryland, Elwood Coursey, Barclay, Maryland, and all other unknown Devisees and Heirs-at-Law of Christopher Coursey, deceased;

All other unknown heirs-at-Law of Richard H. Phillips and Martha A. Phillips, deceased;

And all that lot or parcel of land in Barclay, adjoining the Lands of L. L. Nickerson, consisting of a lot and dwelling assessed to Richard H. Phillips;

And all other unknown owners of said property, their executors, personal representatives, administrators, Heirs-at-Law, Devisees or Assignee, or any party claiming any right, title, interest and estate in said property, or Assignee or assignees of same;

Defendants,

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

Cause No. 3594

The object of this suit is to foreclose all rights of redemption of all claimants in and to all that lot or parcel of land located at Barclay, adjoining the lands of L. L. Nickerson, assessed value of \$750.00 and consisting of a Lot and Dwelling assessed to Richard H. Phillips and sold May 20th, 1947, in default of payment of taxes by Treasurer for Queen Anne's County to Howard T. Welch at and for \$1,000.00, who has paid full purchase price.

The Bill of Complaint states that Richard H. Phillips died intestate seized and possessed of same, that letters of administration were granted to Martha A. Phillips and that a search of the Title failed to reveal his heirs, that the known heirs of Richard H. Phillips are as follows, to wit:

Mrs. Sudler Baxter, Chestertown; Linwood Wallace, Annapolis; Nellie H. Butler, Towson; Mrs. Elizabeth Vandewalker, Philadelphia, Pennsylvania; Birdie Ware, Harry Nickerson, Richard E. Phillips, Bert Phillips, Rembert Phillips, all of Barclay, Maryland; Nettie Irvin of Chads Ford, Pennsylvania; Ellwood Phillips, Church Hill; William Phillips, Greensboro; Roy Phillips, Goldsboro; Jesse Irvin, Wilmington, Del; Charles Phillips, Chestertown, Charles Phillips, North Carolina;

That Martha A. Phillips, widow of Richard H. Phillips, died intestate

in 1935, seized and possessed of an undivided one half interest in said real estate, that letters of Administration were granted to Richard E. Phillips, that a search of the Records fail to reveal her heirs, but that her known heirs are as follows, to wit: Preston Coursey, Centreville; Elwood Coursey, Richard E. Phillips, Bert Phillips, all of Barclay; Elwood Phillips, Church Hill; William Phillips, Greensboro. That no one in interest has redeemed said property.

IT IS THEREUPON this 4th day of October, 1948, by The Circuit Court for Queen Anne's County, in Equity, ORDERED, That notice be given by the insertion of a copy of this Order in some newspaper printed and published in Queen Anne's County, once a week for four successive weeks, warning all persons interested in said property to be and appear in this Court on or before the 2nd day of December, 1949, and redeem the property so assessed to the said Richard H. Phillips and answer the Bill of Complaint or thereafter a final decree will be rendered foreclosing all rights of redemption in the property, and vesting in the Complainant a title thereto free and clear of all encumbrances.

True Copy:  
Test: NELLIE B. WHITELEY;  
Clerk.  
Filed October 4, 1948.

WM. R. HORNEY  
Judge.

The Queenstown News

Queenstown, Md. October 30, 1948

THE QUEENSTOWN NEWS, trading as a co-partnership between Michael W. Aker and George J. Steinfelt, do hereby certify that the Order of Publication in the case of Howard T. Welch, Barclay, Md., Vs. Defendants and Unknown Heirs. Cause No. 3594 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 2nd day of Dec. 1948, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 8th day of October 1948.

THE QUEENSTOWN NEWS

By GEO. J. STEINFELT

Filed Dec. 1, 1948

MILITARY AFFIDAVIT.  
Filed Dec. 27, 1948.

Howard T. Welch,  
Plaintiff,

VS.

Mrs. Sudler Baxter,  
ALL OTHER UNKNOWN DEVISEES or  
HEIRS-AT-LAW of Elizabeth Wallace, dec'd.,  
Linwood Wallace, Mrs. Nellie H. Butler, All  
Other Unknown Devisees or heirs-at-law  
of Lottie Wallace, dec'd; Mrs. Elizabeth Vandewalker, All Other Unknown Devisees or Heirs-at-law of Mary Welch, dec'd; Birdie Ware and Harry Nickerson, All Other Unknown Devisees or Heirs-at-law of Etta Nickerson, dec'd; Nettie Irvin, All Other Devisees and Heirs-at-Law of Rebecca Bowert, dec'd; Richard E. Phillips, Bert Phillips, Edward Phillips and William Phillips, All Other Devisees and Heirs-at-Law of John Phillips, dec'd.; Roy Phillips, Rembert Phillips, Jesse Irvin, Charles Phillips, All Other Unknown Devisees and Heirs-at-Law of Jesse Phillips, dec'd.; Charles Phillips, All Other Unknown Devisees or Heirs-at-law of Charles Phillips, dec'd., Preston Coursey, Elwood Coursey, All Other Unknown Devisees or Heirs-at-law of Christopher Coursey, dec'd.,

Defendants.

# In  
# The  
# Circuit  
# Court  
# For  
# Queen Anne's  
# County, In  
# Equity.  
# Cause N.3594.  
#  
#  
#

MILITARY AFFIDAVIT.

I hereby certify that on this 24th day of December, 1948, before me, the subscriber, a Notary Public of the State of Maryland in and for Queen Anne's County, personally appeared Howard T. Welch, the Plaintiff in the above cause, and made oath in due form of law that to the best of his knowledge and belief none of above named Defendants, whose names are set forth in the above titling are engaged in the Military Service of the United States of America or in the Military Services of the Allies of the United States nor have been for three months prior to the making of this affidavit; nor in the reserve military service of this Country; nor are awaiting induction into said Military Services.

Notary  
Public  
Seal.

FRANCES JANE BLAKSLEE  
Notary Public. My Com. ex.: 2 May 1949.

Filed Dec. 27, 1948.

DECREE  
Filed Dec. 27, 1948.

HOWARD T. WELCH,  
Plaintiff,

VS.

MRS. SUDLER BAXTER, ALL OTHER UNKNOWN HEIRS-AT-LAW AND DEVISEES OF ELIZABETH WALLACE, DEC'D., MRS. NELLIE H. BUTLER, LINWOOD WALLACE, ALL OTHER UNKNOWN DEVISEES OR HEIRS-AT-LAW OF LOTTA WALLACE, DEC'D.; MRS ELIZABETH VANDEWALKER, ALL OTHER UNKNOWN DEVISEES OR HEIRS-AT-LAW OF MARY WELCH? DEC'D.; BIRDIE WARE AND HARRY NICKERSON, ALL OTHER UNKNOWN DEVISEES OR HEIRS-AT-LAW OF ETTA NICKERSON, DEC'D.; NATTIE IRVIN AND ALL OTHER UNKNOWN DEVISEES OR HEIRS-AT-LAW OF REBECCA BOWERS, DEC'D.; RICHARD E. PHILLIPS, BERT PHILLIPS, EDWARD PHILLIPS, AND WILLIAM PHILLIPS, ALL OTHER UNKNOWN DEVISEES OR HEIRS-AT-LAW OF JOHN PHILLIPS, DEC'D.; ROY PHILLIPS, REMBERT PHILLIPS, JESSE IRVIN, AND CHARLES PHILLIPS ALL OTHER UNKNOWN DEVISEES OR HEIRS-AT-LAW OF JESSE PHILLIPS, DEC'D.; CHARLES PHILLIPS AND ALL OTHER UNKNOWN DEVISEES OR HEIRS-AT-LAW OF CHARLES PHILLIPS, DEC'D.; PRESTON COURSEY AND ELWOOD COURSEY AND ALL OTHER UNKNOWN DEVISEES OR HEIRS-AT-LAW OF CHRISTOPHER COURSEY DEC'D.; ALL OTHER UNKNOWN HEIRS-AT-LAW OF RICHARD H. PHILLIPS AND MARTHA A. PHILLIPS, DEC'D.; AND ALL THAT LOT OR PARCEL OF LAND IN BARCLAY ADJOINING THE LANDS OF L. L. NICKERSON, CONSISTING OF A LOT AND DWELLING ASSESSED TO RICHARD H. PHILLIPS. AND ALL OTHER UNKNOWN OWNERS OF SAID PROPERTY, THEIR EXECUTORS, PERSONAL REPRESENTATIVES, ADMINISTRATORS, HEIRS-AT-LAW, DEVISEES OR ASSIGNEES; OR ANY PARTY CLAIMING ANY RIGHT, TITLE, INTEREST AND ESTATE IN SAID PROPERTY, OR ASSIGNEE OR ASSIGNEES OF SAME.

Defendants.

IN

The

Circuit Court

For

QUEEN ANNE'S COUNTY,

IN EQUITY.

Cause No. 3594.

FINAL DECREE.

The Proceedings in the within and foregoing cause having been read and considered, and the Defendants having been either served with process or properly notified by an ORDER OF PUBLICATION issuing out of this Court, and it appearing that no redemption of said property has been made, nor any answer to the Bill of Complaint filed: IT IS THEREUPON this 27th day of December, 1948, ADJUDGED, ORDERED AND DECREED BY THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY, IN EQUITY that the title to the real estate herein described and sold by T. Sordon Pippin, TREASURER for Queen Anne's County, and by virtue of said Office, Collector of Taxes for said County, to Howard T. Welch on the 21st. day of May, 1947, be and the same is hereby vested in the said Howard T. Welch by an absolute and indefeasible title in fee simple, free and clear of all liens and encumbrances and of all claims by the Defendants or any of them or any one claiming by, through or under them or any of them, except taxes and other liens accruing subsequent to the date of sale and public easements to which the said property may be subjected, to the intent and purpose that the present Treasurer for Queen Anne's County shall grant and convey and convey to Howard T. Welch his heirs and assigns, by a good and merchantible title in fee simple the following real estate, to wit: All that tract or parcel of land situate at Barclay Station in Queen Anne's County, Maryland, lying on the road from Barclay to Templeville, adjoining the lands now or formerly owned by W. H. Smith of D., Beginning for the same on the North side of said road where it adjoins the said Smith Lot and runs thence with said Lot North 19-1/4 degrees East, 163 feet to an alley: thence North 70-3/4 degrees west, 40 feet; thence South 19-3/4 degrees West, 163 feet to said road; thence 70-3/4 degrees East, 40 feet to the place of beginning, being the same land granted and conveyed to Richard H. Phillips by Thomas H. Gough, by deed dated June 25th., 1896, and recorded in Liber W.H.C. No. 4, folio 498 & etc., a Land Record Book for Queen Anne's County.

AND IT IS FURTHER ADJUDGED, ORDERED AND DECREED that the said C. Percy Arrington, the Present Treasurer for Queen Anne's County, shall execute and deliver a deed to the said Howard T. Welch, his heirs and assigns, in fee simple, granting and conveying the same, upon the payment of any interest penalties or taxes accruing subsequent to the date of sale.

Wm. R. HORNEY  
Judge.

Filed Dec. 27, 1948.



CAUSE NO. 3598

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Thirtieth day of November, in the year nineteen hundred and forty eight, the following Order to Docket Suit was filed for record, to wit:

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

JOHN PALMER SMITH,

CHANCERY No. 3598

Assignee of Mortgage,  
Centreville, Md.

Suit for foreclosure of mortgage from Sadie E. Crossan to Highley D. Orem, dated May 22nd, 1947, held by John Palmer Smith, attorney at law, by Assignment for a sale of mortgage property provided under power of sale contained in mortgage.

Vs.

SADIE E. CROSSAN,

Mortgagor.  
Sudlersville, Md.

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 papers of said suit a certified copy of the mortgage from Sadie E. Crossan to Highley D. Orem, dated May 22nd, 1947, and recorded in Liber A.S.G. Jr., No. 17, folio 210, etc., a land record book for Queen Anne's County, and the assignment thereof to John Palmer Smith.

This suit, to be docketed as aforesaid, is for the foreclosure of the above described mortgage under the power of sale contained in said mortgage, default having occurred in the terms, conditions and covenants of said mortgage by reason of the non-payment of the interest due on the principal mortgage debt thereon covenanted to be paid by the terms of the said mortgage at the times therein provided for the payment thereof.

And as in duty bound, etc.,

JOHN PALMER SMITH.  
John Palmer Smith,  
Assignee of Mortgage.  
Centreville, Maryland.

Filed Nov. 30, 1948.

AFFIDAVIT

STATE OF MARYLAND, Queen Anne's COUNTY, to wit:

I HEREBY CERTIFY, that on this 30th day of November, in the year 1948, before me the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County aforesaid, personally appeared John Palmer Smith, and made oath in due form of law that after diligent inquiry it has been found that Sadie E. Crossan, who has remarried and is now known as Sadie E. Squires, is 48 years of age. The said Sadie E. Crossan, now Sadie E. Squires is a merchant and reside in Queen Anne's County, State of Maryland. The said Defendant 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 have they been in such service within three months prior hereto.

AS WITNESS my hand and Notarial Seal.

Notary  
Public  
Seal.

PAUL B. SMITH  
Notary Public.

My Commission Expires May 2, 1949

CERTIFIED COPY of BOND  
Filed Nov. 30, 1948.

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Thirtieth day of November, in the year nineteen hundred and forty eight, the following Bond was filed for record, to wit:

KNOWN ALL MEN BY THESE PRESENTS: That we, John Palmer Smith, of Queen Anne's County, State of Maryland, and the Glens Falls Indemnity 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 Five Thousand Dollars (\$5,000.00), 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 30th day of November, 1948.

WHEREAS, a certain mortgage from Sadie E. Crossan to Highley D. Orem, bearing date the 22nd day of May, 1947, and recorded in Liber A. S. G. Jr., No. 17, folio 210, etc., a land record book for Queen Anne's County, Maryland, has been, by assignment duly recorded, duly assigned unto the said John Palmer Smith, which said assignment is recorded among the land records aforesaid at the foot of said mortgage; and

WHEREAS, the above bounden, John Palmer Smith, as the Assignee as aforesaid of the above described mortgage, is about to execute the power of sale contained in the said above described mortgage by making sale of the property described in, grant-

ed and conveyed by said mortgage, default having occurred in the terms, conditions and covenants of said mortgage by reason of the non-payment of the interest due on the principal mortgage debt covenanted to be paid by the terms of said mortgage at the times therein provided for the payment thereof.

NOW, THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bounden, John Palmer Smith, does 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 and 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:

PAUL B. SMITH

JOHN PALMER SMITH (SEAL)  
John Palmer Smith.

ATTEST:\*

PAUL B. SMITH

GLENS FALLS INDEMNITY COMPANY  
By L. HERMAN MEREDITH  
ATTORNEY

Corporate Seal.

And at the foot of the foregoing Bond is thus endorsed, to wit:

Security approved and bond filed Nov. 30, 1948.

NELLIE B. WHITELEY, Clerk

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. 1, folios 75, etc., one of the Bond Record Books 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 30th, day of November, in the year nineteen hundred and forty nine.

Notary Public Seal.

NELLIE B. WHITELEY  
Clerk.

CERTIFIED COPY OF MORTGAGE  
Filed Nov. 30, 1948.

.....  
#25,554. QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Twenty Second day of May in the year nineteen hundred and forty seven, the following Mortgage was brought to be recorded, to wit:-

PURCHASE MONEY MORTGAGE:

THIS MORTGAGE, made this twenty-second day of May in the year nineteen hundred and forty seven between Sadie E. Crossan, single woman, of 515 Madison Street, Wilmington, Delaware, but at the time of the execution of this Mortgage temporarily residing in Queen Anne's County in the State of Maryland, hereinafter called "Mortgagor", party of the first part and Highley D. Orem, of Kent County, Maryland, hereinafter called "Mortgagee", party of the second part.

PREAMBLE:

The said Mortgagor does hereby acknowledge her indebtedness unto the Mortgagee in the full sum of Two Thousand Dollars, money loaned to be repaid with interest and the Mortgagor does hereby agree to repay said sum at the expiration of two years counting from the date of this Mortgage and upon which sum she does hereby agree to pay to the Mortgagee in the meantime interest at the rate of five per centum per annum counting from the date hereof by two equal half year payments, to wit: on the twenty-second day of November and on the twenty-second day of May in each and every year until the whole of said sum shall be paid.

WHEREAS, it is a condition of the loan of said money that this Mortgage should be given to secure the repayment of said sum of Money and the payment of said interest, wherefore the same is now made and executed for delivery unto the Mortgagee.

NOW THEREFORE THIS MORTGAGE WITNESSETH:

THAT the said Mortgagor for and in consideration of the premises and the sum of One Dollar does hereby grant and convey unto the Mortgagee, his heirs and assigns forever,

ALL that lot or parcel of land containing a bungalow dwelling house, a Gas Filling Station and a Garage situate, lying and being in the Seventh Election District of Queen Anne's County in the State of Maryland at Hackett's Corner and on the west side of the State Road from Unicorn Mills to Millington in Kent County, bounded on the east by said road and adjoining the land of Spencer Truitt and the land of the heirs of James E. Higman and containing six Acres of land, more or less.

NOTE: The road above mentioned is that road which runs from Sudlers-

in Queen Anne's County to Millington aforesaid.

BEING the same land granted and conveyed by Hulbirt A. Groff and Mary T. Groff, his wife, to the Mortgagor by a Deed of even date and intended to be filed for record among the land Record Books of Queen Anne's County so that the same can be recorded immediately to precede the record of this Mortgage which is given to secure a part of the purchase money named in said Deed and paid by the Mortgagor to the Grantors thereof as the consideration named therein.

TOGETHER with the buildings and improvements thereon and all the roads, rights, ways waters, privileges and appurtenances thereunto belonging or in anywise appertaining.

PROVIDED, that if the Mortgagor, her heirs, executors, administrators and assigns shall well and truly pay unto the Mortgagee, his executors, administrators and assigns, the aforesaid Sum of Two Thousand Dollars and the interest to be paid thereon as above set forth when and as the same shall become due and payable as above set forth and shall perform all the covenants herein contained on her and their part to be performed then this Mortgage shall be void.

IT IS AGREED that until default shall be made in some covenant herein contained on the part of the Mortgagor, her heirs and assigns, they, the Mortgagor, her heirs and assigns, shall possess said property.

AND the Mortgagor, for herself and for her heirs, executors, administrators and assigns, hereby covenants with the Mortgagee, his executors, administrators and assigns, as follows, to wit:

(1) 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 which hereafter from time to time may be levied thereon and on the property hereby conveyed, all costs and attorney's Commission and charges incurred in the collection of said debt or in the collection of said interest; and

(2) To insure and while this Mortgage remains unpaid to keep insured against loss by fire the improvements on the mortgaged property to the amount of the full insurable value thereof in some company issuing such insurance as shall meet with the approval of the Mortgagee, and his assigns, and to have each policy mentioned as procured so endorsed that the proceeds arising therefrom in case of loss of the insured property shall be applied to the payment of this mortgage and to deliver upon demand to the Mortgagee, his executors, administrators and assigns, each policy; and

(3) That no act nor thing shall be done whereby the mortgaged property may be depreciated or lessened in value; and

(4) That in case of default in the payment, said interest or in the payment of any part of either as they severally fall due or in any covenant herein contained on the part of the Mortgagor, her heirs and assigns, then the whole debt intended hereby to be secured and all money owing hereunder shall forthwith become due and payable and the said Mortgagee, or his executors, administrators or assigns or in lieu of him or any of them, Madison Brown, Attorney of Law of Queen Anne's County are hereby severally authorized and empowered to sell the mortgaged property after having given twenty days previous notice of the time, place, manner and terms of sale by advertisement in some newspaper published in Queen Anne's County aforesaid and such other notice as the vendor may deem expedient, for cash or upon terms of both cash and credit according to the determination of the Vendor and to apply the proceeds of sale in the following manner, to wit:

First, to the payment of all expenses incident to such sale, including compensation to the party making the sale equal to ten per centum of the amount of the gross sale; second, to the payment of all money owing hereunder or secured hereby, whether the same shall have then matured or not, third, to pay the balance to the Mortgagor or unto the person or persons who shall then be entitled to the same.

(5) That after the necessary fore-closure bond has been filed in the Circuit Court for Queen Anne's County in Equity because of default in some covenant of this Mortgage neither the Mortgagee, his executors, administrators and assigns, nor the said Madison Brown shall be required to receive and accept the mortgaged indebtedness, meaning both principal and interest then unpaid in satisfaction thereof unless the tender of said mortgage indebtedness be accompanied by the payment of all expenses incurred in the collection proceedings including costs of said bond and a commission to be paid to the party filing the bond equal to five per centum of the amount of said mortgage indebtedness.

IT IS AGREED between the parties hereto that the Mortgagor, her personal representatives and assigns shall have the right to make payments on account of the debt hereby secured at such times and such amounts as they may desire, the interest on the sum so paid on account to cease on date of payment of the sums so paid on account.

IN TESTIMONY WHEREOF the party of the first part has hereunto subscribed her name and affixed her seal the day and year first hereinabove written.

TEST: DELHA DANCY ROLPH  
Delha Dancy Rolph

SADIE E. CROSSAN (SEAL)  
Sadie E. Crossan

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I HEREBY CERTIFY that on this twenty-second day of May in the year nineteen hundred and forty seven, before me, the subscriber, a Notary Public of the State of Maryland in and for Queen Anne's County aforesaid, personally appeared Sadie E. Crossan, the above named Mortgagor and she did acknowledge the aforegoing MORTGAGE to be her act.

IN WITNESS WHEREOF I do hereunto subscribe my name and affix my Seal Notarial the day and year above written.

Notary  
Public  
Seal.

DELHA DANCY ROLPH NOTARY PUBLIC  
Delha Dancy Rolph

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I HEREBY CERTIFY that on this twenty second day of May in the year nineteen hundred and forty seven, before me, the subscriber, a Notary Public of the State of Maryland in and for Queen Anne's County aforesaid, personally appeared Highley D. Orem, the Mortgagee named in the foregoing MORTGAGE and he did make oath in due form of law that the consideration stated in said Mortgage is true and bona fide as therein set forth.

IN WITNESS WHEREOF I do hereunto subscribe my name and affix my Seal Notarial the day and year above written.

Notary  
Public  
Seal.

DELHA DANCY ROLPH  
Delha Dancy Rolph  
NOTARY PUBLIC

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Thirtieth day of November, in the year nineteen hundred and forty eight, the following Assignment was filed for record, to wit:

The within and foregoing Mortgage is hereby transferred and assigned unto John Palmer Smith for collection by foreclosure, or otherwise.

Witness my hand and seal this 30th day of November, 1948.

Witness:-

L. H. MEREDITH  
L. H. Meredith.

HIGHLEY D. OREM (SEAL)  
Highley D. Orem.

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. 17, folios 210, etc., a Land Record Book for Queen Anne's County.

Seal's  
Place.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of the Circuit Court for Queen Anne's County this Thirtieth day of November, in the year nineteen hundred and forty eight.

NELLIE B. WHITELEY  
Clerk.

REPORT OF SALE.  
Filed December 31, 1948.

JOHN PALMER SMITH,  
ASSIGNEE OF MORTGAGE,

VS.

SADIE E. CROSSAN,  
MORTGAGOR.

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY,

IN EQUITY.

CHANCERY No. 3598

\*\*\*\*\*

REPORT OF SALE.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of John Palmer Smith, assignee of the mortgage given to Highley D. Orem by Sadie E. Crossan, bearing date May 22nd, 1947, and recorded among the land records of Queen Anne's County in Liber A. S. G. Jr., No. 17, folio 210, etc., respectfully shows:

That said mortgage was duly assigned by the said Highley D. Orem unto the said John Palmer Smith for the purpose of foreclosure and collection by assignment dated November 30th, 1948, 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 interest covenant 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, Maryland, for more than twenty days before the day of sale, said Assignee did, pursuant to said notice, attend in front of the Court House Door in the Town of Centreville, Queen Anne's County, Maryland, on Tuesday, December 28th, 1948, beginning at the hour of 1:30 P. M. o'clock, eastern standard time, and then and there, by virtue and in execution of the power of sale contained in said mortgaged 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, composed and consisting of two several lots of land reduced to one lot or parcel of land called or known as "The Hulbirt A. Groff Property", containing a bungalow, dwelling house, Gas Filling Station and a Garage, situate, lying and being in the Seventh Election District of Queen Anne's County, Maryland, on the west side of the State Road from Sudlersville to Millington, and at or adjacent to the place or locality called "Hackett's Corner", bounded on the east by said road, bounded on the west by the land of Spencer Truitt, bounded on the north by the land of the heirs of James E. Higman, and containing Six (6) Acres of land, more or less;

And said assignee read the advertisement of sale and instructed J. Elmer Anthony, the Auctioneer to proceed to sell the same to the highest bidder, and the said Assignee sold the above described property to Gilbert Nathaniel Brown and Anna Teat Brown, his wife, as tenants by the entireties, whose address is Crumpton, Queen Anne's County, Maryland, at and for the sum of Three Thousand One Hundred Dollars (\$3,100.00), 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:

Possession of the said property on January 1st, 1949, the Mortgagor having notified the Assignee of said Mortgage and the purchasers that she was vacating the property forthwith and would surrender possession of the same so that purchasers could enter into possession of January 1st, 1949.

The said purchasers have complied with the terms of sale by making a payment of Eleven Hundred Dollars (\$1100.00) on the purchase price, and state they intend to pay the balance of the purchase money by January 3rd, 1949.

Respectfully submitted,

JOHN PALMER SMITH  
Assignee of Mortgage.

Filed herewith:

1. Certificate of publication of advertisement of sale.
2. Certificate of Auctioneer.
3. Military affidavit.

Filed Dec. 31, 1948.

MILITARY AFFIDAVIT  
Filed Dec. 31, 1948.

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

I HEREBY CERTIFY, that on this 31st day of December, 1948, 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 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 the military service filed in this cause on the November 30th, 1948, 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.

NELLIE B. WHITELEY  
Clerk.

Filed Dec. 31, 1948.

CERTIFICATE OF AUCTIONEER  
Filed Dec. 31, 1948.

Centreville, Maryland.  
December 30th, 1948.

I HEREBY CERTIFY, that I did sell at public auction All that lot or parcel of land, composed and consisting of two several lots of land now reduced to one lot or parcel of land called or known as "The Hulbirt A. Groff Property", containing a bungalow, dwelling house, Gas Filling Station and a Garage, situate, lying and being in the Seventh Election District of Queen Anne's County, Maryland, on the west side of the State Road from Sudlersville to Millington and at or adjacent to the place or locality called "Hackett's Corner", bounded on the east by said road, bounded on the west by the land of Spencer Truitt, bounded on the north by the land of the heirs of James E. Higman, and containing Six (6) Acres of land, more or less, in front of the Court House Door in the Town of Centreville, Queen Anne's County, Maryland, on Tuesday, December 28th, 1948, beginning at the hour of 1:30 P. M., unto Gilbert Nathaniel Brown and Anna Teat Brown, his wife, as tenants by the entireties, they being the highest bidders therefor, at and for the sum of Three Thousand One Hundred Dollars (\$3,100.00).

J. ELMER ANTHONY  
Auctioneer.

Filed Dec. 31, 1948.

CERTIFICATE OF PUBLICATION OF  
ADVERTISEMENT OF SALE.  
Filed Dec. 31, 1948.

Assignee's Sale  
of Valuable

Residential And  
Store Property  
Near Sudlersville

Default having occurred in the terms of the mortgage from Sadie E. Crossan to Highley D. Orem dated May 22nd, 1947, and recorded in Liber A. S. G. Jr., No. 17, folio 210, etc., a land record book for Queen Anne's County, Maryland, and assigned to John Palmer Smith for the purpose of collection by foreclosure or otherwise, said assignment being dated November 30th, 1948, and recorded at the foot of said mortgage, the undersigned, Assignee of said mortgage as aforesaid, by virtue of the power of sale contained in said mortgage, 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. 28th, 1948,

beginning at the hour of 1:30 P.M. the following real estate conveyed by said mortgage and described as follows, to wit:

ALL that lot or parcel of land composed and consisting of two several lots of land now reduced to one lot or parcel of land called or known as "The Hulbirt A. Groff Property", containing a bungalow dwelling house, a Gas Filling Station and a Garage, situate, lying and being in the Seventh Election District of Queen Anne's County, Maryland, on the west side of the State Road from Sudlersville to Millington and at or adjacent to the place or locality called "Hackett's Corner," bounded on the east by said road, bounded on the west by the land of Spencer Truitt, bounded on the North by the land of the heirs of James E. Higman, and containing Six (6) Acres of land, more or less. Being the same property conveyed by Hulbirt A. Groff and wife to Sadie E. Crossen by deed dated May 22nd 1947, and recorded in Liber A. S. G. Jr., No. 17, folio 209.

TERMS OF SALE: One third of purchase money on day of sale, balance within 60 days from day of sale, or all cash at option of purchaser, any unpaid balance of purchase money to bear interest from day of sale until paid. Cost of title papers, revenue stamps and recordation stamps and charges for sale to be paid by purchaser. Possession day of sale. All taxes and fire insurance premium to be adjusted as of say of sale.

JOHN PALMER SMITH

Assignee of Mortgage.

J. Elmer Anthony, Auctioneer.

4t-12-23

QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. Dec. 30, 1948.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Assignee's Sale Residential and Store Property Near Sudlersville in the case/estate of Sadie E. Crossan to Highley D. Orem 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 28th. day of Dec. 1948, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 2nd. day of Dec. 1948, and the last insertion on the 23rd. day of Dec. 1948.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

By PAUL B. SMITH

Filed Dec. 31, 1948.

ORDER NISI  
Filed Dec. 31, 1948

N I S I

John Palmer Smith,  
Assignee of Mortgage,

vs.

Sadie E. Crossan,  
Mortgagor.

) IN THE CIRCUIT COURT  
)  
) FOR QUEEN ANNE'S COUNTY  
)  
) IN EQUITY  
)  
) CHANCERY NO. 3598

ORDERED, This 31st day of December A. D., 1948, that the sale of real estate made and reported in this cause by John Palmer Smith, Assignee of Mortgage, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the

the 8th 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 5th day of February next.

The Report states the amount of sales to be \$3,100.00.

NELLIE B. WHITELEY Clerk.

Filed December 31st, 1948.

PETITION OF JUDGMENT CREDITOR  
Filed April 23, 1949.

John Palmer Smith,  
Assignee of Mortgage,

vs.

Sadie E. Crossan,  
Mortgagor

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

Cause No. 3598

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of Ruth Burris, by Gibson and Wood, her attorneys, unto your Honors, respectfully shows:

1. That your petitioner obtained a judgment, on July 1, 1948, (prior to the mortgage foreclosure sale in this cause) against Sadie E. Squires, nee Sadie E. Crossan, the Mortgagor and Defendant in the above entitled proceedings, in the sum of \$3,352.32, with interest from date, commissions due said attorneys of \$167.62, and costs of suit, said judgment being of record in the Circuit Court for Queen Anne's County, all of which will appear by reference to the short copy thereof filed herewith as a part hereof, marked "Petitioner's Exhibit".

2. That your petitioner knows of no other secured creditor of said Mortgagor entitled to claim an interest in the surplus proceeds of the sale had in this cause, the mortgaged property having sold for \$3100.00.

3. That your petitioner is advised that there will in fact be a surplus of the proceeds of such sale after payment to the mortgagee of his claim for mortgage debt, interest, costs, fees, commissions and expenses; but that the surplus will be insufficient in amount to satisfy your petitioner's claim in full.

Wherefore your petitioner prays (1) that this Honorable Court pass an order directing said surplus proceeds of sale, after payment to the mortgagee of his claim and expenses, to be applied in partial satisfaction of her aforementioned judgment claim, and (2) that your petitioner may have such other and further relief as her case may require.

And as in duty bound, etc.,

Gibson and Wood  
By HOWARD WOOD? 3rd.  
Attorneys for Petitioner.

PETITIONER'S EXHIBIT  
Filed April 23, 1949

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY, MARYLAND

May Term, 1948

G & W Ruth Burris, Plaintiff,  
302 East 4th. Street,  
Wilmington, Delaware.

Clerk \$ 3.75  
Shff. .75  
Apr. 5.00

81

Sadie E. Squires,  
nee Sadie E. Crossan,  
Sudlersville, Maryland,  
Defendant.

) Filed July 1, 1948. Order to docket  
) suit, Narr, Statement of Indebtedness,  
) Note with power to enter judgment by  
) confession, and military affidavit.  
) July 1, 1948. Judgment entered by con-  
) fession by the defendant in favor of the  
) plaintiff for the sum of Three Thousand  
) Three Hundred Fifty-two Dollars and  
) Thirty-two Cents (\$3,352.32), with inter-  
) est from date hereof until paid, costs  
) of suit, with all exemptions waived, and  
) \$167.62 attorney's commissions.  
) Issued July 1, 1948. Summons after judg-  
) ment.

Filed July 2, 1948. Summons retd. endors-  
ed: "Within summons served by reading to

and leaving copy of summons and copy of original proceedings with Sadie E. Squires, nee Sadie E. Crossan this 2nd. day of July 1948. Oscar W. Tarr, Sheriff."

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 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.

Seal's  
Place.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the Seal of the Circuit Court for Queen Anne's County, on this 17th. day of March in the year of our Lord, nineteen hundred and forty nine.

NELLIE B. WHITELEY  
Clerk of the Circuit for Queen  
Anne's County.

CERTIFICATE OF PUBLICATION  
OF ORDER NISI  
Filed April 23, 1949.

N I S I

John Palmer Smith  
Assignee of Mortgage,

VS.

Sadie E. Crossan,  
Mortgagor.

In the Circuit Court For Queen Anne's County In Equity Chancery No. 3598

ORDERED, This 31st day of December A. D., 1948, that the sale of real estate made and reported in this cause by John Palmer Smith, Assignee of Mortgage, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 8th 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 5th day of February next.

The Report states the amount of sales to be \$3,100.00.

NELLIE B. WHITELEY, Clerk  
True Copy  
Test: Nellie B. Whiteley, Clerk  
Filed December 31st, 1948.

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. April 23, 1949

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Nisi in the case/estate of Sadie E. Crossan 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 5th day of February 1948, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 6th day of January 1949, and the last insertion on the 27th day of January 1949.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

By Barbara L. Binebrink

STATEMENT OF MORTGAGE DEBT  
Filed April 26, 1949

JOHN PALMER SMITH,  
ASSIGNEE OF MORTGAGE,

VS.

SADIE E. CROSSAN,  
MORTGAGOR.

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY,

IN EQUITY.

CHANCERY No. 3598

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STATEMENT OF MORTGAGE DEBT.

Statement of the Mortgage Debt due and owing as of the day of sale, viz:  
December 28th, 1948:

Amount of principal mortgage debt	\$ 2,000.00
To interest due on mortgage debt from May 22nd, 1948, to December 28, 1948, at the rate of 5% per annum	\$ 60.08



To State & County taxes for 1948 paid by Assignee, guaranteed by Mortgagee	7.56
To Clerk of Court, cost of assignment of mortgage to Vendor	<u>.50</u>
To 5% attorney's commissions on \$2060.08	\$ 2068.14 <u>103.00</u>
	\$ 2171.14

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

I HEREBY CERTIFY, that on this 26th day of April, 1949, 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.

NELLIE B. WHITELEY  
Clerk.

FINAL ORDER OF RATIFICATION  
Filed April 29, 1949

JOHN PALMER SMITH,  
ASSIGNEE,  
VS.  
SADIE E. CROSSAN,  
MORTGAGOR.

IN THE CIRCUIT COURT  
FOR  
QUEEN ANNE'S COUNTY,  
IN EQUITY.  
Chancery No. 3598

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FINAL RATIFICATION OF SALE.

ORDERED, this 29th day of April, 1949, 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 John Palmer Smith, 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 Certificate of Publication of the previous Order Nisi thereto, the Assignee is allowed the usual commissions and all expenses incident to the making of said sale, not personal, upon the production of vouchers therefor;

And the Court being advised that the regular auditor of the Court represents a junior claim against the real estate in this cause, it is further Ordered that B. Hackett Turner, Jr., be and he is hereby appointed Special Auditor in this Cause for the purpose of stating an audit in this Cause.

WM. R. HORNEY  
Judge.

ORDER OF COURT  
Filed April 23, 1949

ORDER OF COURT

Upon the foregoing petition and exhibit, IT IS ORDERED, this 29th day of April, 1949, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, as follows:

(1) that B. Hackett Turner, Jr.,----, the special auditor to whom the proceedings of this cause have been referred, be and he is hereby directed to give notice by publication to be advertised once a week for four successive weeks in some weekly newspaper published in said County to all judgment creditors, lienors, assignees and to all persons claiming an interest in the equity of redemption of the land sold in this cause or in the surplus mortgage sales of this cause, to file their claim with the vouchers thereof with him, the said special auditor, on or before a certain day to be named in said advertised notice, which day shall be sixty days from the date of the first publication of said notice;

(2) that said special auditor is hereby authorized to take such testimony as he may find necessary to establish the claims which may be filed with him, under said notice;

(3) that the said special auditor is hereby directed to state and return to this court an audit distributing the proceeds of the sale had in this cause, (after payment to the mortgagee or his assignee of his claim and expenses, not personal, including the usual commissions) to the claimants filing claims under said notice according to their respective rights.

WM. R. HORNEY  
Judge

SPECIAL AUDITOR'S ACCOUNT AND REPORT  
 Filed Aug. 11, 1949

John Palmer Smith,  
 Assignee of Mortgage

VS.

Sadie E. Crossan,  
 Mortgagor

In The Circuit Court for  
 Queen Anne's County,  
 In Equity

Chancery No. 3598

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TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of B. Hackett Turner, Junior, who was appointed the Special Auditor by this Court when the sale hereof was ratified to state the within account, unto your Honors respectfully sets forth:

1. That before stating the within account he first took the oath as Special Auditor before the Clerk of this Court.
2. That these proceedings have been conducted by John Palmer Smith, 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.
3. That in the within account your auditor has charged the said John Palmer Smith, as vendor, with the amount of the gross sale made by him, per his report and has then thereout allowed as follows, to wit:
4. Unto John Palmer Smith, Assignee, his commissions, for his compensation for making the sale, the Clerk's costs of the sale, the costs of advertising notices of the sale and the several orders nisi of the cause, the cost of his bond, the auctioneer's fee and the fee of the auditor.
5. Unto John Palmer Smith, Assignee of the Mortgage, the entire mortgage indebtedness as per statement herein filed, the sum of . . . \$2171.14
6. It appears that only one claim has been filed under notice to creditors advertised, to wit: the claim of Ruth Burris to which claim the balance of the proceeds of sale is distributed per claim filed.

Respectfully submitted.

B. HACKETT TURNER JR.  
 Special Auditor

August 10, 1949

The proceeds of the sale of the mortgaged real estate of Sadie Crossan, the mortgagor making the mortgage mentioned in this cause, in account with John Palmer Smith, assignee of said mortgage, the vendor making the sale reported in this cause under said mortgage.

CR.

By amount of gross sale of the mortgaged real estate  
 per report of sale filed, to wit the sum of . . . . . \$3100.00

DR.

To John Palmer Smith, assignee, his commission for making sale of the mortgaged property per terms of mortgage, the sum of . . . . .	\$169.00
To do., for the amount paid Queen Anne's Record Observer Publishing Company for costs of advertising notices of the sale, per receipted account for same exhibited, the sum of . . . . .	47.25
To do., for amount paid the Clerk of this Court for her costs in this cause, per bill of costs and clerks receipt thereunto attached, to wit, the sum of . . . . .	28.75
To do., for the cost of advertising in the Queen Anne's Record Observer, the Order Nisi on sale per account for same with receipt attached, the sum of . . . . .	7.50
To do., for the costs of the vendor's bond filed in this cause paid per receipt of the surety on the bond exhibited, the sum of . . . . .	35.00
To do., for the amount paid J. Elmer Anthony, auctioneer, for crying the sale, for his services, per receipt for same exhibited, the sum of . . . . .	35.00
To do., for the costs of advertising the order nisi to be passed as to this audit, the sum of . . . . .	5.00

To do., for the fee to be allowed B. Hackett Turer Jr., as Special Auditor, for stating this audit the sum of . . . . .	27.00	
To John Palmer Smith, assignee of mortgage, the amount of the said mortgage indebtedness as per statement herein filed, to wit; the sum of	<u>2171.14</u>	
TOTAL COSTS of Mortgage foreclosure and mortgage indebtedness . . . . .	\$2525.64	<u>\$2525.64</u>
BALANCE, surplus proceeds of Mortgage sale . . . . .		\$ 574.36
BALANCE Surplus Proceeds of Mortgage Sale . . . . .		\$ 574.36
Costs under Creditors' Bill:		
Clerk's Costs . . . . .	\$2.00	
Appearance Fee . . . . .	10.00	
Notice to Creditors, per receipt . . . . .	<u>18.00</u>	
	\$30.00	<u>30.00</u>
Balance for Distribution to Creditors . . . . .		\$544.36
Only one creditor filed under Notice to Creditors advertised, to wit: Ruth Burris submitted claim, as follows:		
Principal Amount of Indebtedness . . . . .	\$3352.62	
Interest from 7/1/48 to 8/9/49	222.19	
Attorney's commissions . . . . .	<u>167.62</u>	
Total Claim . . . . .	\$3742.43	\$3742.43
Distributed to Creditor . . . . .		<u>544.36</u>
Balance due said Creditor . . . . .		\$3198.87

B. HACKETT TURNER JR.  
Special Auditor

NISI RATIFICATION OF AUDIT

John Palmer Smith	)	IN THE CIRCUIT COURT
Assignee of Mortgage	)	
VS	)	FOR QUEEN ANNE'S COUNTY
	)	
Sadie E. Crossan	)	IN EQUITY
Mortgagor	)	
	)	Cause No. 3598

ORDERED, This 11th. day of August in the year nineteen hundred and forty nine that the Report and Account filed in these proceedings by B. Hackett Turner, Jr., Special Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 10th. day of September, 1949; provided a copy of this order be published once a week in each of two successive weeks before the 3rd. day of September, 1949, in some newspaper printed and published in Queen Anne's County.

( NELLIE B. WHITELEY Clerk.

Filed August 11, 1949.

CERTIFICATE OF PUBLICATION  
OF NISI RATIFICATION OF AUDIT  
Filed Sept. 16, 1949

NISI RATIFICATION OF AUDIT

John Palmer Smith  
Assignee of Mortgage  
VS.  
Sadie E. Crossan  
Mortgagor

In the Circuit Court for Queen Anne's County In Equity Cause No. 3598

ORDERED, This 11th. day of August in the year nineteen hundred and forty nine that the Report and Account filed in these proceedings by B. Hackett Turner, Jr., Special Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 10th. day of in each of two successive weeks before September, 1949; provided a copy of this order be published once a week the 3rd. day of September, 1948, in some newspaper printed and published in Queen Anne's County.

Nellie B. Whiteley, Clerk

Filed August 11, 1949

True Copy  
Test: Nellie B. Whiteley, Clerk

## QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. September 13, 1949

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 John Palmer Smith, assignee vs. Sadie E. Crossan, Mortgagor Cause No. 3598 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 10th day of September, 1949, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 18th day of August 1949, and the last insertion on the 25th day of August 1949.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

By Barbara Binebrink

CERTIFICATE OF PUBLICATION  
OF NOTICE TO CREDITORS  
Filed Sept. 20, 1949

John Palmer Smith, Assignee  
VS.  
Sadie E. Crossan, Mortgagor

In The Circuit Court for Queen Anne's County In Equity Chancery No. 3598

## N O T I C E

Pursuant to an ORDER of the Circuit Court for Queen Anne's County passed in the above entitled cause, I hereby give Notice to all judgment creditors, lienors and assignees of Sadie Crossan, and all persons claiming an interest in the equity redemption, in the above cause to file their claims with the vouchers thereof with me on or before the 27th day of July or be excluded from sharing in the distribution of the surplus proceeds of the mortgage foreclosure heretofore made in these proceedings.

B. HACKETT TURNER, JR.  
Special Auditor.

## QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. September 20 1949

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Notice in the case/estate of Sadie E. Crossan, mortgagor vs John Palmer Smith, Assignee Chancery 3598 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 27th day of July 1949, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 26th day of May 1949, and the last insertion on the 16th day of June 1949.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

By Charlotte M. Mears

ORDER OF COURT  
Filed Sept. 20, 1949

John Palmer Smith  
Assignee of Mortgage

vs.

Sadie E. Crossan  
Mortgagor

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

Cause No. 3598

ORDERED, this 20th day of September, 1949, by the Circuit Court for Queen Anne's County, in Equity, that the Report and Account filed in these proceedings by B. Hackett Turner, Jr., Special Auditor, be ratified and confirmed, no cause to the contrary having been shown, although due notice appears to have been given by the advertisement of the order nisi passed as to said audit; and the Assignee is 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

## CHANCERY NO. 2124

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Fifth day of January, in the year nineteen hundred and fifteen, the following Order to docket suit was filed for record, to wit:-

In the Matter of the Trust Estate

created for and in behalf of

HARRIET McK. GIBSON

under and by the terms and provisions of the last will and testament of William McKenney, deceased, and the Codicils thereto.

In the Circuit Court

for Queen Anne's County,

in Equity.

William F. Watson, Clerk of the Circuit Court for Queen Anne's County in Equity:-

Docket suit as per the above titling, for the purpose of making application to said Court for the assumption by said Court of jurisdiction over said trust and the appointment of a Trustee.

Thomas J. Keating

J. Frank Harper

Solicitors for William McKenney, William L. Holton and Clayton Wright, Surviving Administrators cum testamento annexo of William McKenney, late of Queen Anne's County, State of Maryland, deceased, and Harriet McK. Gibson.

PETITION AND EXHIBITS  
Filed January 23, 1915

In the Matter of the Trust

Estate for and in behalf of

HARRIET McK. GIBSON

Created under and by the

Terms and Provisions of the

Last Will and Testament of

William McKenney, deceased,

and the Codicils thereto.

In the Circuit Court for

Queen Anne's County

in Equity.

Cause No. 2124.

To the Honorable, the Judges of said Court:-

The Petition of William McKenney, William L. Holton and Clayton Wright, Surviving Administrators cum testamento annexo of William McKenney, late of Queen Anne's County, State of Maryland, deceased, to Your Honors respectfully shows:-

1. That heretofore, to wit:- on the twenty third day of July, in the year eighteen hundred and ninety seven, William McKenney, late of Queen Anne's County aforesaid, departed this life in said County, seized and possessed of a large and valuable estate, real and personal, and leaving a last will and testament bearing date the 12th day of May, 1883; a codicil thereto bearing date the 15th day of December, 1888; a second codicil thereto bearing date the 22nd day of September, 1894; a third codicil thereto bearing date the 16th day of February, 1897; and a fourth codicil thereto bearing date the 14th day of July, 1897; which said last will and testament and several codicils thereto were duly admitted to probate by the Orphans' Court for Queen Anne's County and are now of record in the Office of the Register of Wills for said county in Liber F. R. No. 2, folios 29, &c., a will record book for Queen Anne's County aforesaid, a duly certified copy of which said last will and testament and of said codicils thereto and of the probate thereof, marked "Exhibit No. 1", is filed herewith as a part of this Petition.

2. That as will appear by reference to said last will and testament and said codicils thereto, William L. Holton, James K. H. Jacobs, Wrightson L. Lowe and William McKenney were by the said testator constituted and appointed the Executors of the said last will and testament and codicils thereto; that after the death of said testator and before qualifying as such Executors, the said William L. Holton, James K. H. Jacobs, Wrightson L. Lowe and William McKenney filed in the Orphans' Court for Queen Anne's County their renunciation and refusal to act as such Executors; and that thereupon, to wit:- on the sixth day of August, 1897, Letters of Administration cum testamento annexo of all and singular, the goods, chattels and personal estate of the said William McKenney, deceased, were granted by the said Orphans' Court for Queen Anne's County unto William McKenney, William L. Holton and Clayton Wright, your Petitioners, and unto one Wrightson L. Lowe, all of whom filed an approved bond and duly

qualified as such Administrators cum testamento annexo, as will appear by the certified copy of said Letters of Administration cum testamento annexo, marked "Exhibit No. 2", and filed herewith as a part hereof; that the said Wrightson L. Lowe, one of said Administrators, subsequent to his qualification as such, to wit:- on the 22nd day of June, 1901, departed this life, leaving your Petitioners, the said William McKenney, William L. Holton and Clayton Wright, as the Surviving Administrators cum testamento annexo and who, since the death of said Wrightson L. Lowe, have continued to discharge and are still discharging their duties as such Administrators as aforesaid.

3. That the aforesaid testator, William McKenney, by his said last will and testament, devised all his real estate, except the farm devised by him to his wife, Evelyn J. McKenney, and bequeathed certain personal estate therein mentioned, unto his Executors, and the successors and survivors of them, to be held by them, for the purposes fully set forth in his said last will and testament and for the benefit of his children, until the partition of his estate should be made by this Honorable Court and Trustees be appointed by this Court to receive, have, hold, manage, farm and to farm let the respective shares and distributive parts thereof of his children, as provided by his said will; that pursuant to the aforesaid devise, the Administrators took charge of and, since the grant of the aforesaid Letters of Administration cum testamento annexo to them, managed, carried on and rented, all the said real estate and collected and received the rents, issues and profits thereof and of said personal estate; and that after the death of the said Wrightson L. Lowe, your Petitioners, the said Surviving Administrators cum testamento annexo, have continued to manage, carry on and rent the same and to collect and receive the rents, issues and profits thereof up to the present time.

4. That the personal estate of the said William McKenney, deceased, has been fully administered by the said Administrators and Surviving Administrators, and that all the debts due and owing by said deceased which were proved against his estate in the said Orphans' Court or which were known to them, together with the costs of administration and of carrying into practical operation the provisions of said last will and testament, have been fully paid by said Administrators and Surviving Administrators, as directed by said will; and that all the rents, issues, profits and income of every kind which have been received by them from the real and personal estate of the said testator, remaining after the application by them of so much thereof as was necessary to complete the payment of the debts owing by said testator, have been by said Administrators and by your Petitioners as Surviving Administrators as aforesaid fully paid over to the several persons entitled under the provisions of said will to receive the said net income, each of said persons having fully received his or her respective share or proportion thereof in accordance with the terms of said will and by the authority of orders passed by the said Orphans' Court for Queen Anne's County.

5. That by the provisions of said last will and testament the said testator directed that, as soon after his decease as might be convenient and practicable, his Executors should make application to this Honorable Court for the partition and allotment of his real estate, excepting the farm devised to his said wife, Evelyn J. McKenney, and such part of said real estate as said Executors should find it necessary to sell for the payment of debts, among his children in equal parts as to value, by a Commission to be appointed by this Court; and that application should also be made by them to this Honorable Court for the appointment of suitable Trustees for his several and respective children who will accept the several trusts in their respective behalfs, as specifically set forth in said will, this Court to name the penalty and approve the bond to be given by said several Trustees for the safe, secure and proper management of the duties of their respective trusts; and that the said testator further directed that the said several Trustees to be appointed as aforesaid by this Honorable Court should have, hold, manage, rent, farm and to farm let the several and respective shares of his said estate during the several and respective lives of his said children and for the period of twenty one years thereafter, or until their several and respective children or issue shall have arrived at twenty one years of age, if the same occur within that period, the said children being given the power, however, to dispose of their said respective shares of said estate by last will and testament, free, clear and discharged of said trust.

6. That pursuant to the aforesaid direction, your Petitioners, the said William McKenney, William L. Holton and Clayton Wright, Surviving Administrators as aforesaid, together with William McKenney, one of the children of said testator, in his individual capacity, in a cause in this Court wherein they are the Plaintiffs and Maria M. McKenney and others are Defendants, being Cause No. 2120 on the Chancery Docket of this Court, have filed their Bill of Complaint praying for the passage of a decree by this Honorable Court for the partition, allotment and division of the real estate and personal property described in said Will of Complaint and of which the said testator died seized and possessed, among the persons entitled thereto according to their respective interests as set forth in said Will and in accordance with the provisions of said last will and testament, as will fully appear by reference to the aforesaid Bill of Complaint.

7. That in the partition, allotment and division of the said real estate and personal property to be made under the proceedings in the aforesaid Chancery Cause No. 2120, your Petitioners are advised and charge that, under the provisions of said last will and testament and as set forth in the said Bill of Complaint, there will be allotted to Harriet McK. Gibson, daughter of said testator, and one of the seven children mentioned in his said last will and testament, a one-seventh part of his said real estate and personal property, subject to the said trust engrafted thereon by said last will and testament and the codicils thereto, the same to be held as aforesaid by a Trustee to be appointed by his Honorable Court.

8. That as a supplemental proceeding to the aforesaid Bill of Complaint and the proceedings thereunder in said Chancery Cause No. 2120, your Petitioners, in pursuance of the direction contained in the aforesaid last will and testament, hereby make application to this Honorable Court for the appointment of a Trustee to have, hold, manage, rent, farm and to farm let the said share of said estate so as aforesaid to be allotted to the said Harriet McK. Gibson, in accordance with the provisions of said last will and testament, the said Trustee to have the same in charge in trust for the benefit of said Harriet McK. Gibson, and after making the necessary expenditures for keeping of

said property in order and repair and keeping up the fertility of the farm land according to the rules of a provident husbandry, to receive and collect and pay over the income of the same to the said Harriet McK. Gibson personally, and after her decease within the limits of the trust to her issue as provided in said will.

Your Petitioners therefore pray:-

1. That this Honorable Court may assume jurisdiction over the said one-seventh part of the said real and personal estate of said William McKenney, deceased, to be allotted as aforesaid to the said Harriet McK. Gibson under the proceedings in this Court in said Chancery Cause No. 2120, and over the aforesaid trust created and engrafted thereon by the said last will and testament of William McKenney, deceased, and the said Codicils thereto.

2. That this Honorable Court may appoint some suitable person as Trustee with full power and authority to execute the aforesaid trust created and engrafted as aforesaid upon the said one-seventh part of said real and personal estate to be allotted as aforesaid to the said Harriet McK. Gibson, in accordance with the terms, provisions and directions contained in the said last will and testament;

3. That this Honorable Court may name the penalty and approve the bond to be executed by said Trustee for the safe, secure and proper management of the duties of his said trust, and to be filed by him in this cause;

4. And that your Petitioners may have such other and further relief as their case may require.

And as in duty bound, &c.,

Wm. McKenney

Wm. L. Holton

Clayton Wright

Surviving Administrators

cum testamento annexo of William McKenney, late of Queen Anne's County, State of Maryland, deceased.

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

I hereby certify that on this 23rd day of January, in the year nineteen hundred and fifteen, before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, Maryland, personally appeared William McKenney, William L. Holton and Clayton Wright, Surviving Administrators cum testamento annexo of William McKenney, late of Queen Anne's County, State of Maryland, deceased, and each made oath in due form of law that the matters and things stated in the foregoing Petition are true as therein set forth to the best of their knowledge and belief.

WM. F. WATSON, Clerk

I, Harriet McK. Gibson, daughter of the said William McKenney, late of Queen Anne's County, Maryland, deceased, and the life beneficiary under the trust created by the last will and testament and codicils thereto of said William McKenney, deceased, upon the one-seventh part of the real and personal estate of said testator to be allotted to me as aforesaid as described and set forth in the foregoing Petition, do hereby admit that the matters and things stated in the said foregoing Petition are true as therein set forth, and do hereby consent to the passage by this Honorable Court of the Decree and Order as therein prayed.

And the said testator in his said last will and testament having declared it as his wish and desire that his children should be consulted by the Court in the selection of their respective Trustees so far as the Court should adjudge safe, right and proper, but no further, I hereby make known my desire that Wm. McKenney of Queen Anne's County, State of Maryland, be named as Trustee to be appointed by this Court in these proceedings, and I do hereby respectfully request that this Honorable Court may appoint the said Wm. McKenney as Trustee as aforesaid.

Respectfully submitted,

HARRIET MCKENNEY GIBSON

ORDER OF COURT  
Filed Feb. 2, 1915

In the Matter of the Trust  
Estate for and in behalf of  
HARRIET McK. GIBSON  
Created under and by the  
Terms and Provisions of the  
Last Will and Testament of  
William McKenney, deceased,  
and the Codicils thereto.

In the Circuit Court for  
Queen Anne's County  
in Equity.  
Cause No. 2124.

ORDER OF COURT.

The foregoing Petition and Exhibits, and the assent thereto of Harriet McK. Gibson, having been read and considered, IT IS ADJUDGED, ORDERED AND DECREED, this first day of February, in the year nineteen hundred and fifteen, by the Circuit Court for Queen Anne's County in Equity, and by the authority of said Court, that jurisdiction be and it is hereby assumed by this Court over the share or portion of the real and personal estate of William McKenney, late of Queen Anne's County, Maryland, deceased, to be allotted, as set forth in the foregoing Petition, in trust to the said Harriet McK. Gibson under the proceedings in this Court entitled "William McKenney, William L. Holton and Clayton Wright, Surviving Administrators cum testamento annexo of William McKenney, late of Queen Anne's County, State of Maryland, deceased, and William McKenney, in his individual capacity, vs. Maria M. McKenney and others", being Cause No. 2120 on the Chancery Docket of this Court, and over the trust engrafted thereon by the last will and testament of the said William McKenney, deceased, and the codicils thereto.

And it is further ADJUDGED, ORDERED AND DECREED that William McKenney of Queen Anne's County, State of Maryland, be and he is hereby appointed Trustee with full power and authority to execute the aforesaid trust created and engrafted as aforesaid upon the said share or portion of said real and personal estate to be allotted as aforesaid to the said Harriet McK. Gibson, in accordance with the terms, provisions and directions contained in the said last will and testament of William McKenney, deceased, and the codicils thereto, the said William McKenney as Trustee as aforesaid, to have, hold, manage, rent, farm and to farm let the said share of said real and personal estate so as aforesaid to be allotted to the said Harriet McK Gibson, in accordance with the provisions of said last will and testament and said codicils thereto, the said Trustee to have the same in charge in trust for the benefit of the said Harriet McK. Gibson, and after making the necessary expenditures for the keeping of said property in order and repair and keeping up the fertility of the farm land according to the rules of a provident husbandry, to receive and collect the rents, profits and income therefrom and to pay over the net rents, profits and income therefrom to the said Harriet McK. Gibson personally, and after her decease within the limits of the trust, to her issue as provided in said last will and testament; and that before proceeding to act as Trustee as aforesaid the said William McKenney shall first file with the Clerk of this Court a bond to the State of Maryland, executed by himself and by a surety to be approved by this Court, in the penalty of Twenty Thousand Dollars (\$20,000.00) conditioned for the faithful performance and execution of the trust reposed in him by any future decree or order in the premises, and for the safe, secure and proper management of the duties of his said trust in accordance with the terms and provisions of the said last will and testament of William McKenney, deceased, and the codicils thereto.

And it is further ordered that the said Trustee be and he is hereby directed to report annually to this Court the condition of his said trust estate, together with a statement of his receipts and disbursements as Trustee as aforesaid.

Wm. H. Adkins

PETITION AND SUGGESTION  
Filed June 24, 1921

In the Matter of the Trust Estate  
for and in behalf of  
Harriet McK. Gibson Created under  
and by the Terms and Provisions of  
the Last Will and Testament of  
William McKenney, deceased, and the  
Codicils thereto.

Y  
Y  
Y  
Y  
Y  
Y  
Y  
Y

In the Circuit Court for  
Queen Anne's County  
in Equity.  
Cause No. 2124.

To the Honorable, the Judges of said Court:-

The Petition and Suggestion of Harriet McK. Gibson of the State of New York, beneficiary for life under the Trust Estate in the above entitled proceedings, to your Honors respectfully states:-

1- That heretofore, to wit:- on the twenty-third day of July, in the year eighteen hundred and ninety-seven, William McKenney, late of Queen Anne's County aforesaid, departed this life in said County, seized and possessed of a large and valuable estate, real and personal, and leaving a last Will and Testament bearing date the 12th day of May, 1883; a Codicil thereto bearing date the 15th day of December, 1888; a second Codicil thereto bearing date the 22nd day of September, 1894; a third Codicil thereto bearing date the 16th day of February, 1897, and a fourth Codicil thereto bearing date the 14th day of July, 1897, which said last Will and Testament and said several Codicils thereto were duly admitted to probate by the Orphans Court for Queen Anne's County and are now of record in the office of the Register of Wills for said County in Liber F. R. No. 2 folios 29 &c., a Will Record Book for Queen Anne's County aforesaid, a duly certified copy of which said last Will and Testament and of said Codicils thereto and of the probate thereof, marked "Exhibit No. 1", is filed in these proceedings.

2- That on the 23rd day of January, in the year 1915, this Honorable Court, upon the petition of said beneficiary, Harriet McK. Gibson, passed and order assuming jurisdiction over the share or portion of the real and personal estate to which the said beneficiary was entitled under the terms and provisions of the last Will and Testament of her father, William McKenney, late of Queen Anne's County, deceased, and the



Codicils thereto, and in said order assuming jurisdiction did appoint William McKenney, a brother of your Petitioner, as Trustee with full power and authority to execute the trust created by said Will in reference to the property to which your Petitioner was entitled under the said Will of her said father, William McKenney, and allotted to your Petitioner, Harriet McK. Gibson, under the proceedings in this Court entitled "William McKenney, William L. Holton and Clayton Wright, surviving executors cum testamento annexo of William McKenney, late of Queen Annes County, State of Maryland, deceased, and William McKenney, in his individual capacity, vs. Maria M. McKenney and others", being Cause No. 2120 on the Chancery Docket of this Court.

3- That the said William McKenney, brother of your Petitioner, accepted the said Trust, filed an approved bond in the penalty of Twenty Thousand Dollars, and performed his duties as Trustee from the time of his appointment as aforesaid to the 4th day of June, in the year 1921, upon which said last mentioned ate her said brother, William McKenney, departed this life and it now becomes necessary and expedient that a new Trustee or Trustees be appointed in the place and stead of the said William McKenney, the deceased Trustee as aforesaid, with full power and authority to execute the Trust heretofore executed and performed by the said William McKenney.

4- That Accounts and Reports have been made by the aforesaid Trustee, annually since his appointment as aforesaid, and the last Report was duly filed by said Trustee and duly approved by this Court on the 26th. day of April, in the year 1921, said last mentioned Report including Receipts and Disbursements for the year 1920 and showing certain crops on hand of the said year 1920 and undisposed of, as will appear by reference to said Report and Account.

5- That your Petitioner desires to respectfully suggest her husband, Robert F. Gibson, and Charles M. West for appointment as Trustees in these proceedings in the place in stead of the said William McKenney deceased Trustee as aforesaid.

Your Petitioner therefore prays:-

1- That this Honorable Court may appoint the said Robert F. Gibson and Charles M. West as Trustees with full power and authority to execute the aforesaid Trust in the place and stead of the said William McKenney, deceased Trustee as aforesaid, in accordance with the terms contained in the said last Will and Testament of said William McKenney, her deceased father, and the Codicils thereto.

2- And that your Petitioner may have such other and further relief as her case may requite.

And as in Duty Bound &c.

THOS. J. KEATING  
Solicitor for Petitioner.

HARRIET MCKENNEY GIBSON

ORDER OF COURT  
Filed June 27, 1921

In the Matter of the Trust  
Estate for and in behalf of  
Harriet McK. Gibson  
Created under and by the  
Terms and Provisions of the  
last Will and Testament of  
William McKenney, deceased,  
and the Codicils thereto.

In the Circuit Court for  
Queen Annes County  
in Equity.  
Cause No. 2124.

The foregoing Petition and Suggestion having been read and considered, It Is Thereupon, this 25th day of June, in the year Nineteen Hundred and Twenty-one, by the Circuit Court for Queen Annes County, in Equity, and by the authority of said Court, ADJUDGED, ORDERED and DECREED that Robert F. Gibson and Charles M. West be and they are hereby appointed Trustees in the above Cause, entitled, "In the Matter of the Trust Estate for and in behalf of Harriet McK. Gibson Created under and by the Terms and Provisions of the last Will and Testament of William McKenney, deceased, and the Codicils thereto", Chancery No. 2124, in the place and stead of William McKenney, former Trustee now deceased, with full power and authority to execute the Trust engrafted upon the share or portion of the real and personal property allotted to the said Harriet McK. Gibson in the allotment and division of the real and personal estate of her deceased father, William McKenney, in accordance with the terms, provisions and directions contained in the last Will and Testament of said William McKenney, deceased, and the Codicils thereto, as allotted unto the said Harriet McK. Gibson, in the cause in said Court wherein William McKenney and others are Plaintiffs and Maria M. McKenney and others are Defendants, said cause being Chancery No. 2124 on the Chancery Docket of this Court; and with full power and authority to receive, have, hold, manage, rent, farm and farm let the said real and personal estate so as aforesaid allotted to the said Harriet McK. Gibson in accordance with the provisions of said last Will and Testament and said Codicils thereto, the said Trustees to have in charge in trust for the benefit of the said Harriet McK. Gibson and, after making the necessary expeditures for the keeping of said property in order and repair and keeping up the fertility of the farm land according to the rules of a provident husbandry, to receive and collect the rents and income therefrom and to pay over the net rents, profits and income therefrom, after deducting the costs and commissions incident to the trust, to the said Harriet McK. Gibson personally and after her decease, within the limits of the trust, to her issue as provided in said last Will and Testament; and that before proceeding to act as Trustees as aforesaid the said Robert F. Gibson and Charles M. West shall file with the Clerk of this Court a Bond to the State of Maryland, executed by themselves and by a surety or sureties, to be approv-

ed by this Court, or the Clerk thereof, in the penalty of Twenty Thousand Dollars, if corporate surety and double said amount if personal sureties, conditioned for the faithful performance and execution of the trust reposed in them by this decree or that may be reposed in them by any future decree in the premises, and for the safe, secure and proper management of the duties of said trust in accordance with the terms and provisions of said last Will and Testament of William McKenney, deceased, and the Codicils thereto.

And it is further ordered that the said Trustees be and they are hereby directed to report to this Court, within the period of sixty days from the date of this order, the present condition of the trust estate in these proceedings and to report annually to this Court the condition of said trust estate together with a statement of their Receipts and Disbursements as Trustee.

WM. H. ADKINS

Filed June 27th, 1921.

PETITION FOR SALE OF G.M. Smith  
Farm, and Exhibits Nos. 2 & 3  
Filed Oct. 5, 1949

IN THE MATTER OF THE TRUST  
ESTATE FOR AND IN BEHALF OF  
HARRIET McK. GIBSON

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

Cause No. 2124.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Robert F. Gibson, Surviving Trustee in these proceedings, unto your Honors, respectfully shows:

1. That a part of the corpus of this trust estate consists of the tract of land or farm known as the "G. M. Smith Farm", situate, lying and being in the Third Election District of Queen Anne's County, State of Maryland, on the east side of the public road leading from Centreville to Wye Mills, adjoining lands formerly of the late David D. Taylor and others, containing 192.438 acres of land, more or less; being the same tract of land designated and described by metes and bounds, courses and distances, as "Parcel No. 27, George M. Smith Farm" in the Report and Return of the Commissioners appointed to value, divide and allot certain real estate and personal property of which William McKenney died seized and possessed, filed in Cause No. 2120 in the said Court, which said tract of land or farm, with other property, was allotted in said Cause No. 2120 unto the said Harriet McK. Gibson, subject to the trust administered in these proceedings, said trust having been established by the last will and testament of the said William McKenney, deceased, and the codicils thereto.

2. That by the provisions of Item Twenty of the said last will and testament, and the testator empowered any one or more of the respective trustees of his respective children, by and with the advice and by the decree of this Court, on proper and satisfactory proof, if advantageous and to the best interest of his or their cestui que trust, at any time, to sell the real estate of his or their cestui que trust, and to have, hold, manage, and invest the proceeds thereof for the benefit of his or their cestui que trust the same as if the said proceeds had remained land, subject to the same devolution of title or power of disposition by the cestui que trust.

3. That your trustee, the petitioner, on October 4, 1949, entered into a contract to sell said farm, subject to the approval and ratification of this Honorable Court, to R. Russell Larrimore, Sr., and Nellie E. Larrimore, his wife, of Talbot County, in the State of Maryland, at and for the sum of Fourteen Thousand Dollars (\$14,000.00), of which said sum your trustee has received the amount of Fourteen Hundred Dollars (\$1,400.00), which he is holding on deposit pending this Court's order upon this petition and pending final settlement under said contract of sale, the balance of said purchase price being payable at the time of final settlement under said contract of sale, upon the ratification of said sale by this Honorable Court, on the thirty-first day of October, or upon such prior or subsequent day as may be agreeable to your trustee and the Purchasers, as follows, to wit: the sum of Five Thousand Six Hundred Dollars (\$5,600.00) in cash or by certified check payable to your trustee, and the sum of Seven Thousand Dollars (\$7,000.00) by way of a first purchase money mortgage on said tract of land or farm, payable in five years from its date, with interest thereon in the meantime, payable semi-annually, at the rate of four and one-half percentum ( $4\frac{1}{2}\%$ ) per annum. The terms of sale are fully set forth in said contract of sale, which was executed in duplicate, and of which one of the originals, marked "G. M. Smith Exhibit No. 1", is filed herewith as a part hereof.

4. That your trustee, the petitioner, desires hereby to make known and report to this Honorable Court that the aforesaid purchase price of Fourteen Thousand Dollars (\$14,000.00) for said tract of land or farm hereinbefore described and known as the "G. M. Smith Farm", is, in his opinion, an excellent price therefor, that in the judgment of your petitioner it would be advantageous and to the best interest of his cestui que trust that the aforesaid contract of sale be ratified by this Honorable Court; and that your trustee files herewith, as a part of this petition, marked "G. M. Smith Exhibit No. 2", the certificate of two owners of real estate in Queen Anne's County aforesaid, who are familiar with real estate values in the locality in which said farm is situate,

indicating that it would be advantageous to make said sale at the aforementioned price of Fourteen Thousand Dollars.

5. That there is also filed herewith, as a part of this petition, marked "G. M. Smith Exhibit No. 3", the certificate of Harriet McK. Gibson, the cestui que trust, to the effect that she was consulted as to and urged the execution of said contract, and that the said sale and the opportunity simultaneously to invest the sum of Seven Thousand Dollars (\$7,000.00) of the proceeds of sale in a first purchase money mortgage as contemplated by said contract of sale is particularly advantageous to her and to the remaindermen of the trust fund.

Your petitioner therefore prays this Honorable Court to pass a decree ratifying said contract of sale and authorizing, directing and empowering your trustee, the petitioner, to make settlement thereunder and to make sale of said tract of land or farm known as the "G. M. Smith Farm" unto the said R. Russell Larrimore, Sr., and Nellie E. Larrimore, his wife, at and for the sum of Fourteen Thousand Dollars (\$14,000.00), upon the terms set forth in said contract, and that your petitioner may be further authorized, directed and empowered, upon the payment of the entire purchase money therefor (which would include the execution and delivery of the mortgage aforesaid as a part thereof), to grant and convey the said tract of land or farm unto the said Purchasers by a good and sufficient deed.

And as in duty bound, etc.,

ROBERT F. GIBSON  
Trustee.

GIBSON AND WOOD  
By HOWARD WOOD, 3rd.  
(Solicitors for Trustee)

STATE OF VIRGINIA, ALBEMARLE COUNTY, TO WIT:

I HEREBY CERTIFY that on this 4 day of October, 1949, before me, the subscriber, a Notary Public of the State of Virginia, in and for Albemarle County, personally appeared Robert F. Gibson, trustee mentioned in the aforesaid petition, and made oath in due form of law that the matters and facts set forth in the aforesaid petition are true as therein stated, to the best of his knowledge and belief.

WITNESS my hand and notarial seal:

B. J. HAGGERTY  
Notary Public.

Notary  
Public  
Seal.

My Commission Expires Aug. 8, 1953.

Filed Oct. 5, 1949

EXHIBIT No. 1  
Filed Oct. 5, 1949

THIS CONTRACT OF SALE, made this 4th day of October, 1949, by and between Robert F. Gibson, Surviving Trustee for Harriet McK. Gibson, of Albemarle County in the State of Virginia, party of the first part, hereinafter called "Seller", and R. Russell Larrimore, Sr. and Nellie E. Larrimore, his wife, of Talbot County, in the State of Maryland, parties of the second part, hereinafter called "Purchasers";

WITNESSETH THAT, subject to the approval and ratification of the Circuit Court for Queen Anne's County, in Equity, the Seller does hereby agree to sell and does sell unto the Purchasers, and the Purchasers do hereby agree to buy and do buy of the Seller, at and for the sum of Fourteen Thousand Dollars (\$14,000.00), upon the terms hereinafter set forth, all of the following described real estate, to wit:

ALL that farm or tract of land situate, lying and being in the Third Election District of Queen Anne's County, in the State of Maryland, on the left side of the State of Maryland, on the left side of the public road leading from Centreville to Wye Mills, adjoining lands formerly of David D. Taylor and others, containing 192.438 acres of land, more or less; being the same land designated and described as "Parcel No. 27, George M. Smith Farm" in the Report and Return of the Commissioners appointed to value, divide and allot certain real estate and personal property of which William McKenney dies seized and possessed, filed in Cause No. 2120 in the Circuit Court for Queen Anne's County, in Equity, which said tract of land or farm, with other property, was allotted in said Cause No. 2120 unto the said Harriet McK. Gibson, subject to the trust established for her benefit by the last will and testament of said William McKenney, deceased, as by reference to the proceedings in said cause will fully appear.

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

AND that the terms of said sale are as follows, to wit:

1. PAYMENT OF PURCHASE MONEY. The purchase money shall be paid as follows: the sum of Fourteen Hundred Dollars (\$1,400.00) to be paid by check upon the execution and delivery of this Contract of Sale, the receipt of which is hereby acknowledged by said Seller; the sum of Five Thousand Six Hundred Dollars (\$5,600.00) shall be paid in cash or by certified check at the time of final settlement hereunder and passing of deed, and the balance of Seven Thousand Dollars (\$7,000.00) shall be secured unto

the Seller by the execution and delivery unto him by the Purchasers at the time of final settlement aforesaid of a first purchase money mortgage, payable five years after date, with interest on said principal sum at the rate of four and one-half per centum ( $4\frac{1}{2}\%$ ) per annum payable semi-annually from the date of said mortgage.

2. POSSESSION. Subject to the reservation of crops in the next succeeding paragraph, and subject to the right, hereby reserved by the Seller unto himself, his servants, agents, and especially unto the personal representatives of William Meredith, deceased tenant on said farm under an agreement which expired with the death of said tenant, to care for and remove said crops hereinafter reserved, with which said right of preservation and removal the Purchasers covenant and agree not to interfere, fully possession of said property shall be given unto the Purchasers as of the date of execution and delivery of this Contract of Sale.

3. CROPS. All crops now growing on said property and all crops now stored on said property are reserved, and are not included in this sale.

4. TAXES. All State, County and School taxes upon said real estate for the year 1949 shall be adjusted as of the date of execution of this Contract of Sale.

5. INSURANCE. The Seller agrees to continue, pending final settlement under this Contract of Sale, such fire insurance policies covering the buildings on the aforesaid real estate as are now in force thereon, the premiums on said policies to be adjusted as of the date of execution of this Contract of Sale, and further agrees, pending said final settlement, to cause to be attached to said policies a Loss Payable Clause in favor of the purchasers as their interest may appear; and it is further agreed that the Purchasers shall have the right, at their own cost, to place such additional insurance on said buildings as they may desire in order to protect themselves as Purchasers.

6. TITLE. The proceedings in chancery to procure the ratification of this sale by the Circuit Court for Queen Anne's County in Equity shall be brought by the Seller, and all costs and expenses of said proceedings shall be borne by the Seller. The Purchasers shall have the right, at their own cost and expense, to have the title to the aforesaid tract of land examined and/or guaranteed by an attorney or title guarantee company of their selection, and the Seller hereby covenants and agrees that, subject to the approval and ratification of the Circuit Court for Queen Anne's County in Equity, he shall convey unto the Purchasers and/or to such person or persons as they may designate, a good and merchantable title to the aforesaid tract of land, free, clear and discharged of any and all liens and encumbrances, by a good and sufficient fee-simple deed, but without warranties of title, which said deed shall be executed and acknowledged agreeably to law, the delivery of said deed to be made upon full payment of the purchase money and at the time of final settlement as herein provided for. The Seller further agrees to pay for the preparation of the aforesaid mortgage, and of this Contract.

IT IS understood and agreed that the Purchaser shall, in addition to the expense of said title examination or guarantee as hereinbefore set forth, pay for the preparation of said deed, the necessary revenue and recordation stamps to be affixed to same, and for all recording costs and notary fees incident to the recording of said deed and also of said mortgage.

IN THE EVENT that the Seller shall be unable to deliver a good and merchantable title to the aforesaid property by the time of final settlement hereunder, then and in that event the Seller agrees to return to the Purchasers any and all moneys paid hereunder, and this Contract of Sale shall become null and void, and the Purchasers shall restore said property to the Sellers in the same condition as it now is, reasonable wear and tear and Acts of God excepted.

SHOULD the Seller tender to the Purchasers a deed in proper form of a good and merchantable title to the aforesaid real estate as herein provided for and upon the date set forth herein for final settlement, and the Purchasers fail to make payment of the balance of the purchase money as herein provided, then the aforesaid down payment of Fourteen Hundred Dollars (\$1400.) made as an initial deposit under this Contract of Sale, shall be retained by the Seller as liquidated damages.

7. TIME AND PLACE OF FINAL SETTLEMENT. It is understood and agreed that final settlement hereunder by the deed and mortgage aforesaid being delivered, and the cash balance of the purchase money aforesaid being paid, with the said tax and insurance premium adjustments, shall be made at the office of Gibson and Wood, Centreville, Maryland, on the 31st day of October, 1949, between the hours of 9 A. M. and 3 P. M., or upon such prior or subsequent date or at such other location as may be agreeable to both the Seller and the Purchasers.

AND THIS CONTRACT OF SALE FURTHER WITNESSETH:

That the said Seller, for himself, his personal representatives, and successors, covenants to and with the said Purchasers, their heirs and assigns, to perform that part of this Contract of Sale on his part to be performed in the manner and at the times herein provided for the performance of the same.

That the Purchasers, for themselves, their heirs and assigns, covenant to and with the Seller, his personal representatives and successors, to perform that part of this Contract of Sale on their part to be performed in the manner and at the times herein provided for the performance of the same.

IN TESTIMONY WHEREOF, the said parties to this Contract of Sale do hereunto subscribe their names and affix their seals, in duplicate, on the day and year first above written:

TEST (as to Seller):  
B. J. HAGGESTY

ROBERT F. GIBSON (SEAL)  
Robert F. Gibson, Surviving  
Trustee for Harriet McK. Gibson,  
SELLER,

TEST (as to both  
Purchasers):  
  
H. F. CARICO

R. RUSSELL LARRIMORE SR. (SEAL)  
R. Russell Larrimore, Sr.  
  
NELLIE E. LARRIMORE (SEAL)  
Nellie E. Larrimore  
PURCHASERS

EXHIBIT No. 2  
Filed Oct. 5, 1949

IN THE MATTER OF THE TRUST  
ESTATE FOR AND IN BEHALF  
OF HARRIET McK. GIBSON

Y  
Y  
Y

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

Cause No. 2124.

"G. M. SMITH EXHIBIT No. 2"

THIS IS TO CERTIFY that we, the undersigned, residents of Queen Anne's County, State of Maryland, and free holders of said County, are familiar with the improved tract of land or farm known as the "George M. Smith Farm", situate, lying and being in the Third Election District of said County, on the east side of the public road leading from Centreville to Wye Mills, containing 192.438 acres of land, more or less, which is a part of the corpus of the trust estate in the above entitled cause; that we are familiar with the value of real estate in the locality in which said tract of land or farm is situate; that the purchase price of Fourteen Thousand Dollars (\$14,000.00) agreed to be paid for said farm by R. Russell Larrimore and Nellie E. Larrimore, his wife, is an excellent price; that, in our judgment, it will be to the interest and advantage of the aforesaid trust estate to make sale of said tract of land or farm at said price; and that the fair value of said farm, in our judgment, is at least the sum of Fourteen Thousand Dollars (\$14,000.00).

W. LAYTON HOLTON  
A. SYDNEY GADD JR.

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

I HEREBY CERTIFY that on this 30th day of September, 1949, before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, in Equity, personally appeared W. Layton Holton and A. Sydney Gadd Jr. and each made oath, in due form of law, that the matters and facts set forth in the foregoing CERTIFICATE OF VALUATION are true as therein stated, to the best of his knowledge and belief.

NELLIE B. WHITELEY  
Clerk.

Filed Oct. 5, 1949.

EXHIBIT No. 3  
Filed Oct. 5, 1949.

IN THE MATTER OF THE TRUST  
ESTATE FOR AND IN BEHALF  
OF HARRIET McK. GIBSON

Y  
Y  
Y

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

Cause No. 2124

"G. M. SMITH EXHIBIT No. 3"

THIS IS TO CERTIFY that I, Harriet McK. Gibson, the cestui que trust of the above entitled trust estate, was consulted as to the contract of sale made and executed in writing by and between my trustee and R. Russell Larrimore and Nellie E. Larrimore, dated October , 1949, by which said R. Russell Larrimore and Nellie E. Larrimore, his wife, have agreed to purchase the tract of land or farm known as the "George M. Smith Farm" from my trustee at and for the sum of Fourteen Thousand Dollars upon terms more fully set forth in said contract of sale, and urged the execution of said contract of sale by my trustee; and that, in my opinion, the ratification of said sale and the opportunity simultaneously to invest the sum of Seven Thousand Dollars of the proceeds of sale in a first purchase money mortgage on said farm are particularly advantageous to me and to the remaindermen of said trust estate.

HARRIET McK. GIBSON  
(Cestui que trust)

STATE OF VIRGINIA,            )  
                                  ) TO WIT:  
ALBEMARLE COUNTY,            )

I HEREBY CERTIFY that on this 4 day of October, 1949, before me, the subscriber, a Notary Public of the State of Virginia, in and for Albemarle County, personally appeared Harriet McK. Gibson and made oath in due form of law that the matters and facts set forth in the within and foregoing CERTIFICATE AND CONSENT are true as therein stated, to the best of her knowledge and belief.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal, the day and year last above written:

B. J. HAGGERTY  
Notary Public.

Notary  
Public  
Seal.

My Commission Expires Aug. 8, 1953.

Filed Oct. 5, 1949.

DECREE  
Filed Oct. 5, 1949.

IN THE MATTER OF THE TRUST	X	In the Circuit Court for
ESTATE FOR AND IN BEHALF	X	Queen Anne's County
OF HARRIET McK. GIBSON	X	in Equity
		Cause No. 2124.

\_\_\_\_\_  
DECREE  
\_\_\_\_\_

The foregoing petition and affidavit, and the certificate of value, certificate and consent of the cestui que trust and contract of sale accompanying the same, having been read and considered, IT IS THEREUPON, this 5th day of October, 1949, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, ADJUDGED, ORDERED AND DECREED that Robert F. Gibson, Surviving Trustee in the above entitled cause, be and he is authorized, directed and empowered to make sale to R. Russell Larrimore Sr., and Nellie E. Larrimore, his wife, of Talbot County, in the State of Maryland, of the tract of land or farm known as the "George M. Smith Farm" described in the foregoing petition, at and for the sum of Fourteen Thousand Dollars (\$14,000.00) in accordance with the terms and conditions of said contract of sale, which is hereby approved and ratified; IT IS FURTHER ADJUDGED, ORDERED and DECREED that the said Robert F. Gibson, Surviving Trustee as aforesaid, be and he is hereby authorized, directed and empowered, upon the payment to him of the sum of Five Thousand Six Hundred Dollars (\$5,600.00) and the execution of a First Purchase Money Mortgage to him by said purchasers securing the sum of Seven Thousand Dollars (\$7,000.00), and not before, to grant and convey unto the said R. Russell Larrimore, Sr., and Nellie E. Larrimore, his wife, as tenants by the entireties, their assigns, and the survivor of them, his or her heirs and assigns, in fee simple, the said tract of land or farm known as the "George M. Smith Farm". The said mortgage shall be for a period of five (5) years, with interest from its date at the rate of four and one-half per centum (4½%) per annum payable semi-annually from its date; said mortgage shall be made payable unto the said Robert F. Gibson, Surviving Trustee for Harriet McK. Gibson, his heirs, successors and assigns, and shall contain the usual covenants and a power of sale to be executed in the event of default.

AND IT IS FURTHER ADJUDGED, ORDERED and DECREED that the said Robert F. Gibson, Trustee as aforesaid, shall pay from the cash proceeds of sale of said farm the costs of proceedings relating to said sale, including a commission to himself for making said sale as per the rule of this Court, and shall invest the balance for the benefit of his cestui que trust, subject to the same devolution of title as if the proceeds of sale had remained land.

WM. R. HORNEY  
Judge.

Filed Oct. 5, 1949.

## CHANCERY No. 3460

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Twenty Fourth day of October, in the year nineteen hundred and forty five, the following Petition for Assumption of Jurisdiction was filed for record, to wit:-

IN THE MATTER OF THE TRUST ESTATE  
FOR WILLIAM McK. JACOBS, CREATED  
BY THE WILL OF NANNIE McK. JACOBS,  
DECEASED.

In the Circuit Court  
for  
Queen Anne's County  
in Equity.  
Cause No. 3460

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of William McK. Jacobs, unto your Honors, respectfully shows:

1. That on the 28th day of April, in the year nineteen hundred and forty-one, Nannie McK. Jacobs, late of Queen Anne's County, Maryland, departed this life in said County, seized and possessed of both real estate and personal property in her own right and with the power of disposition and appointment by last will and testament of an estate consisting solely of real estate.

2. That the said Nannie McK. Jacobs, deceased, left a last will and testament dated the 13th day of August, 1910, and a codicil to said will dated the 30th day of May, 1930, which said will and codicil thereto were duly admitted to probate by the Orphans' Court for Queen Anne's County and are now on record in the office of the Register of Wills for said County in Will Record Book N. S. D. No. 1, folio 212, etc., a duly certified copy of which said last will and testament and codicil thereto and the probate thereof, marked "Exhibit No. 1", is filed herewith as a part of this Petition.

3. That in Item Five of her will, the Testatrix provides as follows:

"All the rest, residue and remainder of my estate and property, real and mixed, held or owned by me in possession, remainder, reversion, or otherwise, including as part thereof, all real estate in which I have an interest for life under and by virtue of the last will and testament of my deceased father, William McKenney, dated the 12th day of May, in the year 1883, and the codicils thereto, which said will and codicils have been duly admitted to probate by the Orphans' Court for Queen Anne's County, Maryland, and duly recorded among the Will Record Books for said County, in Liber F. R. No. 2, folio 29, etc., and which said property I am authorized and empowered, by the terms of said will, to dispose of by last will and testament, which said authority and power I desire to and do hereby exercise, I do give and devise unto my executors hereinafter named, the successor and survivors of them, as the case may be, to be held by them in trust for the purposes of this will and for the benefit of my two sons, Kent and William, until the appointment by the Circuit Court for Queen Anne's County, in Equity, of Trustees to receive, have hold, manage, let, rent and carry on the respective shares and distributive parts thereof of my said two sons as hereinafter provided, and until their qualification to act as Trustees under the provisions of this will and of the Order of the Court making such appointment, at which time my executors shall surrender and deliver up to said Trustees all of said estate, real and mixed, according to the provisions of this will and the division thereof."

And that in Item Two of the codicil of her will, the Testatrix provides as follows:

"I do hereby revoke Item Eleven of my said last will and testament wherein I constituted and appointed my brother, William McKenney, now deceased, and Thomas J. Keating to be the Executors thereof; and I do hereby constitute and appoint my two sons, J. Kent H. Jacobs and William McK. Jacobs, to be the Executors of my said last will and testament, clothing them with full power and authority to carry into operation and effect its terms and provisions, and it is my wish and desire and I hereby direct that the said J. Kent H. Jacobs and William McK. Jacobs shall be excused from the necessity of giving bond for the performance of their duties as such Executors."

4. That your Petitioner, William McK. Jacobs, qualified as executor under said last will and testament on May 6th, 1941, as will appear by the Certificate of Letters Testamentary, marked "Exhibit No. 2", and filed herewith as a part of this Petition, and that since that time he has discharged and is still discharging his duties as executor as aforesaid.

5. That in Item Six of her will, the Testatrix provides as follows:

"I do will and direct that, as soon after my decease as may be convenient and practicable and within a period of two years, my executors shall make application to the Circuit Court for Queen Anne's County, in Equity, for the partition and allotment of my said restate, real and mixed, including therein all property, real and mixed, over which I have the power of disposition by the terms of the aforesaid last will and testament of my deceased father, William McKenney, among my said two sons, Kent and William, in equal parts as to the value (in case of unavoidable inequality in value, the same shall be adjusted and equalized by the award of money to be paid by the one or the other so as to equalize said division and allotment and said award of money shall be a lien and charge upon the real estate of the one by whom the same is to be paid, until paid and discharged) by the appointment of five suitable and judicious citizens of Queen Anne's County, familiar with values of real estate, as a commission to divide and report the same to said Court for its confirmation or rejection &c., until the same shall have been consummated and confirmed, and in said application to the Court there shall be embodied an application for the appointment of suitable Trustees for my two sons who will receive the trust in their respective behalfs, to receive, have hold, manage, rent, let, lease, farm and farm let their respective estate as hereinafter more specifically set forth, and which Trustees shall file a bond in said Court in such penalty as said Court may direct with a Trust Company, approved by said Court, as surety thereon, for the preservation, safety and security of the trust estate, for the proper management thereof and for the performance of the duties of their respective trust under this will and under the respective orders of appointment by said Court, or any future orders of said Court passed in reference to their trust estate in their respective trusts. And I do request and empower said Circuit Court for Queen Anne's County, in Equity, from time to time as occasion may require, from death, resignation, inability, or from any other cause, to appoint and substitute new trustees during the continuance of the trust hereby engrafted on my property and estate and it is my desire that my said sons be consulted by the Court in the selection of their respective Trustees in so far as the Court may adjudge proper and safe; but no further."

6. That in Item Seven of her will, the Testatrix provides as follows:

"I do will and direct that, after the appointment and qualification of the Trustees as aforesaid, the respective Trustees shall receive, have, hold, manage, lease and farm let the respective shares and allotments of my estate, real mixed, during the respective lives of my said two sons, Kent and William, and I do hereby empower and charge that the respective Trustees, to be appointed by the Court as aforesaid under the provisions of this will, shall keep their respective trust estates in order and repair, pay special attention to the fertility and productiveness thereof, and shall receive and collect the rents, profits, issues and income from their respective trust estates, and, after deducting from said rents, profits, issues and income all necessary expenses incident to the trust estate and to the care and preservation thereof, shall pay over, semi-annually, the net rents, profits, issues and income to them respectively and personally during their respective lives and upon the death of each of my said sons the trust as to his respective allotment and proportion shall immediately terminate and the corpus and increase thereof shall pass to and vest in his issue living at the time of his death, or in such person or persons as he, by last will and testament, may devise and direct, free, clear and discharged of the trust herein and engrafted thereon; and, in case of his death without issue living, at the time of his death, and without the exercise of the power of appointment by last will and testament, given by this will, I do will, direct and devise that his share and allotment shall devolve upon and become the absolute estate and property of the survivors; and, in case the last survivor shall die without leaving issue living at the time of his death and without exercising the power of appointment by last will and testament, then, and in that event, his proportion and allotment shall pass to and vest in such person or persons as shall be my heirs at law at the time of his death."

7. That in Item Ten of her will, the Testatrix provides as follows:

"I do hereby empower the respective Trustees of my sons, Kent and William, to sell their respective share of the real estate held in trust, or any part thereof, under the decree of the Circuit Court for Queen Anne's County, in Equity, upon satisfactory proof that it is advantageous and to the best interest of the Cestui Qui Trust and to have, held, manage, invest and re-invest the proceeds of sale for the benefit of his Cestui Qui Trust as provided in case it had remained land and subject to the same devolution of title and power of disposition by last will and testament of the Cestui Qui Trust."

8. That pursuant to the direction in Item Six of said last will and testament, your Petitioner, the said William McK. Jacobs, as Executor as aforesaid and acting in his individual capacity, in a cause in this Court wherein he is the Plaintiff and Anne McK. Jacobs and Frances Kent Jacobs, minor children of J. Kent Jacobs, deceased, are the Defendants, being Cause No: 3349 on the Chancery Docket of this Court, has filed his Bill of Complaint praying for the passage of a decree by this Honorable Court for the partition, allotment and division of the real estate described in said Bill of Complaint among the persons entitled thereto according to their respective interests as set forth in said Bill and in accordance with the provisions of said last will and testament, as will fully appear by reference to the aforesaid Bill of Complaint.

9. That in the partition, allotment and division of said real estate to be made under the proceedings in the aforesaid chancery cause No. 3349, your Petitioner is advised and charges that under the provisions of said last will and testament and as set forth in said Bill of Complaint, there will be allotted to your Petitioner, the said William McK. Jacobs, a one half part of the real estate so to be allotted subject to the trust engrafted thereon by said last will and testament, the same to be held as aforesaid by a Trustee to be appointed by this Honorable Court.

10. That as a supplemental proceeding to the aforesaid Bill of Complaint and the proceedings thereunder in said Chancery Cause No. 3349, your Petitioner hereby makes



application to this Honorable Court for the appointment of a Trustee to receive, have, hold, manage, rent, let lease, farm and farm let the said share of said estate so as aforesaid to be allotted to your Petitioner, the said William McK. Jacobs, in accordance with the provisions of said last will and testament of said Nannie McK. Jacobs, deceased.

11. That the testatrix in her last will and testament stated that it was her desire that her sons be consulted by the Court in the selection of their respective Trustees in so far as the Court may adjudge proper and safe, but no further, and that it is the desire of your Petitioner that he, the said William McK. Jacobs, be named as the Trustee to be appointed in these proceedings.

Your Petitioner therefore prays:

1. That this Honorable Court may assume jurisdiction over the said one half part of the real estate of Nannie McK. Jacobs, deceased, to be allotted as aforesaid to the said William McK. Jacobs under the proceedings in this Court in said Chancery Cause No. 3349, and over the aforesaid trust created and engrafted thereon by the said last will and testament of Nannie McK. Jacobs, deceased.

2. That this Honorable Court may appoint some suitable person as Trustee with full power and authority to execute the aforesaid trust created and engrafted as aforesaid upon the said one half of the real estate to be allotted as aforesaid to your Petitioner, the said William McK. Jacobs, in accordance with the terms, provisions and directions contained in said last will and testament.

3. That this Honorable Court may name the penalty and approve the bond to be executed by said Trustee for the safe, secure and proper management of the duties of his said trust, and to be filed by him in the cause.

4. And that your Petitioner may have such other and further relief as his case may require.

And as in duty bound, etc.,

WILLIAM McK. GIBSON

THOMAS J. KEATING JR.  
Solicitors for Petitioner.

WILLIAM McK. JACOBS  
Petitioner.

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

I HEREBY CERTIFY that on this 11th. day of October, 1945, before me the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County aforesaid, duly commissioned and qualified, personally appeared William McK. Jacobs, and made oath in due form of law that the matters and things stated in the foregoing PETITION are true as therein set forth, to the best of his knowledge and belief.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix my notarial seal the day and year first above written.

SARA E. CONLON  
Notary Public.

MY COMMISSION EXPIRES MAY 5th, 1947

Notary  
Public  
Seal.

PETITION AND SUGGESTION OF  
APPOINTMENT OF TRUSTEE  
Filed Nov. 7, 1945.

IN THE MATTER OF THE TRUST ESTATE  
FOR  
WILLIAM McKENNEY JACOBS, CREATED BY  
THE WILL OF NANNIE McK. JACOBS, deceased.

IN THE CIRCUIT COURT  
FOR  
QUEEN ANNES COUNTY, in Equity.  
CHANCERY #3460

To the Honorable, the Judges of said Couty:

The Petition of William McKenney Jacobs, life beneficiary of the trust estate in this cause, respectfully shows unto your Honors:

1. That your Petitioner has heretofore filed in this cause his petition asking that jurisdiction of the trust be assumed by this Honorable Court and asking that he, the said William McKenney Jacobs, be appointed Trustee for himself.

2. That your Petitioner now desires to make known to your Honors the fact that if the Court should not see fit to appoint him Trustee for himself then your Petitioner's next choice for such appointment is Charles S. Quimby, who has indicated unto your Petitioner his willingness to serve as such Trustee.

Wherefore your Petitioner prays your Honors to appoint the said Charles S. Quimby as Trustee in this cause if your Honors should not see fit to appoint your Petitioner as Trustee.

Respectfully submitted,

WILLIAM MCKENNEY JACOBS  
William McKenney Jacobs

Filed Nov. 7th, 1945.

ORDER OF COURT  
Filed Nov. 7, 1945.

IN THE MATTER OF THE TRUST ESTATE  
FOR WILLIAM McK. JACOBS, CREATED  
BY THE WILL OF NANNIE McK. JACOBS,  
DECEASED.

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

Cause No.

ORDER OF COURT.

The foregoing Petition and Exhibits having been read and considered, it is ADJUDGED, ORDERED and DECREED, this 5th day of November, 1945, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that jurisdiction be and it is hereby assumed by this Court over the share or portion of the real estate of Nannie McK. Jacobs, deceased, late of Queen Anne's County, Maryland, as set forth in the foregoing Petition to be allotted in trust to the said William McK. Jacobs, under the proceedings in this Court entitled "William McKenney Jacobs, Executor et al. vs. Anne McK. Jacobs, et al.," being Cause No. 3349 on the Chancery Docket of this Court, and over the trust engrafted thereon by the last will and testament of said Nannie McK. Jacobs, deceased.

And it is further ADJUDGED, ORDERED and DECREED that Charles S. Quimby of Queen Anne's County, State of Maryland, be and he is hereby appointed Trustee with full power and authority to execute the aforesaid trust created and engrafted as aforesaid upon the said share or portion of said real estate to be allotted as aforesaid to the said William McK. Jacobs, in accordance with the terms, provisions and directions contained in the said last will and testament of Nannie McK. Jacobs, deceased, and that before proceeding to act as Trustee as aforesaid the said Charles S. Quimby shall first file with the Clerk of this Court a bond to the State of Maryland, executed by himself and by a corporate surety to be approved by this Court in the penalty of Seven Thousand dollars, conditioned for the faithful performance and execution of the trust reposed in him by this decree or that may be reposed in him by any further decree or order in the premises, and for the safe, secure and proper management of the duties of said trust in accordance with the terms and provisions of the said last will and testament of Nannie McK. Jacobs, deceased.

And it is further ORDERED that the said Trustee be and he is hereby directed to report annually to this Court the condition of his said trust estate, together with a statement of his receipts and disbursements as Trustee as aforesaid.

J. OWEN KNOTTS  
Judge.

Filed Nov. 7th, 1945.

CERTIFIED COPY OF BOND  
Filed Feb. 11, 1947.

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Eleventh day of February in the year nineteen hundred and forty seven, the following Bond was brought to be recorded, to wit:-

UNITED STATES FIDELITY AND GUARANTY COMPANY

BALTIMORE, MARYLAND

KNOW ALL MEN BY THESE PRESENTS:

THAT we, Charles S. Quimby, Centreville, Maryland as principal, and the UNITED STATES FIDELITY AND GUARANTY COMPANY, a body corporate, duly incorporated under the Laws of the State of Maryland, and 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 Seven thousand (\$7000.00), Dollars, to be paid to the said State or its certain attorneys, to which payment, well and truly to be made, we bind ourselves and each of us, our and each of our respective Heirs, Executors, Administrators, Successors and Assigns, jointly and severally, firmly by these presents. Sealed with our seals and dated this 23rd day of December in the year of our Lord one thousand, nine hundred and forty six.

WHEREAS, the above bounden Charles S. Quimby by virtue of a decree of the Honorable the Judge of the Circuit Court of Queen Anne County dated the seventh day of November Nineteen Hundred and forty five, mentioned in the proceedings in the case of the trust estate for William McK. Jacobs, created under the will of Annie McKenney Jacobs, deceased, in Chancery #3460. now pending in said Court.

NOW, THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bounden Charles S. Quimby 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 be and remain in full force and virtue in law.

Signed, Sealed and delivered in the presence of

HOWARD WOOD, 3rd.

CHARLES S. QUIMBY (SEAL)

UNITED STATES FIDELITY AND GUARANTY COMPANY

By M. G. CROMWELL  
M. G. Cromwell, Attorney-in-fact.

Corporate Seals Place.

Certified copy of Power of Attorney attached:

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

Bond filed and security approved Feb. 11th, 1947.

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 A. S. G. Jr. No. 1, folio 4, 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 11 day of February in the year nineteen hundred and forty seven.

A. SYDNEY GADD JR.  
Clerk of Circuit Court

Seal's Place.

PETITION  
Filed July 18, 1949

IN THE MATTER OF THE TRUST  
CREATED BY THE WILL OF  
ANNIE McK. JACOBS, deceased.

IN THE CIRCUIT COURT FOR  
QUEEN ANNE'S COUNTY.  
Chcry. #3460

P E T I T I O N

TO THE HONORABLE, the Judges of said Court:

THE PETITION of Charles S. Quimby, Trustee, by Thomas J. Keating, Jr., his Attorney, respectfully sets forth:

(1) THAT among the assets of this Estate is an undivided one-half (1/2) interest in the farm or tract of land known as the "S. R. Emory Farm - Parcel No. 6 of the McKenney Estate", containing 271 ACRES of land, more or less, situate in the Third Election District of Queen Anne's County, Maryland;

(2) THAT your Petitioner, together with the co-Owners of said farm, received an offer from Kenneth Wilson and Louise Forstmann Wilson, his wife, to purchase the aforesaid farm at and for the sum of Forty-four Thousand Dollars (\$44,000.00) upon certain terms and conditions and subject to the payment thereof of a brokerage fee of Four Thousand Dollars (\$4,000.00) to the Eastern Shore Estates Company;

(3) THAT your Petitioner believes said sale to be to the interest and advantage of this Trust Estate and did enter into a written Contract of Sale, which was to be subject to the approval of this Honorable Court, a copy of said Contract

being filed herewith as a part hereof marked "Trustee's Exhibit No. 1";

(4) THAT your Petitioner desires to join with his co-Owners of said farm in the institution of a separate Equity suit to procure the ratification of this sale in accordance with Section 159 of Article 16 of the Code of Public General Laws of the State of Maryland;

WHEREFORE, your Petitioner prays your Honors to pass an Order authorizing him to institute, as a Party Plaintiff, a suit in the Circuit Court for Queen Anne's County, in Equity, to procure the ratification of the sale hereinbefore mentioned unto Kenneth Wilson and Louise Forstmann Wilson, his wife.

Respectfully submitted,

THOS. J. KEATING JR.  
(Thomas J. Keating, Jr.)  
ATTORNEY FOR PETITIONER.

Filed July 18, 1949.

ORDER OF COURT

UPON THE AFOREGOING PETITION, and EXHIBIT, it is, by the Circuit Court for QUEEN ANNE'S COUNTY, IN EQUITY, this 18th day of July 1949, ORDERED that Charles S. Quimby, Trustee, be and he is hereby authorized to join, as a Party Plaintiff, in the institution of a suit in the Circuit Court for Queen Anne's County, in Equity, to procure the ratification of the sale set forth in the foregoing Petition and Exhibit.

WM. R. HORNEY  
JUDGE

Filed July 18, 1949.

CAUSE No. 2736

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Twelfth day of June, in the year nineteen hundred and forty eight, the following Petition for Assumption by the Court of Jurisdiction over trust estate created by Supplemental Deed of Trust, to wit:

IN THE MATTER OF THE TRUST	:	IN THE CIRCUIT COURT FOR
	:	QUEEN ANNE'S COUNTY
ESTATE OF	:	IN EQUITY
	:	
EUGENE CLAYTON CANN	:::	Chancery No. 2736

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Clayton T. Cann and William H. Carter, Trustees under Supplemental Deed of Trust from Eugene Clayton Cann, unto your Honors, respectfully shows:

1. That heretofore, to wit: on the 24th day of January, 1928 Eugene Clayton Cann executed to your Petitioners a Deed of Trust, which is now of record in Liber B. H. T. No. 7, folio 458, a land record book for Queen Anne's County, in which the said Eugene Clayton Cann did grant, convey, assign, release and set over to the said Clayton T. Cann and William H. Carter certain property, real and personal in trust for the uses and purposes therein set forth.

2. That by a decree of this Court bearing date the 18th day of February, 1929, and passed in the above-entitled cause, jurisdiction was assumed by this Court over the said trust estate created by said Deed of Trust, and the said Clayton T. Cann and William H. Carter, Trustees as aforesaid, were by said decree required and directed to file in said cause a bond to the State of Maryland, executed by themselves, with a surety or sureties to be approved by said Court of by the Clerk of said Court, in the penalty of Ten Thousand Dollars (\$10,000.00) conditioned for the faithful performance of the duties of said trust under said Deed of Trust, and for the faithful performance and execution of the trust reposed in them by said decree or which may be reposed in them by any future decree or order in the premises.

3. That your Petitioner entered upon the duties as Trustees by filing a bond with corporate surety, as will more fully appear by reference to the proceedings heretofore filed in the above-entitled cause, and have faithfully performed their duties as Trustees to the present time.

4. That on the 10th day of June, 1948, the said Eugene Clayton Cann executed to your Petitioners a Supplemental Deed of Trust, which is now of record in Liber N. B. W. No. 1, folio 32, a land record book for Queen Anne's County aforesaid, a duly certified copy of which said Supplemental Deed of Trust, marked "Exhibit No. 1", is filed herewith and made a part hereof.

5. That your Petitioners agreed to accept the property described in the said Supplemental Deed of Trust in trust upon the same uses and purposes as heretofore created by the said Deed of Trust of the 24th January 1928 and evidenced the same by joining in the execution of the said Supplemental Deed of Trust, as will more fully appear by reference to "Exhibit No. 1".

6. That by the terms of said Supplemental Deed of Trust the said Eugene Clayton Cann granted, conveyed, bargained, sold, assigned and released unto your Petitioners certain additional real estate and personal property, as Trustees, upon the same terms and provisions and upon the same trust as set forth in the said Deed of Trust of the 24th January 1928, as will appear by reference to the certified copy of said Supplemental Deed of Trust filed herewith.

7. That your Petitioners desire to place the said additional trust property, conveyed and set over to your Petitioners as aforesaid by said Supplemental Deed of Trust, within the jurisdiction of this Honorable Court in order that they may conduct and administer the same under the direction, control and supervision of this Honorable Court as a part of the trust estate now within the jurisdiction of this Court in said Chancery Cause No. 2736.

8. That your Petitioners offer themselves ready to file such bond, with corporate surety, for the faithful performance and execution of the duties of their said trust as this Court may deem proper, and to abide by and perform such orders and decrees as may be passed by this Court in relation to the said trust.

TO THE END THEREOF:

(1) That this Honorable Court may assume jurisdiction over the additional trust property conveyed and set over to your Petitioners by the said Supplemental Deed of Trust to be administered as a part of the trust estate now under the jurisdiction of this Court in said Chancery Cause No. 2736.

(2) That this Honorable Court may determine and name the amount of the penalty of the bond to be executed by your Petitioners, as Trustees as aforesaid, for the faithful performance and execution of the duties of their said trust and to be fil-

ed by them in this cause.

(3) that this Honorable Court may supervise and direct your Petitioners in the management and performance of their said trust.

(4) And that your Petitioners may have such other and further relief as their case may require.

And as in duty bound, etc.

CLAYTON T. CANN

WILLIAM H. CARTER

STATE OF MARYLAND :  
QUEEN ANNE'S COUNTY : to wit:

I HEREBY CERTIFY that on this 11th day of June, 1948, before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared CLAYTON T. CANN and WILLIAM H. CARTER, Trustees under Supplemental Deed of Trust, dated the 10th day of June, 1948, from Eugene Clayton Cann, and made oath in due form of law that the matters and things stated in the foregoing PETITION are true as therein set forth to the best of their knowledge and belief.

NELLIE B. WHITELEY  
Clerk

EXHIBIT No. 1  
Filed June 12, 1948

.....  
#26,657. QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Twelfth day of June in the year nineteen hundred and forty eight, the following Supplemental Deed of Trust was brought to be recorded, to wit:-

THIS SUPPLEMENTAL DEED OF TRUST, made this 10th day of June, 1948, by Eugene Clayton Cann of Queen Anne's County, State of Maryland;

WHEREAS by a certain Deed of Trust, bearing date the 24th day of January 1928 and recorded in Liber B. H. T. No. 7, folio 458, a land record book for Queen Anne's County aforesaid, Eugene Clayton Cann did grant, convey, assign, release and set over to Clayton T. Cann and William H. Carter certain property, real and personal, in trust for the uses and purposes therein set forth; and

WHEREAS, by a decree of the Circuit Court for Queen Anne's County, in Equity, bearing date the 18th day of February, 1929, and passed in a cause in said Court entitled "In the Matter of the Trust Estate of Eugene Clayton Cann" being Chancery Cause No. 2736, jurisdiction was assumed by the said Court over the said trust estate created by said Deed of Trust; and

WHEREAS, the said Eugene Clayton Cann since the creation of the aforesaid Trust has become seized and possessed of certain real and personal property and is desirous of adding the same to the Trust heretofore created aforesaid in trust for the same uses and purposes as therein set forth; and

WHEREAS, the said Clayton T. Cann and William H. Carter, Trustees as aforesaid, have agreed to accept the property hereinafter described in trust upon the same uses and purposes as heretofore created as aforesaid, as evidenced by their joining in the execution of these presents.

NOW, THEREFORE, THIS SUPPLEMENTAL DEED OF TRUST WITNESSETH, that for and in consideration of the premises and of the sum of One (\$1.00) Dollars, the receipt of which is hereby acknowledged, the said Eugene Clayton Cann does hereby grant, convey, bargain, sell, assign and release unto the said Clayton T. Cann and William H. Carter, their heirs, successors, personal representatives and assigns, the following described property, to wit:

REAL ESTATE

PARCEL NUMBER ONE. ALL the undivided one-fourth part and all the right, title, interest and estate of him, the said Eugene Clayton Cann of, in and to ALL the following described two tracts, peices or parcels of land, with the improvements thereon, situate, lying and being in Pencader Hundred, County of New Castle, State of Delaware, to wit:

BEGINNING for Number One where the property hereby conveyed corners with the junction of the highway leading from Glasgow to Summit Bridge and the highway leading from the aforesaid highway to Porters and running thence along the lastmentioned highway South 88 degrees east 4139 feet, thence North 5 degrees east 3485 feet, thence South 78 degrees 50 minutes west 4453 feet to the highway leading from Glasgow to Summit Bridge, thence along said highway South 1 degree 3 minutes west 2432 feet to the place of beginning, containing 287.34 acres of land, more or less, according to a survey made by H. A. Phelps, Engineer, on June 17, 1935.

BEGINNING for Number Two at a stone set in the line of the land of Charles G. Cann and Richard T. Cann, 3rd, and a corner for this land and the land of Boulden,

and running thence along said Boulden's land North 5 degrees west, 1699.5 feet to a point and Simonton's land; thence along said Simonton's land North 85 degrees east 256.4 feet to a point; thence along the said Canns' land South 5 degrees east 1699.5 feet to a point a corner for these lands and lands of the said Canns'; thence along said Canns' land South 85 degrees west 256.4 feet to the first aforesaid stone and place of beginning; containing within said bounds 10 acres of land, more or less, according to a survey thereof made in April, 1909.

BEING the same and all the farm and woodland described in Item One of the last will and testament of Thomas A. Cann who died in 1932, a resident of New Castle County, State of Delaware, and which he devised unto Clayton T. Cann and Eugene A. Cann in equal shares; the said Eugene A. Cann having died intestate in January, 1926, leaving as his only children the said Eugene Clayton Cann and Olivia Cann Carter, who took the share to which their father would have been entitled had he been living at the time of the death of the said Thomas A. Cann.

#### PERSONAL ESTATE

FIRST. ALL right, title and interest which he may now have in One Thousand and Four Hundred Seventy-Two Dollars and Sixty-One Cents (\$1,472.61), with interest accrued from October 1, 1947 on deposit with The Artisan Savings Bank, Wilmington, Delaware, in account with Clayton T. Cann and William H. Carter, Trustees for Eugene Clayton Cann, represented by Book No. 55513.

SECOND. ALL interest which he may now have or may hereafter acquire in proceeds of insurance on the life of Lillian L. Cann, represented by Policy No. 51859 of The Continental American Life Insurance Company.

THIRD. ALL interest which he may now have or may hereafter acquire in proceeds of insurance on the life of Lillian L. Cann, represented by Policy No. 6990571 of the New York Life Insurance Company.

FOURTH. ALL right, title and interest which he may now have or may hereafter acquire by survivorship or otherwise in the following:

(1) Ten (10) shares of the capital stock of the American Telephone and Telegraph Company, each share of the par value of One Hundred Dollars (\$100.00), represented by Certificate No. X 267763, issued in the name of Lillian A. Cann and Eugene Clayton Cann, her son, as joint tenants with right of survivorship and not as tenants in common.

(2) Ten (10) shares of the capital stock of The Anaconda Copper Mining Company, each share of the par value of Fifty Dollars (\$50.00), represented by Certificate No. E 329282 issued in the name of Eugene Clayton Cann and Lillian A. Cann, as joint tenants with right of survivorship and not as tenants in common.

(3) Ten (10) shares of common stock of The Lambert Company, without nominal or par value, represented by Certificate No. XC/O 124459, issued in the name of Eugene Clayton Cann and Lillian A. Cann, as joint tenants with right of survivorship and not as tenants in common.

(4) Eight Hundred Three Dollars and Seventeen Cents (\$803.17) on deposit in The Centreville National Bank of Maryland in an account standing in the name of Eugene Clayton Cann in trust for himself and Mrs. Lillian A. Cann, joint owners.

(5) Moneys on deposit or hereafter deposited in The Centreville National Bank of Maryland in an account standing in the name of Lillian A. Cann in trust for herself and Eugene Clayton Cann, joint owners.

(6) Two (2) United States Government Bonds, Series G, each bond of the maturity value of One Thousand Dollars (\$1000.00), issued in October 1944, and represented by Certificate Nos. M 2767418 G and M 2767417 G, issued in the name of Mrs. Lillian A. Cann or Eugene Clayton Cann.

(7) Three (3) United States Government Bonds, Series E, each bond of the maturity value of Five Hundred Dollars (\$500.00), represented by Certificate Nos. D 9879832 E, D 12591324 E, D 12591323 E, issued in the name of Mrs. Lillian A. Cann or Mr. Eugene Clayton Cann.

(8) Three (3) United States Government Bonds Series E, each bond of the maturity value of Fifty Dollars (\$50.00) represented by Certificate Nos. L 74277025 E, L 41451158 E, L 41451132 E, issued in the name of Mrs. Lillian A. Cann or Mr. Eugene Clayton Cann.

(9) Two (2) United States Government Bonds Series E of the maturity value of One Thousand Dollars (\$1,000.00), represented by Certificates Nos. M 1486 9761 E, M 5036606 E, issued in the name of Mrs. Lillian A. Cann or Mr. Eugene Clayton Cann.

(10) Two (2) United States Government Bonds Series E, each bond of the maturity value of Twenty Five Dollars (\$25.00), represented by Certificate Nos. Q 86074707 E, Q 5740465 E, issued in the name of Mrs. Lillian A. Cann or Mr. Eugene Clayton Cann.

(11) One (1) United States Government Bond Series E of the maturity value of Fifty Dollars (\$50.00), represented by Certificate No. L 113454451 E, issued in the name of Mr. Eugene Clayton Cann or Mrs. Lillian A. Cann.

(12) All moneys now on deposit or hereafter deposited together with interest accrued or to be accrued, with The Wilmington Savings Fund Society, in Account No. 155700, issued in the name of Eugene Clayton Cann or Lillian A. Cann, jointly or severally.

FIFTH. ALL property, real, personal and mixed, whether now owned or hereafter acquired, or wheresoever situate, or whether in possession, expectancy, or in remainder, or to which I may be hereafter entitled.

TO HAVE AND TO HOLD all the said property above mentioned and described to the said Clayton T. Cann and William H. Carter, their heirs, successors, personal representatives and assigns, in trust and confidence, nevertheless, for the uses and purposes following, that is to say: FIRST, to take possession of all of said estate, property, assets and effects of every kind and description, and to hold, manage, control, collect, convert, sell, invest and reinvest the same and to take, collect and receive the rents, issues, profits, interest and income accruing and arising therefrom; SECOND, to sell the said real estate comprising a part of the principal or corpus of this trust estate hereinbefore mentioned and described, if a sale thereof shall, in the opinion of the said Clayton T. Cann and William H. Carter, Trustees as aforesaid, or the survivor of them, or their successor or successors in this trust, be necessary, advisable or to the interest and advantage of the said Eugene Clayton Cann, either at public or private sale, as in their judgment may seem most advisable, at such time or times and for such price or prices and upon such terms as they may deem best, and to grant and convey the same to the purchaser or purchasers thereof; the proceeds arising from the said sales of said real estate, remaining after the payment by the said Trustees of the costs and expenses incident to the making of said sales, shall become and be a part of the personal estate comprising a part of the principal or corpus of the trust hereby created; and THIRD, to pay over the net rents, issues, profits, interest and income accruing and arising from the said trust estate hereby created to the said Eugene Clayton Cann, or so much thereof as may be demanded or required by him for and during the term of his, the said Eugene Clayton Cann's natural life, the said payment or payments to be made by the said Trustees, or the survivor of them, or their successor or successors, into the hands of the said Eugene Clayton Cann, and into the hands of no other person or persons; and if the said net rents, issues, profits, interest and income shall be insufficient for the proper and reasonable support, maintenance and comfort of the said Eugene Clayton Cann, there may be paid to him the said Eugene Clayton Cann, out of the personal estate comprising a part of the principal or corpus of said trust estate, such sum or sums as the said Trustees, or the survivor of them, or their successor or successors, shall in their judgment deem necessary and advisable; and upon the death of the said Eugene Clayton Cann, this trust shall cease and terminate; and from and after the death of the said Eugene Clayton Cann the said Trustees, or the survivor of them, or their successor or successors, shall forthwith divide, distribute and pay over the personal estate comprising a part of the principal or corpus of said trust estate and any additions thereto, and any and all unexpended accruals of rents, issues, profits, interest and income, and shall forthwith convey so much of said real estate comprising a part of the principal or corpus of said trust estate as is unsold, if any, to such person or persons as shall, at the time of the death of the said Eugene Clayton Cann, be, under the laws of the State of Maryland, entitled to the same as the next of kin of the said Eugene Clayton Cann, to be held by such person or persons absolutely and in fee simple, free, clear and discharged from the operation of said trust.

AND the said Eugene Clayton Cann does hereby made, constitute and appoint the said Clayton T. Cann and William H. Carter, to be his true and lawful attorneys, irrevocable, for him and in his name, place, and stead, to ask, demand, collect, sue for, recover and receive from all and every person or persons all the property, chattels, goods, wares, merchandise, debts, promissory notes, accounts, contracts, assets and demands or sums of money due, owing or belonging to the said Eugene Clayton Cann and hereby granted, conveyed, bargained, sold, assigned and released, and to give all necessary and proper receipts, releases and acquittances therefor in the name of the said Eugene Clayton Cann; and generally to do all other lawful acts and things whatsoever concerning the premises as fully and in every respect as the said Eugene Clayton Cann might or could do were he personally present at the doing thereof.

IN WITNESS WHEREOF, the said Eugene Clayton Cann has hereunto set his hand and seal, and the said Clayton T. Cann and William H. Carter to evidence their acceptance of the above described property in trust as hereinbefore set forth have hereunto set their hands and seals, all on the day and year first above written.

TEST: (as to Eugene Clayton Cann):

J. WEST THOMPSON, JR.

EUGENE CLAYTON CANN (SEAL)  
(Eugene Clayton Cann)

GRANTOR

TEST: (as to Clayton T. Cann):

CLAYTON C. CARTER

CLAYTON T. CANN (SEAL)  
(Clayton T. Cann)

TEST: (as to William H. Carter):

CLAYTON C. CARTER

WILLIAM H. CARTER (SEAL)  
(William H. Carter)

TRUSTEES

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

I HEREBY CERTIFY, on this 10th day of June, 1948, before me, the subscriber, a Notary Public of the State of Maryland in and for the county aforesaid, personally appeared Eugene Clayton Cann, a single man, and acknowledged the foregoing SUPPLEMENTAL DEED OF TRUST to be his act and deed.



WITNESS my hand and notarial seal.

J. WEST THOMPSON JR.

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 N. B. W. No. 1, folios 32, etc., a Land Record 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 June, in the year nineteen hundred and forty eight.

NELLIE B. WHITELEY

Clerk

Seal's  
Place.

BOND  
Filed June 23, 1948

QUEEN ANNE'S COUNTY, to wit: Be it remembered that on this Twenty Third day of June, in the year nineteen hundred and forty eight, the following Bond was brought to be recorded, to wit:

KNOW ALL MEN BY THESE PRESENTS, that we, Clayton T. Cann and William H. Carter, of Queen Anne's County, State of Maryland, and the United States Fidelity and Guaranty 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 FIVE THOUSAND DOLLARS (\$5,000.00) 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 23rd day of June in the year nineteen hundred and forty eight;

AND WHEREAS, by a Supplemental Deed of Trust, bearing date the 10th day of June, 1948, and recorded in Liber No. N. B. W. #1, Folio 32, a land record book for Queen Anne's County aforesaid, Eugene Clayton Cann did grant, convey, bargain, sell assign and release to the said Clayton T. Cann and William H. Carter certain property, real and personal, in said Deed of Trust fully described in trust for the uses and purposes set forth in said Deed of Trust;

AND WHEREAS, by a decree of the Circuit Court for Queen Anne's County in Equity bearing date the 12th day of June 1948, and passed in a cause in said Court entitled "In the Matter of the Trust Estate of Eugene Clayton Cann" being Cause No. 2736 on the Chancery Docket of said Court, jurisdiction was assumed by the said Court over the said Trust Estate created by said Deed of Trust and the said Clayton C. Cann and William H. Carter trustees as aforesaid, were by said decree required and directed to file in said cause a Supplemental Bond to the State of Maryland, executed by themselves, with a surety or sureties to be approved by said Court or by the Clerk of said Court, in the peantly of FIVE THOUSAND DOLLARS (\$5,000.00) conditioned for the faithful performance and execution of the duties of said trust reposed in them by said decree or which may be reposed in them by any future decree or order in the premises.

AND WHEREAS, this Supplemental bond is executed in compliance with the said directions contained in said decree passed by said Court as aforesaid in said Chancery Cause No. 2736;

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bounden Clayton T. Cann and William H. Carter do and shall well and faithfully perform the duties of said trust under said supplemental deed of trust as well as under the original deed of trust and do and shall well and faithfully perform and execute the trust reposed in them by this Decree or any previous Decree, or which 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:

WILLIAM M. FREESTATE

Seal's  
Place.

Corporate Seal

CLAYTON T. CANN (SEAL)  
Clayton T. Cann

WILLIAM H. CARTER (SEAL)  
William H. Carter

United States Fidelity and Guaranty  
Company

By B. HACKETT TURNER JR.  
B. Hackett Turner

Attest: Ruth P. Butler Its Attorney in fact.

And at the foot of the foregoing Bond is thus endorsed, to wit:

Security approved and Bond filed June 23, 1948.

NELLIE B. WHITELEY, Clerk

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. 1, folio 58, 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 Twenty Fourth day of June, in the year nineteen hundred and forty eight.

NELLIE B. WHITELEY

Clerk

Seal's  
Place.

PETITION  
Filed July 19, 1948

IN THE MATTER OF THE TRUST	:	IN THE CIRCUIT COURT FOR
ESTATE OF	:	QUEEN ANNE'S COUNTY
EUGENE CLAYTON CANN	:	IN EQUITY
	:::::	Chancery No. 2736

PETITION

TO THE HONORABLE, THE JUDGES OF SAID COURT:

THE PETITION of Clayton T. Cann and William H. Carter, Trustees in the above entitled cause, respectfully shows unto your Honors:

1. That as will appear by reference to the proceedings in this Cause, this Honorable Court by decree bearing date the 18th day of February 1929 assumed jurisdiction over the trust estate created by a Deed of Trust dated the 24th day of January 1928, now of record in liber B. H. T. No. 7, folio 458, a land record book for Queen Anne's County, in which Eugene Clayton Cann did grant, convey, assign, release, and set over to your Trustees certain property, real and personal, in trust for the uses and purposes therein set forth.

2. That your Trustees by the aforesaid decree were required and directed to file in said cause a bond to the State of Maryland, executed by themselves, with a surety or sureties to be approved by said Court or by the Clerk of said Court, in the penalty of Ten Thousand Dollars (\$10,000.00) conditioned for the faithful performance of the duties of said trust under said Deed of Trust, and for the faithful performance and execution of the trust reposed in them by said decree or which may be reposed in them by any future decree or order in the premises.

3. That as will further appear by reference to the proceedings in this Cause, this Honorable Court by decree bearing date the 12th day of June 1948 assumed jurisdiction over the the additional trust estate created by a Supplemental Deed of Trust, dated the 10th day of June 1948, now of record in Liber N. B. W. No. 1, folio 32, a land record book for Queen Anne's County, in which Eugene Clayton Cann did grant, convey, assign, release, and set over to your Trustees certain additional property, real and personal, in trust for the uses and purposes therein set forth.

4. That it was further adjudged, ordered and decreed by this Court in the aforesaid decree dated June 10, 1948 that the trust estate created by the said Supplemental Deed of Trust by administered as a part of the trust estate now under the jurisdiction of this Court in the above entitled cause, and that your Trustees were required and directed to file in this cause an additional bond to the State of Maryland, executed by themselves with a surety or sureties to be approved by said Court or by the Clerk of said Court, in the penalty of Five Thousand Dollars (\$5000.00), conditioned for the faithful performance of the duties of their said trust under the original deed of trust and said supplemental deed of trust, and for the faithful performance and execution of the trust reposed in them by any previous decree, the aforesaid decree dated June 10, 1948, or which may be reposed in them by any future decree or order in the premises.

5. That your Trustees entered upon the duties as Trustees by filing two bond with corporate surety, as will more fully appear by reference to the proceedings heretofore filed in the above-entitled cause, and now of record in Liber B. H. T. No. 1, folio 5 and Liber A. S. G., Jr. No. 1, folio 58, Bond Record Books for Queen Anne's County, and have faithfully performed this duties as Trustees to the present time.

6. That your Trustees desire to resign as Trustees in accordance with the law in such cases made and provided, and they file herewith a final account, under oath, showing the present condition of the corpus of the said trust estate and the receipts and disbursements of income received by them from the last annual report filed

by them up to the time of filing this Petition.

WHEREFORE, your Trustees pray:

(1) That an order may be passed causing Notice to be given, by publication, of the filing of this Petition;

(2) That upon the expiration of the time limited in said Notice, an order may be passed releasing and discharging your Trustees from the further execution of their trust;

(3) That the papers in this cause may be referred to the regular Auditor of this Court for the purpose of stating an Audit of your Trustees' Accounts.

(4) That your Trustees may have such other and further relief as their case may require.

AND as in duty bound, etc.

CLAYTON T. CANN  
Clayton T. Cann

WILLIAM H. CARTER  
William H. Carter

TRUSTEES, PETITIONERS

CLAYTON C. CARTER  
Solicitor for Trustees

ORDER OF COURT  
Filed July 19, 1948

IN THE MATTER OF THE TRUST	:	IN THE CIRCUIT COURT FOR
ESTATE OF	:	QUEEN ANNE'S COUNTY
EUGENE CLAYTON CANN	:	IN EQUITY
	:::	Chancery No. 2736

ORDER OF COURT

ORDERED, by the Circuit Court for Queen Anne's County, in Equity, this 19th day of July, in the year nineteen hundred and forty-eight, that the Petition of Clayton T. Cann and William H. Carter, Trustees in the above entitled Cause, praying to be allowed to resign as Trustees, be granted, and that they be discharged from the further execution of their trust unless cause to the contrary thereof be shown on or before the 21st day of September, 1948, PROVIDED a copy of this Order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once (1) in each of four successive weeks before the 20th day of August, 1948.

AND IT IS FURTHER ORDERED that the papers in the Cause be referred to the regular Auditor of this Court for the purpose of stating an Audit of the Trustees' Accounts.

WM. R. HORNEY  
Judge

AMENDED FINAL REPORT  
Filed Oct. 19, 1948

IN THE MATTER OF THE TRUST	:	IN THE CIRCUIT COURT FOR
ESTATE OF	:	QUEEN ANNE'S COUNTY
EUGENE CLAYTON CANN	:	IN EQUITY
	:::	Cause No. 2736

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Amended Final Report of the undersigned fiduciaries of the condition of the trust estate on the 19th day of July, 1948, and showing the receipts and disbursements of the income which came into the hands of said fiduciaries from the 1st day of January, 1948, to the 19th day of July, 1948, respectfully shows:

The initial bond of the fiduciaries in the penal sum of \$10,000, is dated the 19th day of February, 1929, and is recorded in Liber B. H. T. No. 1, folio 5, a bond record book for Queen Anne's County, Maryland. An additional bond of the fiduciaries in the penal sum of \$5000.00 is dated the 23rd day of June, 1948, and is recorded in Liber A. S. G., Jr. No. 1, folio 58, a bond record book for Queen Anne's County, Maryland. The surety on said bonds is the United States Fidelity and Guaranty Company.

CORPUS OF THE ESTATE

Corpus as shown by the last previous report . . . . .	\$ 19,190.34	
Gain or Loss on investments disposed of (from Schedule A, Part I).		
Additions to Corpus (from Schedule B) . . . . .	<u>11,172.16</u>	
TOTAL CORPUS after adjustments (if any) . . . . .	\$ 30,362.50	
Less fiduciaries commissions . . . . (WAIVED) . . . . .		
TOTAL CORPUS AS OF THE DATE OF THIS REPORT . . . . .		\$ <u>30,362.50</u>

The Corpus as of the date of this report is invested as follows:

1. REAL ESTATE

1/3rd interest in The Eugene A. Cann Farm Property . . . . .	\$5,836.92	
1/3rd interest in The Eugene A. Cann Store Property..	4,053.33	
1/6th interest in The Eugene A. & Clayton T. Cann Farm Lot.....	83.33	
1/4th interest in The Thomas A. Cann Farm, known as "The Laws Farm" as follows, to wit:		
Land.....	\$2980.00	
Dwelling House.....	2800.00	
Barn & Outbuildings.....	720.00	
Fences.....	<u>166.66</u>	
	<u>6666.66</u>	\$16,640.24

2. STOCKS:

Capital Stock of the American Telephone and Telegraph Company as follows, to wit:		
13 shares - Certificate #NQ 81231.....	\$1,858.70	
4 shares - Certificate #NT 22680.....	528.39	
23 shares - Certificate # A 365830 . . . . .	2,675.06	
10 shares - Certificate # X414615.....	1,585.00	
109 shares of the capital stock of the Continental American Life Insurance Company.....	3,270.00	
10 shares of the common stock of The Lambert Co. . . . .	230.00	
10 shares of the capital stock of The Anaconda Copper Mining Company.....	<u>400.00</u>	10,547.15

3. BONDS

Ten Year Convertible Debentures 2 3/4 due 12/15/57 of the American Telephone and Telegraph Company as follows, to wit:		
\$500 Certificate # TD 36-203.....	\$548.00	
\$100 Certificate # TC 242-706.....	109.60	
\$100 Certificate #TC 242-707.....	<u>108.50</u>	766.10

6. CASH IN BANK

Savings Department of Centreville National Bank of Md...	\$921.68	
Artisans Savings Bank, Wilmington, Delaware.....	<u>1487.33</u>	<u>2,409.01</u>
TOTAL CORPUS, (of which \$13,722.26 is personal corpus) . . . . .		\$30,362.50

INCOME ACCOUNT - RECEIPTS

1/3rd interest in balance in account of Clayton T. Cann, Agent for Eugene A. Cann Heirs, as of January 1, 1947 on deposit in the Centreville National Bank of Maryland . . . . .	\$	169.66
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1. Receipts from Rent of Real Estate:

The Eugene A. Cann Farm Property and The Eugene A. & Clayton T. Cann Farm Lot.....	\$ 245.61	
The Eugene A. Cann Store Property . . . . .	<u>276.66</u>	522.27

2. Receipts from Dividends on Stock:

The American Telephone & Telegraph Company.....	\$ 292.50	
The Condntinental American Life Insurance Company.....	98.10	
The Lambert Company.....	<u>3.75</u>	394.35

6. Receipts from Interest on Bank Deposits:

Savings Department - The Centreville National Bank.....	3.75	<u>3.75</u>
TOTAL RECEIPTS OF INCOME . . . . .		\$ <u>1,090.03</u>

INCOME ACCOUNT - DISBURSEMENTS

1. Disbursements for Court Costs.....	\$	5.30
2. Disbursements for Bond Premiums.....		26.67

3. Disbursements for Real Estate Expenses:

The Eugene A. Cann Farm Property & The Eugene A. & Clayton T. Cann Farm Lot:

Agent's commissions.....\$ 19.41  
 Insurance..... 122.39  
 Town Taxes..... 6.74  
 Phosphate..... 17.23  
 Removal Notices..... .67  
 Repairs & Maintenance..... 10.23  
 Lime..... 39.67 216.34

The Eugene A. Cann Store Property:

Insurance.....\$ 29.20  
 Water Rent..... 16.33  
 Leases..... 5.00  
 Town Taxes..... 18.86 69.39 285.73

4. Disbursements for Miscellaneous Expenses:

Check Book.....\$ 1.70  
 Serive Charge-Centreville Nat'l.  
 Bk..... .25 1.95 1.95

6. Disbursements of Net Income:

Eugene Clayton Cann:  
 Balance of 1947 Md. Income Taxes....\$ 30.12  
 Balance of 1947 Federal Income Taxes.. 47.00  
 Payments on 1948 Federal Estimated Tax 73.33 150.45 150.45

TOTAL DISBURSEMENTS OF INCOME.....\$470.10

BALANCE.....\$619.93

RECONCILIATION:

Balance on hand as of July 19, 1948.....\$619.93

Cash on Deposit in Centreville National Bank:

To account of Clayton T. Cann & William H.  
 Carter, Trustees for Eugene Clayton Cann...\$215.43  
 To account of Clayton C. Carter, Agent for  
 Eugene A. Cann Heirs..... 404.50 619.93

SCHEDULE B - ADDITIONS TO OR DEDUCTIONS FROM CORPUS

Additions to corpus of estate from all sources  
 (other than gain on investments disposed of)  
 during period of report:

DESCRIPTION	Amount	
10 shares capital stock of the American Telephone & Telegraph Company.....	\$ 1,585.00	
10 shares capital stock of The Anaconda Copper Mining Company.....	400.00	
10 shares capital stock The Lambert Company....	230.00	
1/3rd interest in "Thomas A. Cann Farm".....	6,666.66	
Funds on deposit Artisans Savings Bank, Wilming- ton	1,487.33	
Cash.....	<u>803.17</u>	\$11,172.16

Respectfully submitted:

CLAYTON T. CANN  
 Clayton T. Cann

WILLIAM H. CARTER  
 William H. Carter  
 TRUSTEES FOR EUGENE C. CANN

CERTIFICATE OF BENEFICIARY

This is to certify that I, Eugene Clayton Cann, the beneficiary for life of the Trust herein reported, have examined the same; that I find the same correct, that the monies disbursed out of the net income and not paid direct to me were paid at my request; that the undivided net income retained by Clayton C. Carter, Agent for Eugene A. Cann Heirs, was done so with my understanding and approval in order to meet expenses that arise from time to time; and I desire that the Court ratify said report without further notice to me.

EUGENE CLAYTON CANN  
 Eugene Clayton Cann

STATE OF MARYLAND :

to wit:

Queen Anne's County:

I HEREBY CERTIFY that on this 19th day of October, 1948, before me, the subscriber, personally appeared CLAYTON T. CANN, one of the fiduciaries herein named, and made oath, in due form of law, that the matters and facts set forth in the foregoing report are true as therein stated, to the best of his knowledge and belief.

NELLIE B. WHITELEY  
Nellie B. Whiteley  
Clerk of the Circuit Court  
of Queen Anne's County

AUDIT  
Filed Jan. 6, 1949

Cause No. 2736

In the Matter of the Trust Estate of Eugene Clayton Cann.

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

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Howard Wood, 3rd, your Auditor, unto your Honors, respectfully sets forth:

1. That Clayton T. Cann and William H. Carter, the original and present Trustees of this trust estate, were named as such in two deeds of trust from Eugene Clayton Cann, a single man, by each of which he conveyed and set over unto them certain real and personal property and his undivided interests in other such property upon identical trusts. The first deed of trust is dated January 24, 1928, recorded among the land records of Queen Anne's County in Liber B. H. T. No. 7, folios 458, etc., and is referred to hereafter as the original deed of trust. Jurisdiction of the trust estate thereby created was assumed by this Court on February 18, 1929; but the trustees have accounted for their entire term of tenure by filing several reports in these proceedings, one for the period January 24 - December 31, 1928, one for each calendar year thereafter through the year 1947, and a final report for the period January 1 - July 19, 1948, the date of their petition praying to be allowed to resign as such trustees and of the nisi order of Court passed thereon. The second, or Supplementary deed of trust, dated June 10, 1948, and recorded among said land records in Liber N. B. W. No. 1, folios 32, etc., served to bring additional assets into the estate, and jurisdiction of the same was duly assumed by this Court on June 12, 1948.

Each of the abovementioned trustees' Reports deals with the Corpus of this estate, showing the land and other investments in the hands of the trustees, and with the receipts and disbursements of the Income received from such assets. In this Audit no attempt is made to state the values or descriptions of the several parcels of land of the estate: as it is felt that such a statement is beyond the scope of the Auditor's duty and unnecessary to the proper transfer of such assets from the present trustees to their successors. Nor is there any statement made concerning the trustees' receipts and disbursements of income; the Court's order of October 29, 1948 is understood as limiting any audit of income to the Amended 1947 and final reports, (both filed since the last verification of the 1946 Report by Madison Brown, Esquire, late Auditor). Accordingly, there is hereafter stated only one Account called the "Personal Corpus Account" and a simple statement of the balance of unexpended income to be turned over to the successor Trustees upon their qualification.

2. As to the "Personal Corpus Account":

The Trustees are charged with the amount of personal assets received by them under the original deed of trust, at the valuations set forth in their 1928 report; with the amount of \$545.60 of unexpended income invested by them in 1928 with the apparent consent of Eugene Clayton Cann, the settlor and life beneficiary; with the entire proceeds of sale of the settlor's undivided one-third interest in three lots or strips of land sold and conveyed by the trustees, pursuant to separate orders of Court, respectively, to Franklin S. Wharton, the State of Maryland (to the use of the State Roads Commission of Maryland) and Robert H. Thompson and wife; with an amount of \$90.40 received from the sale of certain American Telephone and Telegraph Company subscription rights of November 1946; with the amount of \$2.10 of income invested through the purchase of similar rights of October 1947; and with the amount of personal assets received by them under the supplementary deed of trust; and are allowed thereout a loss of \$93.11 sustained as a result of "waiving" the sum of \$985.36 of cash deposited in The Centreville National Bank of Maryland at the time of the Bank Holiday in March 1933; and a net loss of \$77.51 occurring from the trustees' revaluation in 1947 of certain American Telephone and Telegraph Company securities in order to reflect the reduced value of the same as a result of the issuance of subscription rights from time to time. (In 1941 such rights were sold and the proceeds of \$22.61 paid to the life beneficiary presumably pursuant to the trustees' power to pay principal to him; on another occasion in 1930, the settlor's one-third interest in a lot of land was sold and conveyed, and the proceeds of \$133.33 paid to him, undoubtedly in the exercise of the same power; neither of these amounts is charged to the trustees in this audit: nor are the trustees allowed from Corpus the expenses of the retirement proceedings; since they have expressed a desire to pay such expenses out of trust income, and since the terms of the trust appear to permit such expenses to be paid from income not currently demanded by the beneficiary).

On page 3 of the Personal Corpus Account is set forth a list of the personal assets to be delivered and transferred by the present trustees to their successors, having a total valuation (coinciding with the trustees' Amended Final Report) of \$13,722.26, the balance chargeable to the present trustees; and your Auditor certifies that he has examined and verified the said assets as required by rule of Court relating to annual fiduciaries' reports and accounts, and found said assets to be as stated in said Amended Final Report.

3. As to the "Income Accounts" of the Trustees for the period January 1, 1947 to July 19, 1948:

Your Auditor certifies that he has ascertained the statements in the Amended 1947 Report and in the Amended Final Report of the trustees with respect to all deposits of money shown therein as existing on the dates as of which such reports are stated, and found such statements to be as reported in said reports and accounts except as follows:

That the balance shown to the account of Clayton C. Carter, Agent for Eugene A. Cann Heirs, as of July 19, 1948, per the trustees' Amended Final Report, was \$404.41 according to the passbook exhibited to your Auditor, instead of \$404.50 as stated in such Report.

Respectfully submitted,

Howard Wood 3rd.  
Auditor

January 5, 1949:

Cause No. 2736

Personal Corpus Account.

Clayton T. Cann and William H. Carter, present Trustees of this cause IN ACCOUNT WITH the Personal Corpus of the Trust Estate of said Cause.

1928 Jan. 24:	DR. To amount of said Corpus received by them on this date per 1928 Report, to wit:	\$ 7,977.39
1928:	To amount of unexpended income invested during the year 1928, per 1928 Report (to which Report is affixed the certificate of the life beneficiary of this trust, indicating his desire that the same should be ratified by the Court without further notice to him), to wit:	545.60
1939 Feb. 27:	To amount received from sale of a lot of land to Franklin S. Wharton, sold under order of Court of this date, per 1930 Report, to wit:.....	<u>183.33</u>
		\$ 8,706.32
1933 Mar. 2:	CR. By the amount of cash in bank "waived" at time of Bank Holiday and for which the Trustees received a Certificate of Participation in Bank's Assets (see 1933 Report).....	<u>985.36</u>
		\$ 7,720.96
	Dr. To amounts received as dividends on said Certificate as follows:	
	Dividend No. 1 per 1934 Report	\$ 98.53
	Dividend No. 2 per 1935 Report	98.53
	Dividend No. 3 per 1935 Report	98.53
	Dividend No. 4 per 1936 Report	98.53
	Dividend No. 5 per 1936 Report	98.53
	Dividend No. 6 per 1937 Report	98.53
	Dividend No. 7 per 1938 Report	98.53
	Dividend No. 8 per 1939 Report	98.53
	Dividend No. 9 per 1942 Report	98.53
	(showing loss of \$93.11 finally sustained)	
	..... <u>104.01</u>	
	Total amount of these Dividends.....	<u>892.25</u>
	Dr. To balance due	\$ 8,613.21
1943 Dec. 31:	To amount received from sale of a strip of land from "Chesterfield Farm" or the "Eugene A. Cann Residence Property" to the State of Maryland, to the use of the State Roads Commission of Maryland, incident to the widening of the Centreville - Church Hill State Road, pursuant to order of Court of this date, per 1944 Report, to wit: .....	66.33
1946 Nov. 27:	To amount received from sale of forty rights to purchase 2-3/4 % debentures of American Telephone and Telegraph Company due 12/15/61, pursuant to order of Court of this date, per 1946 Report, to wit:.....	90.40
1947 Aug. 27:	To amount received from sale of a lot of land from said "Chesterfield Farm", etc., to Robert H. Thompson and wife, pursuant to order of Court of this date, per Amended 1947 Report, to wit:.....	522.23

Howard Wood 3rd. Auditor.

1947  
Nov. 26:

DR.

To amount of unexpended income invested pursuant to order of Court of this date, for the benefit of the corpus of this trust estate, upon petition signed by the life beneficiary and others, to wit: 2.10

1947  
Dec. 31:

To balance due..... \$9,294.27

(Note: This balance is composed as follows:

1. Assets received under the original Deed of Trust at valuations stated in 1928 Report, to wit:
  - 13 shares Am. Tel. and Tel. Co. capital stock.....\$1,920.00
  - 109 shares Continental American Life Insurance Company, capital stock..... 3,270.00
2. Assets purchased as follows:
  - 4 shares Am. Tel. and Tel. Co. capital stock purchased in 1928 from unexpended income..... 545.60
  - 23 shares Am. Tel. and Tel. Co. capital stock purchased pursuant to order of 9/21/42..... 2,738.06
  - \$700 Ten-year 2-3/4 % Conv. Deb. Am. Tel. and Tel. Co., purchased pursuant to order of 11/26/47, at actual cost..... 702.10
3. Cash in The Centreville National Bank of Maryland, per Amended 1947 Report... 118.51  
\$9,294.27).

1948  
June 10:

Dr.

To amount of said Corpus received by said Trustees on this date, per their Amended Final Report, at the valuations in said Report stated, to wit:..... 4,505.50

(Note: This amount is composed as follows:

1. Securities: 10 shares, Am. Tel and Tel. Co. capital stock.....\$1,585.00
- 10 shares, Anaconda Copper Mining Co., capital stock..... 400.00
- 10 shares, The Lambert Co., capital stock..... 230.00
2. Cash: in Artisans Savings Bank, Wilmington, Del. .... 1,487.33
- in The Centreville National Bank of Maryland..... 803.17  
\$4,505.50).

DR.

To balance due before revaluation of Am. Tel. and Tel. securities..... \$13,799.77

Cr.

By reduction of basis of 40 shares Am. Tel. and Tel. Co. capital stock to reflect issuance of stock rights under warrants of July, 1941, Nov. 1946 and Oct. 1947, itemized in Schedule B of Amended 1947 Report, to wit: 141.51  
\$13,658.26

DR.

To value of the 40 stock rights obtained under said warrants of October 1947 and exercised pursuant to order of Court of 11/26/47, added to actual cost of the aforementioned debentures now held by said Trustees to arrive at their book value, per Page 2, Paragraph 3 and Schedule B of Amended 1947 Report, to wit:..... 64.00  
Howard Wood, 3rd, Auditor

1948  
July 19:

DR.

To balance of said Personal Corpus to be transferred to successor Trustees, to wit:..... \$13,722.26

Note: This balance is composed of the following assets, to wit:

Capital stock of Am. Tel. and Tel. Co.:

- 13 shares, Certificate No. NQ81231 \$ 1,858.70
- 4 shares, Certificate No. NT22680 528.39
- 23 shares, Certificate No. A365830 2,675.06
- 10 shares, Certificate No. X414615 1,585.00
- 109 shares, Continental American Life Insurance Company, capital stock.. 3,270.00
- 10 shares, The Lambert Company, common stock..... 230.00
- 10 shares, The Anaconda Copper Mining Co., capital stock..... 400.00
- \$700.00 Am. Tel. and Tel. Co. 10-year Conv. debs. 2-3/4, 12/15/57:
- \$500.00- Certificate No. TD36-203, 548.00
- \$100.00 -Certificate No. TC242-706, 109.60
- \$100.00 -Certificate No. TC242-707, 108.50



Cash on deposit in The Centreville National Bank of Maryland, in the Savings Department.....	921.68	
Cash on deposit in the Artisans Savings Bank, Wilmington, Delaware.....	1,487.33	\$13,722.26

Unexpended Income Account

1948	Dr.		
July 19:	To balance of unexpended income on hand, to be transferred to successor Trustees, in addition to abovementioned personal corpus, per Amended Final Report of present Trustees, to wit:.....	\$	619.93
	Note: According to such Report, this cash is deposited as follows in The Centreville National Bank of Maryland To account of Clayton T. Cann and William H. Carter, Trustees for Eugene Clayton Cann, .....	\$	215.43
	To account of Clayton C. Carter, Agent for Eugene A. Cann Heirs.....	404.50	\$ 619.93

Filed Jan. 6, 1949

Howard Wood, 3rd., Auditor.

NISI RATIFICATION OF AUDIT

IN THE MATTER OF THE TRUST ESTATE )	IN THE CIRCUIT COURT
OF EUGENE CLAYTON CANN )	
)	FOR QUEEN ANNE'S COUNTY
)	CAUSE NO. 2736
)	IN EQUITY

ORDERED, This 6th. day of January in the year nineteen hundred and forty nine, that the Report and Account filed in these proceedings by Howard Wood, 3rd., Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 4th. day of February, 1949; provided a copy of this order be published once a week in each of two successive weeks before the 28th. day of January, 1949, in some newspaper printed and published in Queen Anne's County.

Filed January 6, 1949.

NELLIE B. WHITELEY Clerk.

CERTIFICATE OF PUBLICATION  
OF NISI RATIFICATION OF AUDIT  
Filed Feb. 4, 1949

NISI RATIFICATION OF AUDIT

In the Matter of the Trust Estate of  
Eugene Clayton Cann

In the Circuit Court for Queen Anne's County In Equity. Cause No. 2736

ORDERED, This 6th day of January in the year nineteen hundred and forty nine, that the Report and Account filed in these proceedings by Howard Wood, 3rd., Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 4th day of February, 1949; provided a copy of this order be published once a week in each of two successive weeks before the 28th day of January, 1949, in some newspaper printed and published in Queen Anne's County.

NELLIE B. WHITELEY,  
Clerk

Filed: January 6, 1949

True Copy

Test: NELLIE B. WHITELEY, Clerk.

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. January 26, 1949

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, coes hereby certify that the Nisi Ratification of Audit in the case/estate of Eugene Clayton Cann 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 28th day of January, 1949, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-

OBSERVER was on the 13th day of January 1949, and the last insertion on the 20th day of January 1949

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

By CHARLOTTE M. MEARS

Filed Feb. 4, 1949

FINAL ORDER OF RATIFICATION

ORDERED this 5th day of February, 1949, 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 be finally ratified and confirmed, no cause to the contrary having been shown, although due notice appears to have been given by the previous order nisi according to the Certificate of Publication filed herein.

WM. R. HORNEY  
Judge.

Filed Feb. 5, 1949

ORDER DISCHARGING C.T.CANN  
& W. H. CARTER, as TRUSTEES,  
AND APPOINTING CLAYTON C. CARTER,  
SUCCESSOR TRUSTEE  
Filed Feb. 5, 1949

IN THE MATTER OF THE TRUST	:	IN THE CIRCUIT COURT FOR
	:	
ESTATE OF	:	QUEEN ANNE'S COUNTY
	:	
EUGENE CLAYTON CANN	:	IN EQUITY
	:::	
		Chancery No. 2736

ORDER OF COURT

Upon the Petition and Account of Clayton T. Cann and William H. Carter, Trustees in the above entitled cause, wherein they seek to resign, as Trustees, IT IS ORDERED AND DECREED this 5th day of February, 1949, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that the said Clayton T. Cann and William H. Carter, Trustees as aforesaid, as described and set forth in said Petition and Account, be and they are hereby fully released and discharged from the further execution of said trust reposed in them by the decrees of this Court bearing dates the 18th day of February, 1929 and the 12th day of June, 1948, no cause to the contrary having been shown, although due notice appears to have been given of the filing of said Petition as directed by and in accordance with the order of this Court passed in this cause on the 19th day of July, 1948.

AND IT IS FURTHER ORDERED, that the said Clayton T. Cann and William H. Carter, be and they are hereby directed to return to this Court within thirty (30) days from the date of these presents, a Report and Account under oath showing the condition of the trust estate on this date and the receipts and disbursements of the income which came into their hands as said Trustees from the 19th day of July, 1948 to the date of these presents, the same to be in the form prescribed for annual reports of trust estates administered under the jurisdiction of this Court, and to be examined and verified by the Regular Auditor of this Court, all in accordance with the Rule of this Court passed on the 8th day of August, 1945, relating to the Accounting of Trustees.

AND IT IS HEREBY FURTHER ORDERED AND DECREED that CLAYTON C. CARTER of Queen Anne's County, Maryland, be and he is hereby appointed Successor Trustee in this cause in the place and stead of the said Clayton T. Cann and William H. Carter, with full authority to manage and control said trust estate as though the said Clayton C. Carter had been an original trustee in this cause, provided, however, that before the said Clayton C. Carter shall proceed to act as Trustee in this cause, he shall first file in this cause a bond to the State of Maryland, executed by himself, with a surety or sureties to be approved by this Court or by the Clerk of this Court, in the penalty of Fifteen Thousand Dollars (\$15,000.00), if corporate surety be given and in double that amount if personal surety be given, conditioned for the faithful performance of said trust.

AND IT IS FURTHER ORDERED AND DECREED that the said Clayton T. Cann and William H. Carter, Trustees as aforesaid, be and they are hereby authorized, empowered and directed to pay over and transfer all moneys and/or all investments of whatever nature and description of this trust estate, together with all interest accrued thereon, to the said Clayton C. Carter, upon the filing of an approved bond as aforesaid, and upon the paying over and transfer of all moneys and/or all investments belonging to this trust estate, together with all interest accrued thereon, and not before, the said Clayton C. Carter, be and he is hereby authorized, empowered and directed to execute a release to the said Clayton T. Cann and William H. Carter, Trustees, releasing, discharging, acquitting and exonerating the said Clayton T. Cann and William H. Carter, their heirs, executors and administrators, and their bonds as Trustees as aforesaid, and the sureties on said bonds, from all and every action, suit, claim or demand which could or might possibly be brought, exhibited or prosecuted against

them, or any of them, or their bond and their surety on said bond, for and on account of all cash and/or securities in this trust estate.

AND IT IS FURTHER ORDERED that the Rule of this Court passed on the 8th day of August, 1945, requiring the filing of a report showing the assets of estates within thirty (30) days after appointment of a fiduciary, be and the same is hereby declared to not be applicable to the appointment of Clayton C. Carter as Successor Trustee in this trust estate.

AND IT IS FURTHER ORDERED that the costs of these proceedings be paid out of the corpus of this trust estate.

Filed Feb. 5, 1949

WM. R. HORNEY  
Judge.

CERTIFICATE OF PUBLICATION OF  
OF ORDER OF COURT  
Filed Feb. 5, 1949

CLAYTON C. CARTER  
Solicitor

In the Matter Of The Trust Estate of  
EUGENE CLAYTON CANN

In the Circuit Court for Queen Anne's County In Equity Chancery No. 2736

ORDER OF COURT

ORDERED, by the Circuit Court for Queen Anne's County, in Equity, this 19th day of July, in the year nineteen hundred and forty-eight that the Petition of Clayton T. Cann and William H. Carter, Trustees in the above entitled Cause, praying to be allowed to resign as Trustees, be granted, and that they be discharged from the further execution of their trust unless cause to the contrary thereof be shown on or before the 21st. day of September, 1948, PROVIDED a copy of this Order be inserted in some newspaper printed and published in Queen Anne's County, Maryland, once (1) in each of four successive weeks before the 20th. day of August, 1948.

AND IT IS FURTHER ORDERED that the papers in the Cause be referred to the regular Auditor of this Court for the purpose of stating an Audit of the Trustees' Accounts.

WM. R. HORNEY  
Judge

Filed July 19, 1948  
True Copy  
Test: Nellie B. Whiteley, Clerk

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. January 26 1949

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Order of Court in the cause/estate of Eugene Clayton Cann 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 20th day of August 1948, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 22nd day of July 1948, and the last insertion on the 12th day of August 1948.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

By CHARLOTTE M. MEARS

Filed Feb. 5, 1949

CERTIFIED COPY OF BOND  
Filed Feb. 18, 1949

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Eighteenth day of February, in the year nineteen hundred and forty nine, the following Bond was brought to be recorded, to wit:

KNOW ALL MEN BY THESE PRESENTS, that we, Clayton C. Carter, Esquire, State of Maryland, as principal, and the United States Fidelity and Guaranty 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 FIFTEEN THOUSAND DOLLARS (\$15,000.00) 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 our heirs, executors and administrators, successors and assigns, jointly and severally and firmly by these presents, sealed with our seals this 18th day of February, nineteen hundred and forty nine.

WHEREAS by an Order passed by the Circuit Court for Queen Anne's County, in Equity on the 5th day of February 1949, in a cause in said Court entitled "In the Matter of the Trust Estate of Eugene Clayton Cann", being Cause No. 2736 on the Chancery Docket, Clayton T. Cann and William H. Carter, Trustees in the above-entitled cause, were fully released and discharged from the further execution of said trust reposed in them by orders of Court dated February 18, 1929 and June 12, 1948, and did appoint Clayton C. Carter to be the trustee of said trust estate in place and stead of Clayton T. Cann and William H. Carter, original trustees, with full power and authority unto Clayton C. Carter to execute said trust in the same manner as the original trustees were empowered by Orders of Court, as aforesaid, to execute the same, but subject to the order and direction of said Court.

AND WHEREAS the said Clayton C. Carter has accepted the said trusteeship and gives this bond in compliance with his order of appointment.

NOW THE CONDITION OF THE OBLIGATION IS SUCH, that if the above bounden Clayton C. Carter, shall well and faithfully perform the duties of the Trust under the Deed of Trust executed by Eugene Clayton Cann on January 24, 1928 and a Supplemental Deed of Trust executed June 12, 1948, and shall well and faithfully perform every of the Orders and Decrees of the Circuit Court for Queen Anne's County, in Quity, passed at the present time or which may be hereafter passed in regulation to said trust, then the above obligation to be void, otherwise to remain in full force and virtue of law.

Signed, Sealed and Delivered in the presence of:

Edward Turner

CLAYTON C. CARTER (SEAL)  
Clayton C. Carter

Corporate Seal's Place.

UNITED STATES FIDELITY AND GUARANTY COMPANY

By B. HACKETT TURNER JR.  
Its Attorney in Fact

ATTEST: Edward Turner

And at the foot of the foregoing Bond is thus endorsed, to wit:

Security approved and Bond filed Feb. 18, 1949.

NELLIE B. WHITELEY, Clerk

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. 1, folio 86, 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 Eighteenth day of February in the year nineteen hundred and forty nine.

Seal's Place.

NELLIE B. WHITELEY  
Clerk

SUPPLEMENTAL FINAL REPORT  
Filed Feb. 24, 1949

IN THE MATTER OF THE TRUST : IN THE CIRCUIT COURT FOR  
ESTATE OF : QUEEN ANNE'S COUNTY  
EUGENE CLAYTON CANN : IN EQUITY  
Cause No. 2736  
:::::

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Supplemental Final Report of the undersigned fiduciaries of the condition of the trust estate on the 5th day of February, 1949, and showing the receipts and disbursements of the income which came into the hands of said fiduciaries from the 19th day of July, 1948, to the 5th day of February, 1949, respectfully shows:

The initial bond of the fiduciaries in the penal sum of \$10,000.00 is dated the 19th day of February, 1929, and is recorded in Liber B. H. T. No. 1, folio 5, a bond record book for Queen Anne's County, Maryland. An additional bond of the fiduciaries in the penal sum of \$5000.00 is dated the 23rd day of June, 1948, and is recorded in Liber A. S. G., Jr. No. 1, folio 58, a bond record book for Queen Anne's County, Maryland. The surety on said bonds is the United States Fidelity and Guaranty Company.

CORPUS OF THE ESTATE

Corpus as shown by the last previous report.....\$ 30,362.50  
TOTAL CORPUS AS OF THE DATE OF THIS REPORT.....\$ 30,362.50

The corpus as of the date of this report is invested as follows:

1. REAL ESTATE:

1/3rd interest in The Eugene A. Cann Farm Property.....	\$5,836.92	
1/3rd interest in The Eugene A. Cann Store Property.....	4,053.33	
1/6th interest in The Eugene A. & Clayton T. Cann Farm Lot.....	83.33	
1/4th interest in The Thomas A. Cann Farm.....	<u>6,666.66</u>	\$16,640.24

2. STOCKS:

50 shares capital stock of American Telephone & Telegraph Company.....	\$6,647.15	
109 shares capital stock of The Continental American Life Insurance Company.....	3,270.00	
10 shares common stock of The Lambert Company.....	230.00	
10 shares of the capital stock of the Anaconda Copper Mining Company.....	<u>400.00</u>	10,547.15

3. BONDS:

\$700.00 maturity value of 10 year Convertible Debentures of the American Telephone & Telegraph Company 2 3/4 due 12/15/57.....		766.10
---	--	--------

6. CASH IN BANK:

Savings Department of The Centreville National Bank.....	\$ 921.68	
Artisans Savings Bank, Wilmington, Delaware.....	<u>1487.33</u>	<u>2,409.01</u>

TOTAL CORPUS? (of which \$13,722.26 is personal corpus)..... \$30,362.50

INCOME ACCOUNT-RECEIPTS

Cash on Hand on July 19, 1948 in The Centreville National Bank:

To account of Clayton T. Cann and William H. Carter, Trustees for Eugene Clayton Cann.....	\$ 251.43	
To account of Clayton C. Carter, Agent for Eugene A. Cann Heirs.....	<u>404.41</u>	\$ 619.84

1. Receipts from Rent of Real Estate:

The Eugene A. Cann Farm Property & The Eugene A. & Clayton T. Cann Farm Lot.....	380.13	
The Eugene A. Cann Store Property.....	218.33	
The Thomas A. Cann Farm .....	<u>250.00</u>	848.46

2. Receipts from Dividends on Stocks:

The American Telephone & Telegraph Company.....	225.00	
The Continental American Life Insurance Company.....	98.10	
Anaconda Copper Mining Company.....	20.00	
The Lambert Company.....	<u>7.50</u>	350.60

3. Receipts from Interest on Bonds:

The American Telephone & Telegraph Company .....	19.25	19.25
--	-------	-------

6. Receipts from Interest on Bank Deposits:

Savings Department - The Centreville National Bank.....	4.45	
Artisans Savings Bank, Wilmington, Delaware.....	<u>14.87</u>	<u>19.32</u>

TOTAL RECEIPTS OF INCOME and CASH ON HAND..... \$ 1857.47

INCOME ACCOUNT-DISBURSEMENTS

1. Disbursements for Court Costs: .....\$ 5.30

2. Disbursements for Bond Premiums;..... 25.00

3. Disbursements for Real Estate Expenses:

The Eugene A. Cann Farm Property & The Eugene A. & Clayton T. Cann Farm Lot:

County & State Taxes.....	\$ 47.91	
Repairs and Maintenance.....	142.99	
Agent's Commissions.....	17.26	
Fertilizer.....	19.57	
Insurance.....	<u>179.10</u>	406.83

The Eugene A. Cann Store Property:

County & State Taxes.....	33.88	
Insurance.....	13.00	
Agent's Commissions.....	<u>12.50</u>	59.38
		466.21

4. Disbursements for Miscellaneous Expenses:

Alex Brown & Sons			
Transfer of Stock to Trustees.....	\$ 6.35		
Delha D. Rolph:			
Transcribing copies of deeds of trust.....	9.25		
Queen Anne's Record Observer:			
Publication of Resignation of Trustees.....	27.00		
John P. Cann, Esq.:			
Reimbursement for recording Supplemental Deed of Trust in Newcastle County, Del.	7.25		
Clayton C. Carter, Esq.:			
Reimbursement as follows:			
Notary Public-Taking acknowledgment to Supplemental Deed of Trust...	\$1.00		
Clerk of Circuit Court-Fee for recording Supplemental D/T.....	5.10		
Telephone charge to Wilmington, Del. re changing account in The Wilmington Savings Fund Society	.63		
Telephone charge to Baltimore, Md. re changing stock to trustees	.50		
Notary Public -Taking acknowledgment to assignments of New York Life Insurance policy.....	1.00		
Postage - Mailing New York Life Insurance policy to home office for endorsement to Trustees.....	.29		
William H. Carter - Reimbursement for Notary Fees paid for taking acknowledgments to New York Life Insurance policy assigned to Trustees.....	1.20	9.72	259.57

6. Disbursements of Net Income:

Clayton C. Carter, under Power of Attorney for Eugene Clayton Cann:			
Personal.....		\$ 1,161.91	
Eugene Clayton Cann:			
Acquisition of pipes for water line from Barn to Tenant House on The Eugene A. Cann Farm Property.....	26.98	1,188.89	
TOTAL DISBURSEMENTS OF INCOME AND CASH ON HAND .....		1,744.97	
BALANCE.....		\$ 112.50	

RECONCILIATION

Balance on hand as of February 5, 1949 .....	\$ 112.50
Cash on deposit in The Centreville National Bank to account of Clayton T. Cann and William H. Carter, Trustees for Eugene Clayton Cann .....	<u>112.50</u>

Respectfully submitted:

CLAYTON T. CANN  
 Clayton T. Cann  
  
WILLIAM H. CARTER  
 William H. Carter  
 TRUSTEES FOR EUGENE C. CANN

CERTIFICATE OF BENEFICIARY

This is to certify that I, Eugene Clayton Cann, the beneficiary for life of the Trust herein reported, have examined the same; that I find the same correct, that the moneys disbursed out of the net income and not paid direct to me were paid at my request or authorization; and I desire that the Court ratify said report without further notice to me.

EUGENE CLAYTON CANN  
 Eugene Clayton Cann

STATE OF MARYLAND :  
 Queen Anne's County : to wit:

I HEREBY CERTIFY that on this 24th day of February, 1949, before me, the subscriber, personally CLAYTON T. CANN, one of the fiduciaries herein named, and made oath, in due form of law, that the matters and facts set forth in the foregoing report are true as therein stated, to the best of his knowledge and belief.

NELLIE B. WHITELEY  
Nellie B. Whiteley  
Clerk of the Circuit Court for  
Queen Anne's County

Filed Feb. 24, 1949

AUDITOR'S REPORT

I HEREBY CERTIFY, this 24th day of May, 1949, that I have examined and verified the within and foregoing report and account, and in connection with such examination and verification I have examined and verified the securities, cash and other assets reflected therein and comprising the estate, and found such securities, cash and other assets to be as reported in said report and account.

AND I further certify that I have also ascertained the correctness of the statements in said within and foregoing report and account with respect to all deposits of money shown therein as existing on the date as of which the report and account is stated, and found such statements to be as reported in said report and account.

HOWARD WOOD 3rd.  
Auditor

Filed May 24, 1949

ORDER OF COURT

The foregoing report and account, covering the period from the 19th day of July, 1948, to the 5th day of February, 1949, having been read and considered, and the Auditor of this Court having certified that he has examined and verified said report and account as well as the securities, cash on deposit in banks and other assets reflected therein, IT IS ORDERED, this 27th day of May, 1949, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that said within and foregoing report and account be, and the same is, hereby approved and ratified.

WM. R. HORNEY  
Judge

Filed May 27, 1949

## LAW No. 186

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Seventeenth day of June, in the year nineteen hundred and fifty, the following Return of Sale under Fi Fa issued on judgment in Law No. 186, was filed for record, to wit:

(FI FA)

## THE STATE OF MARYLAND

TO THE SHERIFF OF QUEEN ANNE'S COUNTY,  
GREETING:

Seal's Place. WHEREAS, at a Circuit Court for Queen Anne's County, begun and held at Centreville in said county on the Fourth Monday of January in the year of our Lord, one thousand nine hundred and fifty a certain Walter W. Ford, t/a Ford and Palmer, 1531 West 3rd. Street, Chester, Pennsylvania by judgment of the same Court, recovered against a certain Lila M. Blair, 20 Bartram Avenue, Secane, Pennsylvania as well the sum of Two Hundred thirty two dollars and sixty nine cents, with interest from the 3rd. day of February 1950 and twelve dollars and eighty cents for his costs and charges by him about his suit laid out and expended, whereof the said Lila M. Blair is convince, as it appears of record:

THEREFORE, you are hereby commanded, that of the goods and chattels, lands and tenements of the said Lila M. Blair being in your bailiwick, you cause to be made and levied the debt, costs and charges aforesaid, and have you those sums before the said Circuit Court, to be held at Centreville, in the said County, on the First Monday of April next, to render unto the said Walter W. Ford, t/a Ford and Palmer the debts, costs and charges, aforesaid

Hereof, fail not at your peril, and have you then and there this writ:

WITNESS, the Honorable Wm. R. Horney Chief Judge of our said Court, the 23rd. day of January in the year of our Lord, nineteen hundred and fifty.

Issued this 6th. day of March 1950.

Nellie B. Whiteley Clerk

Plaintiff's Attorney  
Clayton C. Carter  
Centreville, Maryland

And on the back of the foregoing Fi Fa is the following endorsement, to wit:

Levy made as per schedule attached this 7th day of March 1950 at 2:45 o'clock P. M. Oscar W. Tarr, Sheriff.

Property sold and proceeds distributed per return filed herewith this 17th day of June, 1950. Oscar W. Tarr, Sheriff.

A SCHEDULE of the goods and chattels, lands and tenements of Lelia M. Blair seized and levied upon and taken in execution under and by virtue of a writ of fieri facias on judgment of a condemnation absolute, against specific realty, in attachment issued out of the Circuit Court for Queen Anne's County, and to me directed at the suit of Walter W. Ford, t/a Ford and Palmer vs. Lila M. Blair

I have seized and levied on the following property to wit:

ALL of the right, title, interest and estate of the said Lila M. Blair in and to the following described real estate, to wit:

PARCEL No. 1. All that farm or tract of land called or known as "The James Dill Farm or Property" and more recently called and known as "The William J. Wells Farm or property", situate, lying and being in the Second Election District of Queen Anne's County in the State of Maryland on the east side of the State Road leading from Centreville to Church Hill, bounded on the north by the Colored School Property called "Salem School" and by the property of the heirs of Charles Goldsborough, formerly the property of James Jarvis and later of William H. Welch, bounded on the East by the land of Byam K. Stevens, which was once the woodland of Florence V. Larrimore. bounded on the west by the land of Byam K. Stevens, once called "The Carter Farm" and once the property of Florence V. Larrimore and bounded on the west by the State Road above mentioned, by the School Property above mentioned and by the property of Salem Colored Church and containing fifteen acres and two tenths of an acre (15.2) of land, more or less.

PARCEL NO. 2. All that lot or parcel of land once called or known as "The Fannie D. Walls Woodlot" and now called or known as "The Land which William J. Wells bought of Fannie D. Walls, adjoining the land of Noble Anderson and wife, formerly the land of Philip J. Potts on the east, adjoining on the south the land of Otho Wilson, formerly the land of John Lessinger and adjoining on the south also, the land of Mrs. Fannie Benney and adjoining on the north the land of B. K. Stevens, once of Florence Larrimore and containing ten acres of land, more or less; being the



same lot of land which is described as Lot No. 3 in the proceeding for the sale of the land of Frances Olivia Merrett and of John W. Merrett, recorded among the Judgment in Extenso Records in the office of the clerk of the Circuit Court for Queen Anne's County in Liber J. T. No. 2 at folio 193, the particular description of said Lot No. 3 according to said record book being as follows: to Wit:

BEGINNING for the same at a point a corner of Lot No. 2 mentioned in said record book and running thence south 48 degrees east, 27.6 perches; thence north 42 degrees east, 58 perches; thence north 48 degrees west, 27.6 perches to end of second line of said Lot No. 2 and thence with that line reversed to the place of beginning.

AND the two above described parcels of land being the same and all the property was conveyed unto Lila M. Blair by Joel T. McGinnis and Helen McGinnis, his wife, by deed dated the 19th day of October, 1946 and recorded in Liber A. S. G. Jr. No. 15, folio 461, a Land Record of Queen Anne's County.

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 any wise appertaining.

SUBJECT, NEVERTHELESS, to the legal operation and effect, if any, of a certain mortgage, securing the payment of \$1660.00, dated the 19th day of October, 1946 from Lila M. Blair to The Chestertown Bank of Maryland, a body corporate of Kent County and State of Maryland, recorded in Liber A. S. G. Jr. No. 15, folio 463, a land record of Queen Anne's County.

IMPROVED By a FRAME DWELLING HOUSE and BARN.

WALTER W. FORD t/a  
FORD AND PALMER  
1531 West 3rd Street  
Chester, Pennsylvania  
Plaintiff

VS.

LILA M. BLAIR  
20 Bartram Avenue  
Secane, Pennsylvania  
Defendant

\*  
IN THE CIRCUIT COURT  
\*  
FOR  
\*  
QUEEN ANNE'S COUNTY  
\*  
Law No. 186  
\*

\*\*\*\*\*

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Return of Oscar W. Tarr, Sheriff of Queen Anne's County, State of Maryland, respectfully shows:

That by virtue of a Writ of Fiere Facias issued out of the Circuit Court for Queen Anne's County aforesaid, at the suit of Walter W. Ford, t/a Ford and Palmer Vs. Lila M. Blair dated March 6, 1950, said Writ of execution being directed to Oscar W. Tarr, Sheriff of Queen Anne's County, in the State of Maryland, and in obedience to the command in said Writ contained, the said Oscar W. Tarr, Sheriff as aforesaid, seized, entered upon, levied upon and took possession of all the right, title, interest and estate of the said Lila M. Blair, of, in and to the following described real estate:

PARCEL NO. 1. All that farm or tract of land called or known as "The James Dill Farm or Property" and more recently called and known as "The William J. Wells Farm or Property", situate, lying and being in the Second Election District of Queen Anne's County in the State of Maryland, on the east side of the State Road leading from Centreville to Church Hill, bounded on the north by the Colored School Property called "Salem School" and by the property of the heirs of Charles Goldsborough, formerly the property of James Jarvis and later of William H. Welch, bounded on the east by the land of Byam K. Stevens, which was once the woodland of Florence V. Larrimore, bounded on the west by the land of Byam K. Stevens, once called "The Carter Farm" and once the property of Florence V. Larrimore and bounded on the west by the State Road above mentioned, by the School Property above mentioned and by the property of Salem Colored Church and containing fifteen acres and two tenths of an acre (15.2) of land more or less.

PARCEL NO. 2. All that lot or parcel of land once called or known as "The Fannie D. Walls Woodlot" and now called or known as "The Land which William J. Wells bought of Fannie D. Walls" adjoining the land of Noble Anderson and wife, formerly the land of Philip J. Potts on the east, adjoining on the south the land of Otho Wilson, formerly the land of John Lessenger and adjoining on the south also, the land of Mrs. Fannie Benney and adjoining on the north the land of B. K. Stevens, once of Florence Larrimore and containing ten acres of land, more or less; being the same lot of land which is described as Lot No. 3 in the proceeding for the sale of the land of Frances Olivia Merrett and of John W. Merrett, recorded among the Judgment in Extenso Records in the office of the Clerk of the Circuit Court for Queen Anne's County in Liber J. T. No. 2 at folio 193, the particular description of said lot no. 3 according to said record book being as follows: to wit:

BEGINNING for the same at a point a corner of Lot No. 2 mentioned in said record book and running thence south 48 degrees east, 27.6 perches; thence north 42 degrees east, 58 perches, thence north 48 degrees west, 27.6 perches to end of second line of said Lot No. 2 and thence with that line reversed to the place of beginning;

AND the two above described parcels of land being the same and all the property which was conveyed unto Lila M. Blair by Joel T. McGinnis and Helen McGinnis, his wife, by deed dated the 19th day of October, 1946 and recorded in Liber A. S. G. Jr. No. 15 folio 461, a land record of Queen Anne's County.

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 any wise appertaining.

AND having given public 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 previous to the day of sale as shown by the certificate of the publisher and a copy of the advertisement attached hereto, and made a part hereof, and by a notice set up more than twenty days previous to the day of sale at the Court House Door, Centreville, the said Oscar W. Tarr, Sheriff aforesaid, offered all the right, title, interest and estate of the said Lila M. Blair in and to the said lots or parcels of land at public sale in front of the Court House door in Centreville, Queen Anne's County, Maryland on Tuesday, April 4, 1950 at the hour of 1:30 o'clock P. M. for cash, but failing to obtain a bid for the same did withdraw the same from public sale on that date and did again offer all the right, title, interest and estate of the said Lila M. Blair in and to said lots or parcels of land at public sale in front of the Court House door, in Centreville, Queen Anne's County, Maryland, on Wednesday, June 14, 1950, at the hour of 1:30 o'clock P. M. D.S.T. for cash after having given public notice of the time, place, manner and terms of the sale by advertisement inserted in the Queen Anne Record Observer, a newspaper printed and published in Queen Anne's County, Maryland, for more than twenty days prior to the date of said sale (as shown by the certificate of publication and a copy of the advertisement attached hereto and made a part hereof) and by notice set up more than twenty days prior to the date of said sale at the Court House door, Centreville, and then and there sold said lots or parcels of land to Otis G. Hunter, he being then and there the highest bidder therefor, at and for the sum of \$462.75; the right, title, interest and estate of the said Lila M. Blair being sold therein to pay and satisfy the judgment, upon which said Writ was issued, dated February 3, 1950, for \$232.69 with interest thereon and costs of suit, and the costs of executing said writ including the payment of tax liens which had to be satisfied before title to the same could be conveyed of record to said purchaser.

The proceeds of the sale of the land sold under this execution were distributed as follows, to wit:

Proceeds of Sale		\$462.75	
Less:			
Costs of sale:			
Advertising costs	106.75		
Auctioneers' fees	30.00		
Taxes for year 1949	19.31		
Taxes for year 1950	<u>16.22</u>	- 172.28	
Court costs:			
Clerk of Court:			
Docketing, etc.	6.80		
Appearance	5.00		
Issuing Fi Fa	2.50		
Recording	<u>8.00</u>		
			22.30
Sheriff's Costs:			
Serving summons	1.00		
Poundage	<u>5.20</u>		
		<u>6.20</u>	<u>200.78</u>
			\$261.97

which were distributed as follows:

To Clayton C. Carter, attorney for Walter W. Ford to satisfy the following:		
Amount of Judgment of 2/3/50 -	232.69	
Interest from 2/3/50-6/14/50 -	<u>5.12</u>	<u>237.81</u>
To Lila M. Blair:		
Balance		\$ 24.16

Respectfully submitted:

OSCAR W. TARR  
Oscar W. Tarr

STATE OF MARYLAND

TO WIT:

QUEEN ANNE'S COUNTY

I HEREBY CERTIFY that on this 17th day of June, 1950, before me, the Clerk of the Circuit Court for Queen Anne's County, personally appeared OSCAR W. TARR, and made oath in due form of law that the matters and facts set forth in the foregoing Return of Sale are true to the best of his knowledge and belief as therein set forth and that the sale was fairly and bona fide made.

*Nellie B. Whiteley*  
Clerk for the Circuit Court for  
Queen Anne's County

**Sheriff's Sale**

Under and by virtue of a writ of fieri facias on judgment of condemnation, absolute, against specific realty, in attachment issued out of the Circuit Court for Queen Anne's County at the suit of Walter W. Ford, t/a Ford and Palmer vs. Lila M. Blair, I have seized and taken in execution,

ALL of the right, title, interest and estate of the said Lila M. Blair in and to the following described real estate, to wit:

PARCEL NO. 1. All that farm or tract of land called or known as "The James Dill Farm or Property" and more recently called and known as "The William J. Wells Farm or Property", situate, lying and being in the Second Election District of Queen Anne's County in the State of Maryland on the east side of the State Road leading from Centreville to Church Hill, bounded on the north by the Colored School Property called "Salem School" and by the property of the heirs of Charles Golsborough, formerly the property of James Jarvis and later of William H. Welch, bounded on the East by the land of Byam K. Stevens, which was once the woodland of Florence V. Larrimore, bounded on the West by the land of Byam K. Stevens, once called "The Carter Farm" and once the property of Florence V. Larrimore and bounded on the West by the State Road above mentioned, by the School Property above mentioned and by the property of Salem Colored Church and containing fifteen acres and two tenths of an acre (15.2) of land, more or less.

PARCEL NO. 2. All that lot or parcel of land once called or known as "The Fannie D. Walls Woodlot" and now called or known as "The Land which William J. Wells bought of Fannie D. Walls," adjoining the land of Noble Anderson and wife, formerly the land of Philip J. Potts on the east, adjoining on the south the land of Otho Wilson, formerly the land of John Lessenger and adjoining on the south also, the land of Mrs. Fannie Benney and adjoining on the north the land of B. K. Stevens, once of Florence Larrimore and containing ten acres of land, more or less; being the same lot of land which is described as Lot No. 3 in the proceeding for the sale of the land of Frances Olivia Merrett and of John W. Merrett, recorded among the Judgment in Extenso Records in the office of the clerk of the Circuit Court for Queen Anne's County in Liber J. T. No. 2 at folio 193, the particular description of said lot no. 3 according to said record book being as follows: to wit:

BEGINNING for the same at a point a corner of Lot No. 2 mentioned in said record book and running thence South 48 degrees East, 27.6 perches; thence north 42 degrees east, 58 perches; thence north 48 degrees west, 27.6 perches to end of second line of said Lot No. 2 and thence with that line reversed to the place of beginning;

AND the two above described parcels of land being the same and all the property was conveyed unto Lila M. Blair by Joel T. McGinnis and Helen McGinnis, his wife, by deed dated the 19th day of October, 1946 and recorded in Liber A.S.G. Jr. No. 15, folio 461, a land record of 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.

SUBJECT, NEVERTHELESS, to the legal operation and effect, of a certain mortgage, securing the payment of \$1,660.00, on which there is a balance due of \$1,225.00, dated the 19th day of October, 1946, from Lila M. Blair to The Chestertown Bank of Maryland, a body corporate of Kent County and State of Maryland recorded in Liber A.S.G. Jr. No. 15, folio 463, a land record book of Queen Anne's County;

IMPROVED by a FRAME DWELLING HOUSE and BARN.

AND I hereby give notice that I will sell at the

COURT HOUSE DOOR  
CENTREVILLE, MD.

Tuesday, April 4, 1950

AT 1:30 O'CLOCK P.M.

all the right, title, interest and estate of the said Lila M. Blair in and to the above described property, seized as aforesaid.

TERMS: CASH.

OSCAR W. TARR  
SHERIFF

I. Elmer Anthony, Auctioneer.  
Clayton C. Carter, Attorney.

3t-323

## QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. June 15 19.50

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Sheriff's Sale

in the case of Walter W. Ford, t/a Ford and Palmer vs. Lila M. Blair, Oscar W. Tarr, Sheriff

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 4th day of April 19.50, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 9th day of March 19.50, and the last insertion on the 23rd day of March 19.50.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

By *Barbara L. Buehnik*

**SHERIFF'S SALE**

Under and by virtue of a writ of fieri facias on judgment of condemnation absolute, against specific realty in attachment issued out of the Circuit Court for Queen Anne's County at the suit of Walter W. Ford, 1/a Ford and Palmer vs. Lila M. Blair, I have seized and taken in execution,

ALL of the right, title, interest and estate of the said Lila M. Blair in and to the following described real estate, to wit:

PARCEL NO. 1. All that farm or tract of land called or known as "The James Dill Farm or Property" and more recently called and known as "The William J. Wells Farm or Property," situate, lying and being in the Second Election District of Queen Anne's County in the State of Maryland on the east side of the State Road leading from Centreville to Church Hill, bounded on the north by the Colored School Property called "Salem School" and by the property of the heirs of Charles Golsborough, formerly the property of James Jarvis and later of William H. Welch, bounded on the East by the land of Byam K. Stevens, which was once the woodland of Florence V. Larrimore, bounded on the West by the land of Byam K. Stevens, once called "The Carter Farm" and once the property of Florence V. Larrimore and bounded on the west by the State Road above mentioned, by the School Property above mentioned and by the property of Salem Colored Church and containing fifteen acres and two tenths of an acre (15.2) of land, more or less.

PARCEL NO. 2. All that lot or parcel of land once called or known as "The Fannie D. Walls Woodlot" and now called or known as "The Land which William J. Wells bought of Fannie D. Walls," adjoining the land of Noble Anderson and wife, formerly the land of Philip J. Potts on the east, adjoining on the south the land of Otho Wilson, formerly the land of John Lessenger and adjoining on the south also, the land of Mrs. Fannie Benney and adjoining on the north the land of B. K. Stevens, once of Florence Larrimore and containing ten acres of land, more or less; being the same lot of land which is described as Lot No. 3 in the preceding for the sale of the land of Frances Olivia Merrett and of John W. Merrett, recorded among the Judgment in Ex-tenso Records in the office of the clerk County in Liber J. T. No. 2 at folio 193, the particular description of said lot no. 2 according to said record book being as follows: to wit:

BEGINNING for the same at a point a corner of Lot No. 2 mentioned in said record book and running thence South 48 degrees East, 27.6 perches; thence north 42 degrees east, 58 perches; thence north 48 degrees west, 27.6 perches to end of second line of said Lot No. 2 and thence with that line reversed to the place of beginning,

AND the two above described parcels of land being the same and all the property was conveyed unto Lila M. Blair by Joel T. McGinnis and Helen McGinnis, his wife, by deed dated the 19th day of October, 1946 and recorded in Liber A.S.G. Jr. No. 15, folio 461, a land record of Queen Anne's County.

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 any wise appertaining.

IMPROVED by a FRAME DWELLING HOUSE and BARN.

AND I hereby give notice that I will sell at the

**COURT HOUSE DOOR  
CENTREVILLE, MD.**

**Wednesday, June 14, 1950  
AT 1:30 O'CLOCK P.M. (E.D.S.T.)**

all the right, title, interest and estate of the said Lila M. Blair in and to the above described property (seized as aforesaid).

**TERMS: CASH.**

**OSCAR W. TARR  
SHERIFF**

J. Elmer Anthony, Auctioneer.

## QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. June 15. 1950

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Sheriff's Sale

in the case of Walter W. Ford, t/a Ford and Palmer vs. Lila M. Blair, Oscar W. Tarr, Sheriff

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 14th day of June 1950, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 25th day of May 1950, and the last insertion on the 8th day of June 1950.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

By Barbara S. Beichnick

2000



## CHANCERY NUMBER 2981

(Brought forward from S. S. No. 3, folio 655, a Judgment In Extenso Record Book for Queen Anne's County)

T. WALTER WHITE, ET AL,  
PLAINTIFFS,  
VS.  
BERNARD W. WHITE, ET AL,  
DEFENDANTS.

IN THE CIRCUIT COURT  
FOR  
QUEEN ANNE'S COUNTY,  
IN EQUITY. NO. 2981

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Thirty Sixth day of January, in the year nineteen hundred and thirty four, the following DEPOSITIONS were filed for record, to wit:

T. WALTER WHITE, ET AL,  
PLAINTIFFS,  
VS.  
BERNARD W. WHITE, ET AL,  
DEFENDANTS.

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

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Thomas J. Keating, Jr., Esq., Solicitor for the plaintiffs, having notified your Examiner that the plaintiffs desired to take testimony in above entitled cause on Wednesday, January 24th., 1934, at 9:30 o'clock, a.m., in support of the allegations of the bill of complaint filed in said cause, four of the defendants, to-wit: Frank S. Dudley, Edith S. Dudley, Bernard W. White and Laura R. White having filed their written consent that testimony be taken in said cause at any time that may be convenient to the Examiner without further notice to them.

Your Examiner did attend at the office of Thomas J. Keating, Jr., Esq., in Centreville, Maryland, Wednesday, January 24th., 1934, at the hour of 9:30 o'clock, a.m., there being present Thomas J. Keating, Jr., Esq., Solicitor for Plaintiffs; T. Walter White, Edwin H. Brown, Attorney for William E. Denny and James T. Bright, Trustees of T. Walter White, and Bernard W. White and proceeded to take the following testimony, to-wit:

Mr. E. Carville Tolson, the first witness of lawful age, after being duly sworn, deposes and says:

By Thomas J. Keating, Jr., Esq.

1. Q. State your name, age and place of residence?

A. E. Carville Tolson, Stevensville, Maryland, sixty-eight years of age.

2. Q. I will now read over to you the names of the parties to this suit, and ask you whether or not you know them, or any of them, T. Walter White and Maude White, his wife, James F. White and Lena White, his wife, Marmaduke G. White and Nellie White, his wife, Josephine W. Denny and William E. Denny, her husband, Sue W. Norman and John E. Norman, her husband, and Samuel Ringgold in his own right and Samuel Charles Ringgold, Thomas White Ringgold and Bernard W. Ringgold, infants, by Samuel Ringgold, their Father and next Friend, and John White and Grace White, his wife, and Gertrude T. McGuckin, plaintiffs, and Bernard W. White and Laura R. White, his wife, Frank S. Dudley, Mortgagee, Edith S. Dudley, Mortgagee, and William E. Denny and William E. Denny, Jr., Co-partners trading as William E. Denny and Son, Judgment Creditors, and James T. Bright and William E. Denny, Trustees of T. Walter White, defendants?

A. I know all parties named except the purchaser.

3. Q. Do you know Samuel Charles Ringgold, Thomas White Ringgold and Bernard W. Ringgold?

A. I know them as the children of the deceased sister, or of Samuel Ringgold the party named there.

4. Q. What was Mr. Samuel Ringgold, their Father, wife's name?

A. Gladys White.

5. Q. Do you know the ages of these boys?

A. Well no not exactly.

6. Q. Do you know whether or not they are minors?

A. I am sure they are not yet of age.

7. Q. Did you know Mr. Thomas W. K. White in his life time?

A. Very well.

8. Q. Where did he reside at the time of his death?

A. Upon the farm in question.



9. Q. You know the farm called "Stoopley Gibson" or the "Thomas W. K. White Farm?"

A. I do.

10. Q. Where is it located?

A. On Chester River at the mouth of what is known as Macum's Creek in the Fourth Election District of Queen Anne's County.

11. Q. I now hand you a paper marked "Plaintiff's Exhibit No. 1" and will ask you to look at it, and state what it is?

A. This is a certified copy of a deed from John B. Brown and Edwing H. Brown, Trustees, in the case of Thomas W. K. White, the father of these children for the same now in question, to Thomas W. K. White.

The certified copy of said deed marked "Plaintiff's Exhibit 1" is here handed to the Examiner for identification and filed, and the same is filed "Examiner's Exhibit A".

12. Q. Now do you know whether Mr. Thomas W. K. White left a will or not?

A. I do not, but I have always understood that he did not.

13. Q. Can you tell about when Mr. White died?

A. Around 1900.

14. Q. Did you know Mr. Marmaduke G. White, the Father of Thomas W. K. White?

A. I did.

15. Q. Was he married?

A. He was.

16. Q. Did he leave a widow surviving him?

A. He did.

17. Q. What was her name?

A. Mary Elizabeth.

18. Q. Do you know about when she died?

A. Long around about 1912 or 1913.

19. Q. What was Mr. Thomas W. K. White's widow named?

A. Julia.

20. Q. When did she die?

A. About 1930.

21. Q. What Children did Mr. Thomas W. K. White leave surviving him?

A. All those named in this suit, T. Walter White, James F. White, Marmaduke G. White, Josephine W. Denny, Sue W. Norman, John White and Bernard W. White, and a deceased daughter Gladys Ringgold.

22. Q. When did Mrs. Ringgold die?

A. She died about 1919.

23. Q. Now whom did she leave surviving her?

A. The three minor children named in this bill.

24. Q. And who else?

A. Her husband, Samuel Ringgold.

25. Q. You have read over the parties to the Bill of Complaint, and I will ask you if you know the respective wives and husbands of the coparceners who are named in the Bill?

A. I do.

26. Q. They are named correctly in the bill?

A. So far as I know they are.

27. Q. Referring again to the Thomas W. K. White farm, which is the subject of this suit, do you think it could be divided among the parties interested in it without loss or injury to said parties?

A. It would be utterly impossible to do so.

28. Q. Please state you reasons?

A. Because of its location, and the surrounding property adjoining it, the outlets and water front are to be taken in consideration, and only one set of buildings on it.

29. Q. Do you know Mr. James T. Bright and William E. Denny? Where do they reside at the present time?

A. Mr. Denny resides on Kent Island, and so far as I know Mr. Bright in Stevensville also.

30. Q. Do you know Mrs. Edith S. Dudley?

A. I do.

31. Q. Where does she live?

A. Baltimore City.

32. Q. And do you know Mr. Frank S. Dudley?

A. I do.

33. Q. Where does he live?

A. Baltimore City.

34. Q. You know the members of the Firm of William E. Denny and Son?

A. I do.

35. Q. Who are they?

A. William E. Denny, Sr., and William E. Denny, Jr.

36. Q. Where do they do business and live?

A. In the town of Stevensville.

37. Q. What in your opinion is the present market value of the Thomas W. K. White Farm in question?

A. As an agriculture investment I would not say it was worth over six or seven thousand dollars at the extreme. I consider it a most desirable home for anyone seeking a country residence situated upon the water.

38. Q. I now hand you a paper marked "Plaintiff's Exhibit No. 7" which is the contract of sale of this farm, will you look it over and say whether or not in your opinion it would be to the interest and advantage to the parties interested in this farm, to have the contract ratified by the Court, and if so, your reasons?

Here is handed to the Examiner the contract marked "Plaintiff's Exhibit No. 7" for identification and filed, and the same is filed "Examiner's Exhibit B".

39. Q. Where do the defendants to this suit reside?

A. All except Frank S. Dudley and Edith S. Dudley reside in Queen Anne's County, and they reside in Baltimore City.

Examiner's Special. 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. I do not.

E. CARVILLE TOLSON

Mr. John M. Norman, the second witness, of lawful age, after being duly sworn, deposes and says:

By Thomas J. Keating, Jr., Esq.

1. Q. Please state your name, age and place of residence?

A. John M. Norman, Stevensville, Maryland, fifty-nine years old.

2. Q. Are you any relation to the John E. Norman who is a party to this suit?

A. Cousin.

3. Q. Do you know Samuel Charles Ringgold, Thomas White Ringgold and Bernard W. Ringgold?

A. I do.

4. Q. Who are they?

A. They are sons of Samuel Ringgold and a deceased wife. I think her name was Gladys.

5. Q. Do you know their approximate ages?

A. I do not but they are not of age. I do know that.

6. Q. Did you know Mr. Thomas W. K. White?

A. Yes sir.

7. Q. Where did he reside at the time of his death?

A. On the farm which is now in suit.

8. Q. I will hand you a paper marked "Examiner's Exhibit A" already filed, and which is the certified copy of a deed from John B. Brown and Edwin H. Brown, Trustees, to Thomas W. K. White, and ask you whether or not the deed refers to the farm which you have mentioned?

A. It does.

9. Q. Now did you know Mr. Marmaduke G. White, the Father of the Thomas W. K. White?

A. No sir I did not.

10. Q. Did you know his widow?

A. I did.

11. Q. What was her name?

A. Mary Elizabeth White.

12. Q. About when did she die?

A. Around 1912 or 1913.

13. Q. Did you know Mr. Thomas W. K. White's wife's name?

A. Yes sir.

14. Q. What was her name?

A. Julia E. White.

15. Q. About when did she die?

A. About 1929.

16. Q. Do you know whether or not Mr. Thomas W. K. White left a will?

A. I understood he did not.

17. Q. Do you know whether or not Mrs. Julia E. White left a will?

A. I have understood not.

18. Q. Whom did Mr. Thomas W. K. White leave surviving him?

A. T. Walter White, James F. White, Marmaduke G. White, Josephine W. Denny, Sue W. Norman, Gladys Ringgold who is now deceased, and John F. White and Bernard W. White.

19. Q. Do you know when Mrs. Ringgold died?

A. I do around 1919.

20. Q. Who did she leave surviving her?

A. Three children and her husband. Samuel Charles Ringgold, Thomas W. Ringgold and Bernard W. Ringgold, infant sons, and a husband, Samuel Ringgold.

21. Q. Do you know the respective wives and husbands of the parties in interest in this suit?

A. I do.

22. Q. And you have read over the parties to the suit?

A. I have.

23. Q. Are they correctly named therein?

A. To my knowledge they are sir.

24. Q. Are you familiar with the Thomas W. K. White Farm?

A. I am.

25. Q. Called "Stoopley Gibson", where is it located?

A. On head of Macum's Creek on Chester river on Kent Island.

26. Q. About what size farm is it?

A. About 159 acres.

27. Q. In your opinion could this farm be divided among all the parties interested in it without loss or injury to them?

A. Could not.

28. Q. Will you give your reasons?

A. Well there is only one building, and time you divide it up it would make it so small it would not be of any value to anyone of the heirs, and the land could not be divided owing to its location advantageously.

29. Q. Mr. Norman what in your opinion is the present fair market value of the farm?

A. As an agriculture investment six or seven thousand dollars.

30. Q. Do you know how it is carried on at the present time?

A. I know Mr. Walter White is there, that is all that I can tell you, and the only heir who is living on the place.

31. Q. I now hand you the contract of sale mentioned in this suit, which has already been filed as "Examiner's Exhibit No. B" and ask you whether or not you consider this sale to be of interest and advantage to the parties owning the farm or having an interest in it, and whether or not in your opinion the contract should be ratified by the Court?

A. Well I consider it a magnificent price myself, and much better than could be gotten at a public sale, and under present conditions of farming. A farm investment is not a very profitable investment, and I should think that the ratification of the sale under this contract would be of great advantage to the parties.

Examiner's Special. 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.

JOHN M. NEWNAM

Mr. Bernard W. White, one of the defendants to this cause, being of lawful age, after being duly sworn, deposes and says:

By Thomas J. Keating, Jr., Esq.

1. Q. Please state your name, age and place of residence?

A. Bernard W. White, Chester, Queen Anne's County, and fifty-six years of age.

2. Q. Are you one of the defendants to this suit?

A. Yes.

3. Q. And you are also one of the heirs of Thomas W. K. White?

A. Yes.

4. Q. Do you know all of the parties to this suit?

A. Yes all except Mrs McGuckin.

5. Q. Do you know the boys Samuel Charles Ringgold, Thomas W. Ringgold and Bernard W. Ringgold?

A. I do.

6. Q. They are your nephews?

A. Yes.

7. Q. Do you know their ages?

A. Not exactly but they are minors.

8. Q. When did your Father, Mr. Thomas W. K. White, die?

A. Between 1898 and 1900.

9. Q. Where did he live at the time of his death?

A. On the home farm, the farm what is the subject of this suit.

10. Q. It is called "Stoopley Gibson"?

A. Yes.

11. Q. How many acres in it?

A. 159 acres.

12. Q. Did your father leave a will?

A. No.

13. Q. What was your Mother's name?

A. Julia E. White.

14. Q. When did she die?

A. 1929.

15. Q. Did she leave a will?

A. No.

16. Q. Whom did your Father leave surviving him?  
 A. T. Walter White, James F. White, Marmaduke G. White, John F. White, Josephine W. Denny, Sue W. Norman, Gladys Ringgold, who is deceased, and myself.
17. Q. When did Mrs Ringgold die?  
 A. About 1919.
18. Q. Whom did she leave surviving her?  
 A. Samuel Ringgold, Thomas Ringgold and Bernard Ringgold.
19. Q. Do you know whether or not she left a will?  
 A. No she did not.
20. Q. In your opinion could the farm in question be divided amongst you without loss or injury to the parties interest in it?  
 A. Could not.
21. Q. Please state your reasons?  
 A. If divided in eight equal parts would not be of any advantage to anybody as there are only one set of buildings on it, and the way it is situated.
22. Q. What in your opinion is the present market value of the farm?  
 A. As an agriculture investment - well I think the fellows who said it before me did it pretty close, about six or seven thousand dollars. That is - way the land is selling now.
23. Q. You are familiar with the contract of sale of this farm, which is filed in this cause and marked "Examiner's Exhibit B". In your opinion would it be to the interest and advantage to the parties interested in this farm to have the contract of sale ratified by the Court?  
 A. Yes.
24. Q. Please state your reason?  
 A. Why I think it is a better price than we could get anyway, and as one of the heirs I would rather have the money than the land.
25. Q. Have you mortgaged your undivided interest in the farm?  
 A. Part of it.
26. Q. To Edith S. Dudley?  
 A. Yes.
27. Q. I now hand you a paper marked "Plaintiff's Exhibit No. 4" which is a certified copy of a mortgage, and ask you if it is the mortgage which you have given to Mrs Edith S. Dudley on your interest in the farm?  
 A. It is.
28. Q. Has anything been paid on the principal mortgage debt?  
 A. No.

There is here handed to the Examiner the paper marked "Plaintiff's Exhibit No. 4" for identification and marked by him "Examiner's Exhibit C" and filed with the testimony.

Examiner's Special. 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.

BERNARD W. WHITE

Mr. T. Walter White, one of the plaintiffs to this cause, being of lawful age, after being duly sworn, deposes and says:

By Thomas J. Keating, Jr., Esq.

1. Q. Please state your name, age and place of residence?  
 A. T. Walter White. I am fifty on September 29th., and reside near Stevensville, Kent Island, on the farm in question.
2. Q. You are one of the plaintiffs to this cause?  
 A. Yes.
3. Q. And are also one of the heirs of Thomas W. K. White?  
 A. I am.
4. Q. You have read over the parties named in the Bill as heirs, can you

state whether or not they are correctly named therein, and what relation are they to Thomas W. K. White?

A. They are. They are sons and daughters of Thomas W. K. White except the three Ringgold boys who are grandchildren, and Samuel Ringgold the husband of a deceased daughter.

5. Q. How man of the parties to the suit do you know?

A. I know all except Mrs McGuckin, and I have met her, and she resides in New York.

6. Q. Where did your Father, Thomas W. K. White reside at the time of his death?

A. Upon this farm you have mentioned.

7. Q. About when did he die?

A. About 1900.

8. Q. How large is the farm called "Stoopley Gibson"?

A. One hundred and fifty-nine acres.

9. Q. Where is it located?

A. What we call Macum's Creek on Chester River on Kent Island.

10. Q. What was your Mother's name?

A. Julia E.

11. Q. When did she die?

A. 1929.

12. Q. Did you Father leave a will?

A. Not that I know of.

13. Q. Did you Mother leave a will?

A. No sir not that I know of.

14. Q. Are all of your Brothers and Sisters living?

A. No one dead Gladys W. Ringgold. She was the Mother of Samuel Charles Ringgold, Thomas White Ringgold and Bernard W. Ringgold, and her Husband was Samuel Ringgold.

15. Q. When did she die?

A. 1919.

16. Q. Do you know whether or not she left a will?

A. Not to my knowledge.

17. Q. What is your occupation Mr. White?

A. Farming.

18. Q. Are you familiar with the present values of farm land in Queen Anne's County?

A. To a certain extent.

19. Q. What in your opinion is the present market value of this farm?

A. For agriculture land around seven or eight thousand dollars, but its location is fine. One of the best locations on the Eastern Shore I think.

20. Q. Could the farm be divided among the parties interested in it without loss or injury to them?

A. I do not think so.

21. Q. Why?

A. Well it is not large enough to cut up as it only has one set up of buildings on it. It would be almost impossible to divide it in eight parts.

22. Q. You are familiar with the contract of sale filed in this cause, selling the farm to Mrs McGuckin?

A. I think so.

23. Q. State whether or not in your opinion it would be of interest and advantage to the parties to this suit to have the contract ratified by the Court, and the sale carried out?

A. I think it would be of advantage.

24. Q. Please state why?

A. Well to sell it any other way I think it would cost and all derive

a good deal less for it, and it would be better for the heirs to have the money than an undivided interest in the land.

25. Q. Do you know James T. Bright and William E. Denny?

A. I do.

26. Q. Where do they live?

A. Kent Island.

27. Q. I now hand you paper marked "Plaintiff's Exhibit No. 3" which is a certified copy of a deed of trust, will you look it over and see what it is?

A. It is the certified copy of a deed of trust that I made to William E. Denny and James T. Bright.

It is here handed to the Examiner for identification and same is filed and marked by him "Examiner's Exhibit D" and filed with the testimony.

28. Q. After you gave this deed of trust what was done with regard to your then creditors?

A. I made a settlement with all of the creditors that I owned money to at that time, and it was not necessary for the Trustees to sell my interest in this farm, and nothing has been done in regard to the trust estate.

29. Q. I hand you paper marked "Plaintiff's Exhibit No. 6", which is a short copy of a judgment entered on December 19th., 1933, in favor of William E. Denny and Son vs. T. Walter White, are you the T. Walter White mentioned in that judgment?

A. I am.

It is now handed to the Examiner for identification, and is marked "Examiner's Exhibit E" and filed.

30. Q. Who is the present tenant on the "Stoopley Gibson Farm"?

A. I rent it from the other heirs.

Examiner's Special. 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. I do not.

T. WALTER WHITE

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 Examiner makes his return and certifies that he was engaged as such Examiner in taking this testimony two days and examined four witnesses, making the costs chargeable to the parties.

H.B.W. Mitchell, Examiner.....	\$	8.00
E. Carville Tolson, witness.....		.75
John M. Norman, witness.....		.75
Bernard W. White, witness.....		.75
T. Walter White, witness.....		.75
Verna Crowl, stenographer.....		4.00
	\$	<u>15.00</u>

H. B. W. MITCHELL  
EXAMINER.

CHANCERY NO. 3636

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Ninth day of July, in the year nineteen hundred and forty nine, the following Petition was filed for record, to wit:-

IN THE MATTER OF THE TRUST	:	IN THE CIRCUIT COURT
ESTATE FOR AND IN BEHALF OF	:	FOR
EUGENE CLAYTON CANN CREATED	:	QUEEN ANNE'S COUNTY
BY ITEM SIX OF THE WILL OF	:	IN EQUITY
LILLIAN A. CANN, DECEASED	:	Cause No. 3636

: : :

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Clayton T. Cann and William H. Carter, Trustees named under Item Six of the Last Will and Testament of Lillian A. Cann, deceased, respectfully shows:

1. That the said Lillian A. Cann departed this life on the 6th day of June, 1949, leaving a last will and testament and codicils thereto which were fully admitted to probate by the Orphans' Court for Queen Anne's County, Maryland, and are recorded in Will Liber N. S. D. No. 1, folio 554 of the Orphans' Court aforesaid, certified copies of which last will and testament and codicils thereto, together with the probate thereof, marked "Exhibit A" are filed herewith as a part hereof.

2. That by the terms of Item Six of said last will and testament the said Lillian A. Cann did give, devise and bequeath a one-half part of the rest, residue and remainder of her estate and property of every kind and description real, personal and mixed, whenever acquired and wheresoever located, of which she died seized and possessed or in any way entitled to, unto your Petitioners, and the survivor of them, and their successor or successors, in trust for the use and purposes therein set forth, as will appear more fully by reference to the certified copy of said last will and testament.

3. That Letters Testamentary were granted unto Olivia Cann Carter, Executrix named in said last will and testament, by the Orphans' Court for Queen Anne's County on the 14th day of June, 1949, as will more fully appear by a certificate of such letters by the Register of Wills of Queen Anne's County filed herewith as a part hereof and marked "Exhibit B".

4. That the said Lillian A. Cann died seized, and possessed of an undivided interest in certain real estate, of which an undivided one-half part passed under said Item Six of her said last will and testament unto your Petitioners, in trust upon the uses and purposes therein more particularly set forth.

5. That said real estate consists of all those parcels or tracts of land, with the improvements thereon, as will more fully appear by the Inventory of Real Estate returned by said Executrix to the Orphans' Court aforesaid, a certified copy of which is filed herewith as a part hereof and marked "Exhibit C."

6. That one-half of the residue of the personal estate cannot be determined until the administration of the Estate of Lillian A. Cann, deceased, has been completed in the Orphans' Court for Queen Anne's County by said Executrix.

7. That your Petitioners desire to place the trust estate created as aforesaid within the jurisdiction of this Honorable Court in order that the same may be conducted and administered under the direction control and supervision of this Honorable Court.

8. That your Petitioners do hereby renounce all their right, title and interest in the trust estate created as aforesaid and respectfully suggest unto your Honors that Clayton C. Carter, grandson of the said Testatrix, be appointed by this Honorable Court as trustee of the estate created as aforesaid.

WHEREFORE, your Petitioners pray:

(1) That this Honorable Court may assume jurisdiction over the one-half part of the real estate of Lillian A. Cann, deceased, of which she died seized and possessed and over the one-half part of the residue of the personal estate of Lillian A. Cann, deceased, to be distributed under the direction of the Orphans' Court for Queen Anne's County unto the trustee appointed by this Honorable Court to administer the trust estate created by Item Six of the last will and testament of Lillian A. Cann, deceased, and over the trust created and engrafted thereon by said Item Six of the last will and testament of Lillian A. Cann, deceased.

(2) That this Honorable Court may appoint some suitable person as Successor Trustee, in the place and stead of your Petitioners named in Item Six of the last will and testament of Lillian A. Cann, deceased, with full power and authority to execute the trust created as aforesaid, as though said Successor Trustee had been named an original trustee, in accordance with the terms, provisions and directions contained therein.



(3) That this Honorable Court may determine and name the penalty of the bond to be executed, if any, by the Successor Trustee for the faithful performance and execution of the duties of his said trust, and to be filed by him in this cause.

(4) That this Honorable Court may supervise and direct the Successor Trustee in the management and performance of his said trust.

(5) And that your Petitioners may have such other and further relief as their case may require.

And as in duty bound, etc.

CLAYTON T. CANN

WILLIAM H. CARTER

STATE OF MARYLAND :

ss:

Queen Anne's County:

I HEREBY CERTIFY that on this 7th day of June, 1949, before me, the subscriber, a Notary Public of the State of Maryland in and for the County aforesaid, personally appeared William H. Carter and made oath in due form of law that the matters and things stated in the foregoing Petition are true as therein set forth to the best of his knowledge and belief.

Witness my hand and Notarial Seal.

ROBERT T. NEWELL

STATE OF MARYLAND :

ss:

Queen Anne's County:

I HEREBY CERTIFY that on this 9th day of June, 1949, before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared Clayton T. Cann and made oath in due form of law that the matters and things stated in the foregoing Petition are true as therein set forth to the best of his knowledge and belief.

NELLIE B. WHITELEY  
Clerk of the Circuit Court  
for Queen Anne's County

Filed July 9, 1949

EXHIBIT A

Filed July 9, 1949

I, Lillian A. Cann, 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. I do hereby direct my Executrix hereinafter named to purchase and have placed at my grave a foot-stone similar in design to the foot-stone now standing at the foot of the grave of my deceased husband, Eugene A. Cann, and to pay the cost of the same out of my personal estate, and the said foot-stone to be purchased from Elizabeth Bohland, if she be living.

ITEM TWO. I do hereby give and bequeath to my niece, Alma Smith Barber, the sum of Five Hundred Dollars (\$500.00), absolutely.

ITEM THREE. I do hereby give and bequeath to Maralee Kennard, daughter of

my niece, Mary Cullen Kennard, the sum of Five Hundred Dollars (\$500.00), absolutely.

ITEM FOUR. I do hereby give and bequeath to my Executrix hereinafter named, and her successor or successors in this trust, the sum of One Thousand Dollars (\$1,000.00), in trust and confidence, nevertheless, to have, hold, manage, control, collect, convert, invest and reinvest the same, and to take, collect and receive the interest, income and profits accruing and arising from the said sum of One Thousand Dollars (\$1,000.00), and to pay over semi-annually the net interest, income and profits accruing and arising therefrom to my sister, Catherine Carlos Bouchelle, for and during the term of her, the said Catherine Carlos Bouchelle's, natural life; and at and upon the death of my said sister, Catherine Carlos Bouchelle, this trust shall cease and terminate; and from and after the death of my said sister, Catherine Carlos Bouchelle, I do hereby give and bequeath said sum of One Thousand Dollars (\$1,000.00), as follows, that is to say:

(1) I do hereby give and bequeath a one-half part of said sum of One Thousand Dollars (\$1,000.00), to wit: the sum of Five Hundred Dollars (\$500.00), to my daughter, Olivia Cann Carter, absolutely.

(2) I do hereby give and bequeath the other one-half part of said sum of One Thousand Dollars (\$1,000.00), to wit: the sum of Five Hundred Dollars (\$500.00), to Clayton T. Cann and William H. Carter, and the survivor of them, and their successor or successors in this trust, in trust and confidence, nevertheless, for my son, Eugene Clayton Cann, upon the same terms, conditions and trusts as hereinafter provided for in Paragraph Two of Item Six of this my last will and testament, it being my intention that said sum of Five Hundred Dollars (\$500.00) shall be come and be a part of the said trust estate hereinafter created by me for and in behalf of my said son, Eugene Clayton Cann, in said Paragraph Two of said Item Six of this my last will and testament, in the same manner as if it had been included therein.

ITEM FIVE. I do hereby give and bequeath to my Executrix hereinafter named, and her successor or successors in this trust, the sum of One Thousand Dollars (\$1,000.00), in trust and confidence, nevertheless, to have, hold, manage, control, collect, convert, invest and reinvest the same, and to take, collect and receive the interest, income and profits accruing and arising from the said sum of One Thousand Dollars (\$1,000.00), and to pay over semi-annually the net interest, income and profits accruing and arising therefrom to The Trustees of the Methodist Protestant Church at Centreville, in Queen Anne's County, in the State of Maryland, a body corporate, for and during a period of ten years from the date of my death and no longer; and at and upon the expiration of ten years from the date of my death this trust shall cease and terminate; and from and after the expiration of said period of ten years from the date of my death, I do hereby give and bequeath said sum of One Thousand Dollars (\$1,000.00), as follows, that is to say:

(1) I do hereby give and bequeath a one-half part of said sum of One Thousand Dollars (\$1,000.00), to wit: the sum of Five Hundred Dollars (\$500.00), to my daughter, the said Olivia Cann Carter, absolutely.

(2) I do hereby give and bequeath the other one-half part of said sum of One Thousand Dollars (\$1,000.00), to wit: the sum of Five Hundred Dollars (\$500.00), to Clayton T. Cann and William H. Carter, and the survivor of them, and their successor or successors in this trust, in trust and confidence, nevertheless, for my son, the said Eugene Clayton Cann, upon the same terms, conditions and trusts as hereinafter provided for in Paragraph Two of Item Six of this my last will and testament, it being my intention that said sum of Five Hundred Dollars (\$500.00) shall become and be a part of the said trust estate hereinafter created by me for and in behalf of my said son, Eugene Clayton Cann, in said Paragraph Two of said Item Six of this my last will and testament, in the same manner as if it had been included therein.

ITEM SIX. All the rest, residue and remainder of my estate and property of every kind and description, real, personal and mixed, whenever acquired and wheresoever located, of which I may die seized and possessed or in any way entitled to, I do hereby give, devise and bequeath as follows, that is to say:

(1) I do hereby give, devise and bequeath a one-half part of all the said rest, residue and remainder of my said estate and property to my said daughter, Olivia Cann Carter, absolutely and in fee simple.

(2) I do hereby give, devise and bequeath the other one-half part of all the said rest, residue and remainder of my said estate and property to Clayton T. Cann and William H. Carter, and the survivor of them, and their successor or successors in this trust, in trust and confidence, nevertheless, to have, hold, manage, control, collect, convert, sell, invest and reinvest the same, and to take, collect and receive the rents, issues, profits, interest and income accruing and arising from the said one-half part of the said rest, residue and remainder of my said estate and property, and to pay over the net rents, issues, profits, interest and income accruing and arising therefrom to my said son, Eugene Clayton Cann, or so much thereof as may be demanded or required by him for and during the term of his, the said Eugene Clayton Cann's, natural life, the said payment or payments to be made by the said Clayton T. Cann and William H. Carter, Trustees as aforesaid, and the survivor of them, and their successor or successors in this trust, into the hands of my said son, Eugene Clayton Cann, and into the hands of no other person or persons; and if the said net rents, issues, profits, interest and income shall be insufficient for the proper and reasonable support, maintenance and comfort of my said son, Eugene Clayton Cann, there shall be paid to him, the said Eugene Clayton Cann, out of the principal or corpus of the trust estate hereby created, such sum or sums as the said Clayton T. Cann and William H. Carter, Trustees as aforesaid, and the survivor of them, and their successor or successors, shall in their judgment deem necessary and advisable; and at and upon the death of my said son, Eugene Clayton Cann, this trust shall cease and terminate; and from and after the death of my said son, Eugene Clayton Cann, I do hereby give, devise and bequeath the said one-half part of the said rest, residue and remainder of my said estate and property and any and all

unexpended accruals of rents, issues, profits, interest and income to such person or persons as shall, at the time of the death of my said son, Eugene Clayton Cann, be, under the laws of the State of Maryland, entitled to the same as the next of kin of my said son, Eugene Clayton Cann, to be held by such person or persons absolutely and in fee simple, free, clear and discharged of the said trust.

ITEM SEVEN. I do hereby constitute and appoint my said daughter, Olivia Cann Carter, of Queen Anne's County, State of Maryland, 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 wish and desire and I hereby direct that the said Olivia Cann Carter shall be excused from the necessity of giving bond for the performance of her duties as such Executrix.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my seal, this Fourth day of June, in the year nineteen hundred and thirty:

Lillian A. Cann (SEAL)

SIGNED, sealed, published and declared by the above named testatrix, Lillian A. Cann, as anf 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:

Spencer Wright

Wm. R. Horney

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

On the 9th day of June A.D., 1949, came Clayton C. Carter, Custodian of the within and foregoing instrument of writing, purporting to be the last Will and Testament of Lillian A. Cann, late of Queen Anne's County, deceased, and made oath in due form of law, that the foregoing is the true and whole Will & Codicils thereto 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 safe deposit box #29 - in The Centreville National Bank of Maryland on or about the 8th day of June A.D., 1949.

Sworn before

Edward E. Coursey  
Register of Wills of  
Queen Anne's County, Md.

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

On the 10th day of June 1949, came Spencer Wright of Centreville, Maryland, one of the subscribing witnesses to the foregoing last Will and Testament of Lillian A. Cann, 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, pronounce 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 William R. Horney subscribed his name as witness to said Will at her request in her presence and in the presence of each other.

Sworn in open court.

Test:

Edward E. Coursey  
Register of Wills of  
Queen Anne's County, Md.

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

On the 13th day of June 1949, came William R. Horney of Centreville, Maryland, one of the subscribing witnesses to the foregoing last Will and Testament of Lillian A. Cann, 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 hear her publish, pronounce 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 together with Spencer Wright subscribed his name as witness to said Will at her request in her presence and in the presence of each other.

Sworn in open court.

Test:

Edward E. Coursey  
Register of Wills of  
Queen Anne's County, Md.

I, Lillian A. Cann, of Queen Anne's County, State of Maryland, being of sound and disposing mind, memory and understanding, having heretofore made my last will and testament, bearing date the 4th day of June, 1930, which said last will and testament I desire to alter as herein expressed, now therefore I do make, publish and declare this to be a codicil to my said last will and testament, in manner following, that is to say:

ITEM ONE. I do hereby revoke Item Five of my said last will and testament wherein I did give and bequeath to my executrix therein named the sum of One Thousand Dollars (\$1,000.00), in trust, to pay the net income therefrom to The Trustees of the Methodist Protestant Church at Centreville, in Queen Anne's County, in the State of Maryland, a body corporate, for a period of ten years from the date of my death. And I do now direct that said sum of One Thousand Dollars (\$1,000.00) shall be come a part of the rest, residue and remainder of my estate and property.

ITEM TWO. I do hereby ratify and confirm my said last will and testament, so as aforesaid bearing date the 4th day of June, 1930, in all respects except as herein altered or modified by this codicil.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my seal, this 24th day of January, 1939:

Lillian A. Cann (SEAL)

SIGNED, sealed, published and declared by the above named testatrix, Lillian A. Cann, as and for a codicil to her last will and testament, bearing date the 4th day of June, 1930, 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:

Wm. R. Horney

Hilda T. Seward

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

On the 13th day of June 1949, came Wm. R. Horney and Hilda T. Horney, now by marriage, Hilda T. Horney of Centreville, Maryland, the two subscribing witnesses to the aforesaid First Codicil to the last Will and Testament of Lillian A. Cann, late of Queen Anne's County, deceased, and made oath in due form of law, that they did see the Testatrix sign and seal said said First Codicil to Will, that they heard her publish, pronounce and declare the same to be her First Codicil to said last Will and Testament, and 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 with each other subscribed their names as witnesses to said First Codicil to said Will at her request in her presence and in the presence of each other.

Sworn in open court.

Test:

Edward E. Coursey  
Register of Wills of  
Queen Anne's County, Md.

I, Lillian A. Cann, of Queen Anne's County, State of Maryland, being of sound and disposing mind, memory and understanding, having heretofore made my last will and testament, bearing date the 4th day of June, 1930, which said last will and testament I desire to alter as hereinafter expressed, now therefore I do make, publish and declare this to be a second codicil to my said last will and testament, in manner following, that is to say:

ITEM ONE. I do hereby revoke Item Three of my said last will and testament wherein I did give and bequeath to Maralee Kennard, daughter of my niece, Mary Cullen Kennard, the sum of Five Hundred Dollars (\$500.00), absolutely. And I do now hereby give and bequeath to my niece, Mary Cullen Kennard, the sum of Five Hundred Dollars (\$500.00), absolutely.

ITEM TWO. I do hereby ratify and confirm my said last will and testament, so as aforesaid bearing date the 4th day of June, 1930, in all respects except as herein altered or modified by this codicil and as altered and modified by the first codicil to my said last will and testament executed by me on January 24th, 1939.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my seal this twenty-fourth day of June, in the year nineteen hundred and forty-three.

Lillian A. Cann (SEAL)  
Lillian A. Cann

SIGNED, SEALED, PUBLISHED AND DECLARED by the above named Testatrix, Lillian A. Cann, as and for the second codicil to her last will and testament, bearing date the 4th day of June, 1930, 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. Carl Starkey

John R. Smith

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

On the 9th day of June 1949, came J. Carl Starkey and John R. Smith, the two subscribing witnesses to the foregoing Second Codicil to the last Will and Testament of Lillian A. Cann, late of Queen Anne's County, deceased, and made oath in due form of law, that they did see the Testatrix sign and seal said Second Codicil to said Will, that they heard her publish, pronounce and declare the same to be her Second Codicil to said last Will and Testament, and 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 with each other subscribed their names as witnesses to said Second Codicil to said Will at her request in her presence and in the presence of each other.

Sworn in open court.

Test:

Edward E. Coursey  
Register of Wills of  
Queen Anne's County, Md.

STATE OF MARYLAND  
IN THE ORPHANS' COURT  
FOR QUEEN ANNE'S COUNTY:

The foregoing Instruments of Writing, purporting to be the last Will and Testament and Codicils thereto of LILLIAN A. CANN, 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 Instruments of Writing and also the evidence adduced as to their validity, ORDERS and DECREES, this 14th day of June, A.D., 1949, that the same be admitted in this Court as the true and genuine last Will and Testament and Codicils thereto of the said Lillian A. Cann, deceased.

H. F. Callahan

C. Tilghman Bishop

W. Rembert Phillips

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 and Codicils thereto of LILLIAN A. CANN, late of Queen Anne's County, deceased, as filed and passed in this office on June 14, 1949 and recorded in Liber N. S. D. No. 1, folio 554, etc. in Record Book of WILLS in 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 23rd day of June 1949.

Edward E. Coursey  
Register of Wills for  
Queen Anne's County, Maryland

EXHIBIT B  
Filed July 9, 1949

THE STATE OF MARYLAND, QUEEN ANNE'S COUNTY, SCT:

THE SUBSCRIBER, Register of Wills for Queen Anne's County, doth hereby certify that it appears by the Records in his office, that Letters of Administration of all the goods, chattels, credits and personal estate of LILLIAN A. CANN, late of Queen Anne's County, deceased were on the 14th day of June in the year of our Lord one thousand nine hundred and forty-nine granted and committed unto Olivia Cann Carter the Executrix by the Last Will and Testament of the said deceased, appointed, and that said letters are at this date in full force and effect.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the Seal of my office, this 27th day of June in the year of our Lord, nineteen hundred and forty-nine.

Test:

Edward E. Coursey  
 Register of Wills for  
 Queen Anne's County

EXHIBIT C  
 Filed July 9, 1949

A TRUE AND PERFECT INVENTORY of all and singular, the Real Estate of Lillian A. Cann late of Queen Anne's County, deceased, appraised by the subscribers, J. Grant Yates, Sr. and A. A. M. Dewing 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.

PARCEL NO. 1

ALL the undivided one-third part and all the right title, interest and estate of Lillian A. Cann, of, in and to ALL that lot or parcel of land, known as "The Eugene A. Cann Store Property", situate, lying and being in the town of Centreville, in Queen Anne's County, State of Maryland, at the corner of Commerce and Water Streets, and adjoining the property of (or formerly of) Sarah E. Costin; being the same land which was granted and conveyed unto Eugene A. Cann by Harry W. Chambers and Dora P. Chambers, his wife, by the two deeds bearing date the eleventh day of March, nineteen hundred and three, and the twenty fourth day of March, nineteen hundred and three, respectively, and recorded in Liber J.E.G. No. 4, folios 534 etc., and Liber J.E.G. No. 4, folios 576, etc., respectively, excepting therefrom, however, the three lots or parcels of land which were granted and conveyed by the three following deeds, to wit: the deed from Eugene A. Cann and Lillie Cann, his wife, to The Town Commissioners of Centreville, bearing date the twenty fourth day of March, nineteen hundred and three, and recorded in Liber J.E.G. No. 5, folios 3; the deed from Eugene A. Cann, et al., to Sarah E. Costin, bearing date the third day of August, nineteen hundred and three, and recorded in Liber J.E.G. No. 5, folios 260; and the deed from Eugene A. Cann, et al., to The Centreville Opera House Company, bearing date the twentieth day of November, nineteen hundred and five, and recorded in Liber J.E.G. No. 8, folios 396; and

BEING the same land and premises which upon the death intestate of Eugene A. Cann in 1926 descended unto Eugene Clayton Cann, Olivia Cann Carter and Lillian A. Cann, his only heirs at law; and

BEING the same and all the land of which the said Lillian A. Cann died seized and possessed on the 6th day of June, 1949.

Which we appraise as follows:

Land .....	\$ 720.00	
Store Building.....	3333.33	4053.33

PARCEL NO. 2

ALL the undivided one-third part and all the right, title, interest and estate of Lillian A. Cann, of, in and to ALL that farm, or tract of land, part of the tract, of land, called or known as "Chesterfield," situate, lying and being in the Town of Centreville, Third Election District of Queen Anne's County, State of Maryland; and

BEING composed of those four parcels of land granted and conveyed unto Eugene A. Cann by the following deeds recorded among the land records of Queen Anne's County; to wit:

1. Deed from Beverly N. Sparks, et al. unto Eugene A. Cann and Clayton T. Cann, as tenants in common, dated September 1, 1906, recorded in Land Liber S. S. No. 2, folio 66; the said Clayton T. Cann having granted and conveyed his undivided one-

...half interest of, in and to said lands unto the said Eugene A. Cann by deed dated October 19, 1909 recorded in Land Liber S.S. No. 7, folio 110.

2. Deed from Beverly N. Sparks et al. unto Eugene A. Cann and Clayton T. Cann, as tenants in common, dated September 11, 1908 recorded in Land Liber S.S. No. 5, folio 281; the said Clayton T. Cann having granted and conveyed his undivided one-half interest of, in and to said land unto the said Eugene A. Cann by deed dated October 19, 1909 recorded in Land Liber S.S. No. 7, folio 110.

3. Deed from Beverly N. Sparks et al. unto Eugene A. Cann and Clayton T. Cann, as tenants in common, dated March 6, 1909 recorded in Land Liber S.S. No. 7, folio 109; the said Clayton T. Cann having granted and conveyed his undivided one-half interest of, in and to said land unto the said Eugene A. Cann by deed dated October 19, 1909 and recorded in Land Liber S.S. No. 7, folio 110.

4. Deed from William J. Price, Junior and Juliet S. Price, his wife, dated July 3, 1924 recorded in Land Liber B. H. T. No. 2, folio 155;

Which four parcels of land have since said grants been reduced into one parcel of land or farm called or known as "Chesterfield Farm" or "The Eugene A. Cann Farm", excepting therefrom, however, the three parcels or lots of land which were granted and conveyed by the following deeds, to wit: the deed from Eugene A. Cann and Lillian Cann, his wife, to Clayton T. Cann and Lillian Shockley Cann, his wife, bearing date the 15th day of August, 1921, recorded in Land Liber J. F. R. No. 10, folio 30; the Deed from Eugene A. Cann and Lilly Cann, his wife to William Henry Carter and Olivia Cann Carter, his wife, bearing date the 15th day of August, 1921, recorded in Land Liber J. F. R. No. 10, folio 32; and the deed from Eugene A. Cann and Lillian A. Cann, his wife, to Walter E. Woodford bearing date the 31st day of May 1923 recorded in Land Liber J. F. R. No. 110, folio 508; and

BEING the same land which upon the death intestate of Eugene A. Cann in 1926 descended unto Eugene Clayton Cann, Olivia Cann Carter and Lillian A. Cann, his only heirs at law; and

BEING the same land of which the said Lillian A. Cann died seized and possessed on the 6th day of June, 1949, excepting therefrom, however, the six lots, parcels and strips of land which were granted and conveyed by the six following deeds, to wit: the deed to William R. Horney dated March 17, 1930, recorded in Land Liber B. H. T. No. 10, folio 553; the deed to Franklin S. Wharton Dated March 17, 1930, recorded in Land Liber B. H. T. No. 11, folio 43; the deed to the State of Maryland for the use of State Roads Commission dated October 31, 1931, and recorded in Land Liber B. H. T. No. 16, folio 116; the deeds to the State of Maryland to the use of the State Roads Commission dated December 18, 1943, recorded in Land Liber A. S. G. No. 9, folios 107 and 110; and the deed to Robert H. Thompson et ux. dated September 5, 1947, recorded in Land Liber N. B. W. No. 1, folio 223.

Which we appraise as follows:

Land .....	\$ 2417.02	
Dwelling House .....	1666.66	
Farm outbuildings .....		
(including Tenant House).	1666.66	5750.34

PARCEL NO. 3

ALL the undivided one-sixth part and all the right, title, interest and estate of Lillian A. Cann, of, in and to ALL that lot or parcel of farm land, being a part of the tract of land called or known as "Chesterfield" and more recently known as the "Clayton T. Cann and Eugene A. Cann Farm Lot," situate, lying and being in the Town of Centreville, Third Election District of Queen Anne's County, State of Maryland; and

BEING composed of those two parcels of land granted and conveyed unto Eugene A. Cann and Clayton T. Cann, as tenants in common, by Mollie F. Tucker et al. by deed dated November 4, 1916 recorded in Land Liber W. F. W. No. 9, folio 467 and by Harland Linwood Phillips et ux. by deed dated May 29, 1917 recorded in Land Liber W. F. W. No. 10 folio 349, which two parcels of land have since said grants been reduced into one parcel of land; and

BEING the same land of which a one-half interest, therein descended unto Eugene Clayton Cann, Olivia Cann Carter and Lillian A. Cann, the only heirs at law of Eugene A. Cann

upon his death intestate in 1926; and

BEING the same land of which the said Lillian A. Cann died seized and possessed as to a one-sixth interest on the 6th day of June 1949.

Which we appraise at ..... \$ 83.33

WE, THE SUBSCRIBERS, do certify that the foregoing is a just and true Inventory and valuation of all and singular the Real Estate of the said Lillian A. Cann, 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 judgement.

WITNESS, our hands and seals this 1st day of July, in the year of our Lord one thousand nine hundred and forty-nine.

J. Grant Yates (SEAL) Appraisers
A. A. M. Dewing (SEAL)

Amount of Appraisement \$ 9,887.00

QUEEN ANNE'S COUNTY, TO WIT:

On this 1st day of July, 1949, came Olivia Cann Carter, executrix of the estate of Lillian A. Cann 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 her knowledge, and that should she hereafter discover any other Real Estate belonging to the said deceased, in this State she will return an additional inventory thereof.

Certified by Edward E. Coursey Register of Wills

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

On this 5th day of July, 1949, the foregoing inventory was duly examined and passed by the Court, and the same ordered to be received, filed and recorded.

Edward E. Coursey Register of Wills.

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 Inventory of Real Estate in the estate of EILLIAN A. CANN, late of Queen Anne's County, deceased, as filed and passed in this office on July 5th, 1949 and recorded in Liber E.E.C. No. 1 Folio 511, etc. in Record Book of Inventories in 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 6th day of July 1949

Edward E. Coursey
Register of Wills for Queen Anne's County, Maryland

ORDER OF COURT
Filed July 9, 1949

IN THE MATTER OF THE TRUST : IN THE CIRCUIT COURT
ESTATE FOR AND IN BEHALF OF : FOR
EUGENE CLAYTON CANN CREATED : QUEEN ANNE'S COUNTY
BY ITEM SIX OF THE WILL OF : IN EQUITY
LILLIAN A. CANN; DECEASED : Cause No. 3636
:::~::~

ORDER OF COURT

The foregoing Petition and the Exhibits filed therewith having been read and considered, it is thereupon this 9th day of July, 1949, ADJUDGED, ORDERED, and DECREED by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that jurisdiction be and is hereby assumed by this Court over the trust estate created by Item Six of the last will and testament of Lillian A. Cann, deceased, as set forth in the foregoing Petition and Exhibits.

And it is further ADJUDGED, ORDERED, and DECREED that Clayton C. Carter of Queen Anne's County, Maryland, be and he is hereby appointed Successor Trustee of the trust estate created by Item Six of the



last will and testament of Lillian A. Cann, deceased, in the place and stead of Clayton T. Cann and William H. Carter, with full power and authority to execute the trust created as aforesaid in accordance with the terms, provisions and directions contained therein as though said Successor Trustee had been named an original trustee, provided, however, that before the said Clayton C. Carter shall proceed to act as Successor Trustee in this cause, he shall first file in this cause a bond to the State of Maryland executed by himself, with a surety or sureties to be approved by this Court or by the Clerk of this Court, in the penalty of One Thousand Dollars (\$1,000.00), if corporate surety be given, and in double that amount if personal surety be given, conditioned for the faithful performance of the duties of his said trust under Item Six of the last will and testament of Lillian A. Cann, deceased, and for the faithful performance and execution 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.

WM. R. HORNEY

Judge

CERTIFIED COPY OF BOND  
Filed July 16, 1949

QUEEN ANNE'S COUNTY, to wit: Be it remembered that on this Sixteenth day of July, in the year nineteen hundred and forty nine, the following BOND was filed for record, to wit:

KNOW ALL MEN BY THESE PRESENTS, that we, Clayton Cann Carter, Esquire, State of Maryland, as principal, and the United States Fidelity and Guaranty 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) 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, jointly and severally and firmly by these presents, sealed with our seals this 11th day of July nineteen hundred forty nine.

WHEREAS by an Order passed by the Circuit Court for Queen Anne's County, in Equity, in a cause in said Court entitled "In The Matter of the Trust Estate for and in behalf of Eugene Clayton Cann created by Item Six of the Will of Lillian A. Cann, deceased", being Cause No. 3636 on the Chancery Docket, jurisdiction was assumed over the trust estate created by said Item Six of the Will hereinabove referred to and Clayton C. Carter was appointed successor trustee in the place and stead of Clayton T. Cann and William H. Carter, with full power and authority unto Clayton C. Carter to execute the trust created as aforesaid, as though said Successor Trustee had been named an original trustee, but subject to the order and direction of said Court.

AND WHEREAS the said Clayton C. Carter has accepted the said trusteeship and gives this bond in compliance with his order of appointment.

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bounded Clayton Cann Carter, shall well and faithfully perform the duties of the trust for and in behalf of Eugene Clayton Cann created by Item Six of the Will of Lillian A. Cann, Deceased and admitted to Probate in the Orphans' Court for Queen Anne's County on the 14th day of June 1949, and shall well and faithfully perform every of the Orders and Decrees of the Circuit Court in Queen Anne's County, in Equity, passed at the present time or which may be hereafter passed in relation to said trust, then the above obligation to be void, otherwise to remain in full force and virtue of law.

Signed, Sealed and Delivered  
in the presence of: B. H. TURNER JR.

CLAYTON CANN CARTER (SEAL)  
Clayton Cann Carter

United States Fidelity & Guaranty Company.

By: B. HACKETT TURNER JR.  
Its Attorney in fact

(Corporate Seal)

Corporate  
Seal Place.

And at the foot of the foregoing BOND is thus endorsed, to wit:

Security approved and bond filed

July 16, 1949.

NELLIE B. WHITELEY, Clerk

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. 1, folio 127, 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 Sixteenth day of July, in the year nineteen hundred and forty nine.

Nellie B. Whiteley  
Clerk

PETITION  
Filed July 16, 1949

IN THE MATTER OF THE TRUST	:	IN THE CIRCUIT COURT
ESTATE FOR AND IN BEHALF OF	:	FOR
EUGENE CLAYTON CANN CREATED	:	QUEEN ANNE'S COUNTY
BY ITEM SIX OF THE WILL OF	:	IN EQUITY
LILLIAN A. CANN, DECEASED	:	Cause No. 3636
	::::::::::	

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Clayton C. Carter, Successor Trustee for Eugene Clayton Cann, respectfully shows:

1. That as will appear by reference to the proceedings in this Honorable Court entitled "In the Matter of the Trust Estate of Eugene Clayton Cann" being Chancery Cause No. 2736, this Honorable Court by decree bearing date the 18th day of February, 1929, assumed jurisdiction over the trust estate created by Eugene Clayton Cann by a Deed of Trust dated the 24th day of January 1928, now of record in Land Liber B.H.T. No. 7, folio 458 of Queen Anne's County.

2. That as will further appear by reference to the proceedings aforesaid, this Honorable Court by decree bearing date the 12th day of June, 1948, assumed jurisdiction over the additional trust estate created by Eugene Clayton Cann by a Supplemental Deed of Trust, dated the 10th day of June, 1948, now of record in Land Liber N.B.W. No. 1, folio 32 of Queen Anne's County, and further directed that the same be administered as a part of the trust estate under the jurisdiction of the Court in Chancery Cause No. 2736.

3. That as will further appear by reference to the proceedings aforesaid your Petitioner was appointed Successor Trustee in said trust estates by the decree of this Court dated the 5th day of February, 1949, and entered upon the duties of said office by filing the bond required in said Decree.

4. That the uses and purposes of the trust estates created by Eugene Clayton Cann aforesaid are the same as the uses and purposes of the trust estate created by the terms of Item Six of the last will and testament of Lillian A. Cann, deceased.

5. That the corpus of the trust estates created by Eugene Clayton Cann aforesaid and Item Six of the last will and testament of Lillian A. Cann, deceased consists of undivided interests in the same real estate.

6. That your Petitioner deems it advisable to consolidate the trust estates created as aforesaid for the purpose of administration under the direction, control and supervision of this Honorable Court.

WHEREFORE, your Petitioner prays:

(1) That this Honorable Court will pass a decree consolidating Chancery Cause No. 2736 and this Cause for the purpose of administration of the trust estates therein.

(2) And that your Petitioner may have such other and further relief as his case may require.

Respectfully submitted:

Clayton C. Carter  
Successor Trustee for Eugene  
Clayton Cann

STATE OF MARYLAND :  
Queen Anne's County: to wit:

I HEREBY CERTIFY that on this 15th day of July, 1949, before me,

the subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared CLAYTON C. CARTER, Successor Trustee for Eugene Clayton Cann, and made oath in due form of law that the matters and facts stated in the foregoing Petition are true as therein stated, to the best of his knowledge and belief.

Nellie B. Whiteley  
Nellie B. Whiteley  
Clerk of the Circuit Court for  
Queen Anne's County

ORDER OF COURT  
Filed July 16, 1949

IN THE MATTER OF THE TRUST	:	IN THE CIRCUIT COURT
ESTATE FOR AND IN BEHALF OF	:	FOR
EUGENE CLAYTON CANN CREATED	:	QUEEN ANNE'S COUNTY
BY ITEM SIX OF THE WILL OF	:	IN EQUITY
LILLIAN A. CANN, DECEASED	:	Cause No. 3636

\*\*\*\*\*

ORDER OF COURT

The foregoing Petition having been read and considered, it is thereupon this 16th day of July, 1949, ORDERED and DECREED by the Circuit Court for Queen Anne's County, in Equity, and it is hereby, consolidated, with Chancery Cause No. 2736, for the purpose of administration under the direction, control and supervision of this Court.

AND IT IS FURTHER ORDERED and DECREED that a certified copy of the bond, heretofore filed in this Cause by Clayton C. Carter, Successor Trustee, shall be filed in Chancery Cause No. 2736.

Wm. R. Horney  
Judge

## CHANCERY NO. 2082

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Fifteenth day of April, in the year nineteen hundred and fourteen, the following Bond was filed for record, to wit:

KNOW ALL MEN BY THESE PRESENTS, that we, James T. Bright and William E. Denny of Queen Anne's County, State of Maryland, and the NEW ENGLAND CASUALTY COMPANY, a body corporate, incorporated under the laws of the State of Massachusetts, 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 Two Thousand Dollars, current money of the United States of America, 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, 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 13th day of April, in the year nineteen hundred and fourteen.

WHEREAS T. Walter White and Maud K. White, his wife, of Queen Anne's County, State of Maryland, by their Deed of Trust, executed and acknowledged agreeably to law, bearing date the tenth day of April, in the year nineteen hundred and fourteen, and recorded in Liber W. F. W. No. , folio a Land Record Book for said Queen Anne's County, did grant and convey bargain and sell, and assign and transfer unto the said James T. Bright and William E. Denny certain property and estate therein referred to and described, in trust upon certain terms and conditions and for the uses and purposes in the said Deed of Trust particularly named and set forth and declared:

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH that if the above bounded James T. Bright and William E. Denny do and shall well and faithfully perform the trust reposed in them and by said Deed of Trust mentioned and declared, or that may be reposed in them by any order or decree of the Circuit Court for Queen Anne's County in Equity in the premises, then the above obligation to be void, otherwise to be and remain in full force and effect and virtue in law.

Signed, sealed and delivered  
in the presence of

P. B. H. McFEELY

JAMES T. BRIGHT (SEAL)

J. B. HOPKINS

WM. E. DENNY (SEAL)

P. B. H. McFEELY

New England Casualty Company,  
by

CHARLES E. TUCKER  
its Agent and Attorney in fact.

And on the back of the foregoing Bond is thus endorsed, to wit:  
Security approved and Bond - Filed April 15th, 1914.

CERTIFIED COPY OF DEED OF TRUST  
Filed April 15th, 1914

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the fifteenth day of April in the year Nineteen Hundred and fourteen the following Deed of Trust was brought to be recorded, to wit:

This Deed of Trust made this 10th day of April in the year Nineteen Hundred and fourteen by T. Walter White and Maude K. White, his wife of Queen Anne's County, State of Maryland, Witnesseth, Whereas the said T. Walter White is indebted unto sundry persons and parties on mortgages, judgments, liens, notes, accounts and otherwise, which they are desirous and anxious to pay and discharge and to that end, for the purpose of raising money to pay the same is about to execute, acknowledge and deliver this Deed of Trust, granting and conveying and bargaining and selling the real and personal property hereinafter mentioned and described unto James T. Bright and William E. Denny, of Queen Anne's County aforesaid, upon the trust and condition hereinafter more particularly set forth and expressed, and whereas the said Maude K. White is willing that the real estate hereinafter conveyed shall be sold free and clear of any interest or estate of which she may have or be entitled to as the wife of the said T. Walter White and to receive in lieu of any interest or estate which he may have in said property such portion of the proceeds of sale of said real estate as the Circuit Court for Queen Anne's County, in Equity may determine to be right and equitable and for said purpose does join in the execution of these presents.

Now Therefore in consideration of the foregoing premises and the sum of One dollar, the said T. Walter White and Maude K. White do hereby grant and convey, bargain and sell in fee simple and absolutely unto the said James T. Bright and William E. Denny upon the trust hereinafter expressed and set forth the following real and personal property to wit:

No. 1. All that stone house and dwelling situate in Stevensville, in Queen Anne's County, Maryland and now occupied by George S. Lowe and Leonard Harper.

No. 2. All my undivided interest in and to all that farm

situate, lying and being on the right side of the public road leading from Kent Island Narrows to Stevensville, and known as the Home Farm of Thomas W. White, deceased and now occupied by T. Walter White: also all of my undivided right, interest and estate in all that farm situate at or near Love Point, in Queen Anne's County, Maryland, known as the Marmaduke G. White farm; situate on the road from Stevensville to Love Point, and now tenanted by John W. Ozmon adjoining the lands of William E. Denny on one side, and the property of the Love Beach and Park Company, Incorporated on the other and also all my personal property consisting of mules, horses, cattle, sheep, hogs, engine thresher and corn sheller, and all farming implements of every character and description, and all other utensils owned or possessed by the said T. Walter White, together with all other property of the said T. Walter White, real personal or mixed wheresoever situate, lying and being or of which they have possessed or to which they may in anywise be entitled, saving and excepting and reserving to the said T. Walter White whatever exemption he may be entitled to by law: all said property being hereby granted and conveyed and bargained and sold as aforesaid upon the following trusts and conditions, and for the following purposes, to wit: That the said James T. Bright and William E. Denny, Trustees as aforesaid, shall sell either at public or private sale, to as they may judge advantageous, and at such time and place and on such terms as they may deem most advisable, all said real and personal property and to grant and convey the same to the purchasers thereof and to receive and collect all purchase money therefor, and after deducting and receiving a reasonable commission from and on said gross proceeds realized from said sale or sales of the aforesaid property, real personal or mixed, for their care and trouble in the execution of this trust, and the discharge of the duties of the same shall apply the whole residue, first, to the payment of the expenses and costs attending and incurred in the execution of the duties of the said trust, including the filing of a trust, bond by the said Trustees: secondly to the payment of all mortgages, judgments and other liens on the aforesaid property, thirdly to the payment of all debts and sums of money which may be owing to the other unpreferred creditors of the said T. Walter White without exception in a ratable proportion or priority and lastly, the balance if any, after the payments aforesaid, to pay the said T. Walter White, his executors administrators or assigns.

WITNESS their hands and seals this 10th day of April in the year nineteen hundred and fourteen

TEST: G. O. CALLOWAY T. WALTER WHITE (SEAL)

TEST: G. O. CALLOWAY MAUDE K. WHITE (SEAL)

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

I hereby certify that on this 10th day of April in the year nineteen hundred and fourteen, before me, the subscriber, a Notary Public of the State of Maryland in and for Queen Anne's County, personally appeared T. Walter White, and Maude K. White, and each acknowledged the foregoing Deed of Trust to be their respective act.

G. O. CALLOWAY  
Notary Public

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. 5, folio 144 etc. a Land Record Book for Queen Anne's County.

IN TESTIMONY WHEREOF, I hereto subscribe my name and affix the seal of the Circuit Court for Queen Anne's County, this 15th day of April A. D. 1914.

WILLIAM F. WATSON  
Clerk

PETITION  
Filed Dec. 27th, 1933

In the Matter of  
the Trust of  
T. Walter White

§  
§  
§  
§  
§

In the Circuit Court  
for  
Queen Anne's County, In Equity  
No. 2082

To the Honorable the Judges of said Court;-

The petition of James T. Bright and William E. Denny,

Trustees, respectfully shows unto your Honors;

First;-That T. Walter White and Maude K. White, his wife, of Queen Anne's County, State of Maryland, on the tenth day of April, in the year nineteen hundred and fourteen, executed and delivered unto your petitioners a deed of trust granting conveying, bargaining, selling assigning and releasing unto your petitioners all of the property, assets and estate of the said T. Walter White, of every kind and description unto your petitioners, in trust, upon certain terms and conditions and for certain purposes set out in said deed of trust, all of which will fully appear by reference to the certified copy of the said deed of trust heretofore filed in this cause.

Second;-That your petitioners have filed with the Clerk of this court a bond in the penalty of two thousand dollars, with surety duly approved by said Clerk, for the faithful performance of the trust reposed in them as trustees named in the aforesaid deed of trust, and your petitioners are now desirous that this Honorable Court shall assume jurisdiction of said trust estate and direct them in the proper execution of their trust.

Third;-That your petitioners are required as Trustees, by the terms of said deed of trust, after converting the assets of said trust estate into money, and after paying the expenses incident to the conduct of said trust estate, as set forth in the aforesaid deed of trust, to apply the proceeds thereof to the payment of the debts of said T. Walter White as will more fully and at large appear by reference to said deed of trust.

Fourth;-That at the time of filing and executing said deed of trust the said T. Walter White was indebted unto sundry persons and corporations, but since that time many have been paid and settled by the said T. Walter White, and your trustees therefore unable at this time to ascertain with any certainty just what the said T. Walter White does owe, to whom any obligations are due and the amount thereof, and in order that they may properly and faithfully perform the trust reposed in them, the creditors of the said T. Walter White should be required to file their claims with proper vouchers attached thereto with the clerk of this Court on or before a certain day to be named by this Honorable Court.

May it therefore please Your Honors

1st. To assume jurisdiction of the aforesaid trust estate and direct your petitioners in the proper execution of the trust reposed in them by the aforesaid deed of trust.

2nd. That an order may be passed by this Honorable Court giving notice to all of the creditors of the said T. Walter White to file their respective claims with proper vouchers attached thereto, with the Clerk of this Court on or before a certain day to be named in said order.

Respectfully submitted

JAMES T. BRIGHT

WM. E. DENNY SR.  
Petitioners

ORDER OF COURT  
Filed December 27th, 1933

ORDER OF COURT

In the Matter of  
the Trust of  
T. Walter White

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

Upon the foregoing petition it is ordered this twenty-seventh day of December, in the year nineteen hundred and thirty three, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court that jurisdiction of the trust created by the deed of trust referred to in the foregoing petition be, and the same is hereby taken and assumed by said court, and the same will be executed and performed under its orders and directions; and it is further ordered that the said James T. Bright and William E. Denny, Trustees, cause to be duly published the following order of this Court, giving notice to the creditors of the said T. Walter White to file their respective claims as in said order fully set out: and said trustees are hereby directed to forthwith file in this cause a full and complete schedule and appraisement of the trust estate coming into their hands and a full account of any and all sales made by them: and they are further directed to file an additional bond herein in the penal sum of five hundred dollars.

THOMAS J. KEATING

NOTICE TO CREDITORS  
Filed December 27th, 1933

In the Matter of

In the Circuit Court for

the Trust of  
T. Walter White

Queen Anne's County, in Equity.

ORDERED this 27th day of December in the year nineteen hundred and thirty three, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of the said Court, that the creditors of T. Walter White and all others claiming any interest in the estate and property or the proceeds of the sale thereof, granted and conveyed and bargained and sold and assigned by the Deed of Trust of the said T. Walter White to James T. Bright and William E. Denny, Trustees, for the purposes in said Deed stated and declared, be and they are hereby required and directed to file their claims with the proper vouchers attached thereto with the Clerk of the Circuit Court for Queen Anne's County, in Equity, on or before the first day of March next; provided a copy of this order be published in some newspaper printed and published in Queen Anne's County, Maryland, in each of four successive weeks before the 25th day of January, next.

THOMAS J. KEATING

PETITION  
Filed January 8th, 1934

In the Matter  
of the Trust Estate  
of T. Walter White

In the Circuit Court

for

Queen Anne's County, In Equity.

Cause No. 2082

To the Honorable, the Judges of said Court;-

Your petitioners, James T. Bright and William E. Denny, Trustees in the above cause, respectfully sets forth;-

First;-That it will appear from the deed of trust filed in this cause that among the property conveyed unto your trustees by the said T. Walter White is his undivided interest in the farm owned by the late Thomas W. K. White, and known as the Home Farm, situated on Kent Island, on the right of the public road, shortly after crossing the Narrows.

Second;-That your trustees are informed that a contract of sale has been made for the sale of this farm, and that proceedings in equity have been taken for the purpose of having the court ratify the contract and confirm the sale.

Third;-That your trustees have been made parties to this suit.

Fourth;-That in the opinion of your trustees, the purchase price for this farm (same being \$15,000.00) is very good price and in fact in their judgment it is more than would be obtained at public sale.

Your petitioner therefore prays this Honorable Court to pass an order directing them to file an answer in this case consenting to the sale and ratification of the contract by this court, and that the proceeds of sale belonging to T. Walter White be held by the trustees making said sale subject to the future order of this court.

Respectfully submitted

JAMES T. BRIGHT

WM. E. DENNY  
Trustees of T. Walter White

ORDER  
Filed January 8th, 1933

In the Matter  
of the Trust Estate  
of T. Walter White

In the Circuit Court

for

Queen Anne's County, In Equity.

Cause No. 2082

Ordered this 8th day of January, in the year nineteen hundred and thirty four by the Circuit Court for Queen Anne's County. In Equity, and by the authority of said Court that James T. Bright and William E. Denny, Trustees of T. Walter White, be and they are hereby authorized and directed to file an answer in the proceedings filed in the Circuit Court for Queen Anne's County, in Equity for the ratification of a contract of sale of what is known as the White Home Farm, being owned by the heirs of the late Thomas W. K. White, and in said answer are to consent to such ratification as representing T. Walter White, under his deed of

trust filed in this cause; and in said answer are to direct that whatever of the proceeds of sale will be awarded to the said T. Walter White shall be held by the trustees making sale of said farm subject to the future order of this court:

The above named trustees are directed to report said sale of said undivided interest in the above cause No. 2002 and to have issued thereon the usual order nisi

THOMAS J. KEATING

Filed January 8th. 1933.

REPORT OF SALE  
Filed Jan. 16, 1934.

In the Matter  
of the Trust Estate  
of T. Walter White

In the Circuit Court  
for  
Queen Anne's County, in Equity.  
Cause No. 2082.

To the Honorable, the Judges of Said Court;-

The Report of Sale of James T. Bright and William E. Denny, Trustee of T. Walter White; respectfully sets forth;-

First;- That the said T. Walter White, with his brothers and sisters, and other heirs of Thomas W. K. White entered into a contract of sale of the farm situated on Kent Island, called in the deed of Trust from said T. Walter White to your trustees "The Home Farm" and called in the contract of sale "Stoopley Gibson", containing one hundred and fifty nine acres of land, more or less a copy of said contract is filed herewith as Exhibit No. 1.

Second;- That under the legal conditions existing it was necessary to docket a suit in the Chancery Court of Queen Anne's County for the ratification of said contract and sale and the appointment of a trustee to convey said property, and that while your trustees did not enter in said contract they were made parties to said suit and under an order of this court have filed their answer consenting to said sale and the conveyance of said property by a proper trustee.

Third;- That your trustees have consented to said sale and in fact have adopted the sale made under said contract, as in their judgment it is a very advantageous one to all concerned, and they therefore desire to report to this court in these proceedings said sale, and to have same ratified by this court.

Fourth;- That the purchase price, as will appear from the contract of sale filed herewith is \$15,000.00, but under the terms of said sale \$1,000.00 is to be paid to the brokers, and that the amount coming to the heirs of this property, subject however to the costs incident to said sale will be the sum of \$14,000.00, and that there being eight heirs of the said Thomas W. K. White, that the amount of the sale of the interest of the said T. Walter White interest in said property will be \$1750.00, and that the terms of settlement is fully set forth in said contract.

Respectfully submitted

JAMES T. BRIGHT

WILLIAM E. DENNEY

Trustees T. Walter White.

Filed Jan. 26th. 1934

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

I hereby certify that on this 15th day of January, in the year nineteen hundred and thirty four, before the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, duly commissioned and qualified, personally appeared the said James T. Bright and William E. Denny Trustees of T. Walter White, made oath in due form of law that the matters and things set forth in the said report of sale are true and correct as therein stated and that said sale was fairly made.

Notary  
Public  
Seal.

IN TESTIMONY whereof I hereunto set my hand  
and affix my Notarial Seal the day and year  
above written.

BARNES LEGG  
Notary Public.

Filed Jan. 16, 1934

EXHIBIT NO. 1  
Filed January 16, 1934.

THIS CONTRACT OF SALE, made in duplicate this second day of January 1934, by and between T. WALTER WHITE and MAUSE WHITE, his wife, JAMES F. WHITE and LENA WHITE, HIS WIFE, BERNARD W. WHITE, and LAURA R. WHITE, his wife, MARMADUKE G. WHITE and NELLIE WHITE, JOSEPHINE M. DENNY and WILLIAM E. DENNY, her husband, SUE W. NORMAN and JOHN N. NORMAN, her husband, and SAMUEAL RINGGOLD for himself and as Father and next friend of SAMUEL CHARLES RINGGOLD, THOMAS WHITE RINGGOLD and BERNARD W. RINGGOLD, infants all of Queen Anne's County, Maryland, and John N. White and Grace White, his wife, of Baltimore City, Maryland, parties of the first part hereinafter called Vendors, and Gertrude T. McGuckin, of New York City, party of the second part, Purchaser, witnesseth:

That the Vendors do hereby sell unto the Purchaser all of that farm or tract of land situate, lying and being on Kent Island in the Fourth Election District of Queen Anne's County, Maryland, known as "Stoopley Gibson" or the "Thomas W. K. White



Farm" on Ch Chester River containing one hundred and fifty nine (159) acres of land, more or less, and being the same land which was conveyed unto Thomas W. K. White, late of Queen Anne's County, deceased, by John B. Brown and Edwin H. Brown, Trustees, by deed dated the first day of May, eighteen hundred and eighty six, and recorded in Liber S. C. D. No. 8, folio 325 &c. a land record book of Queen Anne's County, upon the following terms and conditions:

Said premises shall be conveyed subject to the state of facts shown on a survey to be obtained and paid for by the Purchaser, provided said survey does not indicate the existence of an unmarketable title to said premises; and further provide that neither said survey nor physical examination of said premises, nor an examination of the public records shall indicate the existence of easement, incumbrance or right of way over, on or across said premises or any part thereof; and further provided that the Purchaser shall obtain from the Vendors a good marketable title to all land lying under water within the boundaries of said farm and to high water mark as to any part thereof abutting or adjoining any navigable waters.

The purchase price of said premises is the sum of fifteen thousand dollars (\$15,000.00), to be paid as hereinafter mentioned.

Due to the fact that three of the Vendors are infants it will be necessary to take certain proceedings in the Circuit Court for Queen Anne's County, in Equity, for the ratification of this contract made on behalf of said infants by Samuel Ringgold, their father and next friend, and it is hereby understood and agreed that said proceedings shall be instituted within ten days from the date of the delivery hereof, to procure the ratification of this contract, and a sale of the property to the Purchaser for the purpose of partition and distribution of the proceeds among the Vendors according to their respective rights therein, and the said Samuel Ringgold does hereby give his consent to the use of his name in said proceedings as next friend of the said infants, Samuel Charles Ringgold, Thomas White Ringgold and Bernard W. Ringgold; and it is further agreed that in said chancery proceedings Bernard W. White and Thomas J. Keating, junior, are to be appointed trustees to make conveyance of said property and to make collection of the proceeds of sale, and the said Bernard W. White is not to receive any compensation or commissions for his services as such trustee, but the said Thomas J. Keating, junior, is to receive the sum of three hundred dollars (\$300.00) for his services as attorney in conducting said proceedings, and as trustee therein.

AND the Vendors do hereby agree, subject to the ratification of this sale by the Circuit Court for Queen Anne's County, in Equity to convey said property to the purchaser by a good and sufficient full covenant or warranty or Trustee's or guardian's deed, as the case may be, conveying her a fee simple title thereto, free clear and discharged of all liens and incumbrances.

The taxes for the calendar year in which title hereunder shall be closed shall be adjusted as of date of settlement or closing and a part thereof accrued, together with any interest on the entire tax because of its non payment shall be paid by the Vendors and the remaining part thereof shall be paid by the Purchaser. If said taxes shall not be due and payable at the time of closing, the same shall be adjusted on the same basis and a allowance made to the purchaser.

The Vendors covenant and agree to deliver possession of said premises free of any occupancy or tenancy or the rights of any other party, provided at the time of settlement or closing title the Purchaser shall pay to T. Walter White the sum of eight hundred twenty three dollars and twenty three cents (\$823.23) in full settlement of all costs and expenses incurred by said White in preparing the ground and planting certain crops therein. The Vendors warrant and represent, however, that the premises will be delivered with said crops in the ground or standing and with no part thereof harvested, removed or damaged. And the said T. Walter White, in signing this contract, agrees as tenant on said farm to fully carry out the terms of this covenant and further agrees to accept the sum of eight hundred and twenty three dollars and twenty three cents (\$823.23) in full settlement of his interest in said crops, and in full settlement of all costs and expenses incurred by him in preparing said crops, and in full settlement of all and any claims which he might have as tenant on said farm.

Settlement for the property shall be made within fifteen days after the final ratification of this sale by the Circuit Court for Queen Anne's County, in Equity, provided notice of such ratification be sent to the Purchaser in writing by registered mail in care of Morris & McVeigh, 60 Wall Street, New York City. The Purchaser shall pay any and all expenses of examining the title to said premises for the account and benefit of the Purchaser and for recording any deeds of conveyance but the Vendors shall affix any and all federal, state or other revenue stamps in order to make said conveyance good and valid.

The Vendors hereby represent to the Purchaser that the buildings on said premises are now insured against loss by fire to the extent of eight thousand dollars (\$8,000.00) and that such insurance or other insurance for the equivalent amount will be kept valid and in full force and effect until the closing of title and that the Purchaser's name shall be endorsed on said policies by binder or other satisfactory form upon the delivery of this contract and copies of such binders shall be delivered to the Purchaser.

In the event that the Vendors shall be unable to deliver title to the premises hereinbefore described on or before May 1st. 1934, this contract shall, at the option of the Purchaser, become null and void and the deposit to be made by the Purchaser on the execution hereof shall be returned to the Purchaser.

The Vendors and Purchaser agree that simultaneously with the delivery hereof there has been deposited with the cashier of the Centreville National Bank, in Centreville National Bank, in Centreville, Maryland, by the Purchaser, the sum of two thousand dollars (\$2,000.00), which is the cash payment on account of the purchase price as above set forth for the premises hereinbefore mentioned; and which sum is to be so ear marked and held by said cashier according to the terms of this contract; and the parties hereto agree that said deposit shall be turned over and applied on account of the purchase price at the time of closing, at which time the balance of said purchase money, to wit, thirteen thousand dollars (\$13,000.00) is to be paid in cash; and it is understood and agreed that the trustees or Vendors are to pay out of the purchase money, so received by them, the sum of one thousand (\$1,000.00) to Jones & Harris, of Centreville, Maryland, as their brokerage

fee for this sale.

It is agreed that if this contract shall be cancelled by the Purchaser under the provision contained herein, or if the Vendors shall be unable to deliver a marketable title, said deposit shall be refunded to the Purchaser; if on the other hand the Purchaser shall refuse or fail to carry out on her part the terms of this agreement, the sum so deposited with the cashier of the Centreville National Bank of Maryland, is to be considered as liquidated damages for said failure and is to be paid by said cashier to the trustees or the Vendors.

This contract shall bind the heirs, personal representatives and assigns of the respective parties hereto.

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

Signed by all the parties mentioned in first paragraph and the signatures of each witnessed.

NISI  
Filed January 16, 1934.

N I S I

In the Matter of the Trust  
Estate of T. Walter White

vs.

In the Circuit Court

For Queen Anne's County

In Equity

Chancery No. 2082

ORDERED, This 16th day of January A. D., 1934, that the sale of the real estate made and reported in this cause by James T. Bright and William E. Denny Trustees of T. Walter White, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 19th 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 19th day of February next.

The Report states the amount of sale to be \$1750.00

B. Hackett Turner

Clerk.

Filed January 16th 1934.

PUBLICATION OF ORDER NISI  
Filed Apr. 3, 1934.

THE QUEEN ANNE'S RECORD  
Centreville \* Maryland

April 3, 1934

THE QUEEN ANNE'S PUBLISHING CO., INC., hereby certifies, that the notice of order nisi in the case of T. Walter White a true copy of which is hereto annexed, was inserted in THE QUEEN ANNE'S RECORD, 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 18th day of January 1934, being before the 19th day of February 1934.

The Queen Anne's Publishing Co., Inc.

By R. H. WILSON

Filed Apr. 3, 1934.

ORDER NISI

In the Matter of the Trust Estate of  
T. Walter White

In the Circuit Court for Queen Anne's  
County, In Equity.  
Chancery No. 2082

ORDERED, This 16th day of January, A.D., 1934, that the sale of the real estate made and reported in this cause by James T. Bright and William E. Denny, Trustees of T. Walter White, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 19th 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 19th day of February next.

The Report states the amount of sales to be \$1750.00.

Filed January 16th, 1934.

B. HACKETT TURNER, Clerk.

True Copy-  
Test:

B. HACKETT TURNER, Clerk.

FINAL ORDER OF RATIFICATION  
April 7, 1934.

FINAL ORDER OF RATIFICATION.

ORDERED, this 7th day of April, in the year nineteen hundred and thirty four, by the Circuit Court for Queen Anne's County, and by the authority of said Court, that the sale reported in this cause by 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 cause.

THOMAS J. KEATING

Filed April 7, 1934.

PETITION & ORDER  
Filed May 10, 1934.

IN THE MATTER OF THE TRUST  
ESTATE OF T. WALTER WHITE,

IN THE CIRCUIT COURT  
FOR  
QUEEN ANNE'S COUNTY, IN EQUITY.  
CHANCERY NO. 2082.

TO THE HONORABLE, THE JUDGES OF SAID COURT:-

The Petition of Wm. E. Denny, Sr., and Wm. E. Denny, Jr., co-partners trading as Wm. E. Denny & Son, by John Palmer Smith, their attorney, unto your Honors respectfully sets forth:-

That there was probated and filed in the above Cause a certain paper writing, being a promissory note given by T. Walter White unto your Petitioners, said note bearing date the 10th day of October, 1933, payable three months after date at the Stevensville Bank of Maryland, to the order of your Petitioners, in the sum of \$342.00, and signed by T. Walter White and Maude K. White.

That your Petitioners desire to insistute proceedings on said note and to that end desire to secure possession of said note.

Your Petitioners therefore prays your Honors to pass an order directing the Clerk of the Circuit Court for Queen Anne's County to deliver said note unto your Petitioners or unto John Palmer Smith, their attorney.

And as in duty bound, etc.,

JOHN PALMER SMITH  
Attorney for Petitioners.

Filed May 10, 1934.

Order of Court.

The above petition has been read and considered.

It is therefore on this 10th day of May, 1934, by the Circuit Court for Queen Anne's County, in Equity, Ordered that the Clerk of the Court deliver unto the Petitioners or unto John Palmer Smith, their attorney, the note described in the aforesaid petition, but it is further ordered that before the said Clerk shall make said delivery he shall make a certified copy of said note and to the probate thereunto attached and file the same in the papers of the above case.

THOMAS J. KEATING

Filed May 10, 1934.

PETITION & ORDER OF COURT  
Filed May 12, 1934.

IN THE MATTER OF THE TRUST  
ESTATE OF T. WALTER WHITE.

IN THE CIRCUIT COURT  
FOR

QUEEN ANNE'S COUNTY, IN EQUITY.  
Chancery Cause No. 2082.

TO THE HONORABLE, THE JUDGES OF SAID COURT:-

The Petition of The Centreville National Bank of Maryland, a body corporate by Thomas J. Keating, Jr., its attorney, unto your Honors respectfully sets forth:-

That there was probated and filed in the above Cause a certain paper writing, being a promissory note given by T. Walter White, Maude K. White, Alfred G. White and T. Walter White, Jr., unto your Petitioners, said note bearing date the 14th day of December, 1933, payable two months after date to your Petitioners at its Banking House, in the sum of \$190.00.

That your Petitioners desire to institute proceedings on said note and to that end desire to secure possession of said note.

Your Petitioners therefore pray your Honors to pass an Order directing the Clerk of the Circuit Court for Queen Anne's County to deliver said note unto your Petitioners or unto Thomas J. Keating, Jr., its attorney.

And as in duty bound, etc.

THOS. J. KEATING, JR.  
Attorney for Petitioner.

Order of Court.

The above petition has been read and considered.

It is therefore on this 12th day of May, 1934, by the Circuit Court for Queen Anne's County, in Equity, Ordered that the Clerk of the Court deliver unto the Petit-

ioner or unto Thomas J. Keating, Jr., its attorney, the note described in the aforesaid Petition, but it is further ordered that before the said Clerk shall made said delivery he shall made a certified copy of said note and to the probate thereunto attached and file the same in the papers in the above case.

THOMAS J. KEATING

Filed May 12, 1934.

Certification of NOTICE TO CREDITORS  
Filed June 14, 1934.

THE QUEEN ANNE'S RECORD  
CENTREVILLE \* MARYLAND

June 14, 1934

THE QUEEN ANNE'S PUBLISHING CO., INC., hereby certifies, that the Notice to Creditors in the case of T. Walter White a true copy of which is hereto annexed, was inserted in THE QUEEN ANNE'S RECORD, 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 28th day of December 1934 before the 25th day of January 1934.

The Queen Anne's Publishing Co., Inc.

By MARIE K. CONNOLLY

NOTICE TO CREDITORS

In the Matter of The Trust of

T. WALTER WHITE

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

Ordered, this 27th day of December, in the year nineteen hundred and thirty-three, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of the said Court, that the creditors of T. Walter White and all others claiming any interest in the estate and property or the proceeds of the sale thereof, granted and conveyed and bargained and sold and assigned by the Deed of Trust, of the said T. Walter White to James T. Bright and William E. Denny, Trustees, for the purposes in said Deed stated and declared, be and they are hereby required and directed to file their claims with the proper vouchers attached thereto with the Clerk of the Circuit Court for Queen Anne's County, in Equity, on or before the first day of March next; provided a copy of this order be published in some newspaper printed and published in Queen Anne's County, Maryland, in each of four successive weeks before the 25th day of January next.

Filed Dec. 27, 1933

THOMAS J. KEATING

True copy-  
Test:

B. Hackett Turner, Clerk.

ORDER TO WITHDRAW  
Filed Nov. 16, 1934.

IN THE MATTER OF  
THE TRUST ESTATE  
OF  
T. WALTER WHITE.

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IN THE CIRCUIT COURT  
FOR  
QUEEN ANNE'S COUNTY.  
IN EQUITY,  
CHANCERY NO. 2082.

To - B. Hackett Turner, Clerk:

You are hereby directed to withdraw the claim filed by The Centreville National Bank of Maryland in this cause upon a promissory note of said T. Walter White and others described in said claim, the said note having been paid by said T. Walter White in full; and you are hereby directed to mark said claim "withdrawn" upon your claims' Docket.

THE CENTREVILLE NATIONAL BANK OF  
MARYLAND, A BODY CORPORATE,

by W. RAY TABLER  
Cashier.

REPORT AND ACCOUNT OF SALE  
Filed December 15, 1934.

IN THE MATTER OF THE TRUST  
OF T. WALTER WHITE,

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

CHANCERY CAUSE No..2082.

TO THE HONORABLE, THE JUDGES OF SAID COURT:-

The SCHEDULE, REPORT AND ACCOUNT OF SALES of James T. Bright and William E. Denny, Trustees of T. Walter White and Maude K. White, which Schedule, Report and Account of Sales, being submitted pursuant to the Order of this Court passed in this Cause on Decem-

ber 27th, 1933, unto your Honors respectfully set forth:

That on April 10th, 1914, T. Walter White and Maude K. White, his wife, executed and delivered unto your Trustees a paper writing, same being a Deed of Trust for benefit of Creditors, which Deed of Trust is recorded in Liber W. F. W. #5, folio 144, etc., a land record book for Queen Anne's County, Maryland, a certified copy of which said Deed of Trust has been made a part of these proceedings.

That under said Deed of Trust, as will appear from the aforesaid certified copy, there was granted and conveyed, bargained and sold unto your Trustees certain real estate and personal property, scheduled as follows, to wit:-

A FULL AND COMPLETE SCHEDULE OF THE REAL AND

PERSONAL PROPERTY:

REAL ESTATE.

Parcel No. 1. All that Storehouse and Dwelling situate in Stevensville, in Queen Anne's County, Maryland.

Parcel No. 2. All that undivided interest in and to all that farm situate, lying and being on the right side of the public road leading from Kent Island Narrows to Stevensville, and known as the "Home Farm" of Thomas W. White, deceased.

Parcel No. 3. All that undivided right, interest and estate in all that farm situate at or near Love Point, in Queen Anne's County, Maryland, known as the "Marmaduke G. White Farm", situate, lying and being on the road from Stevensville to Love Point, adjoining the lands of William E. Denny on one side and the property of the Love Point Beach and Park Company on the other side.

PERSONAL PROPERTY.

1 Bay Mare, Mary R., 8 years old.  
 1 Bay Mare, Mary H.  
 1 Sorrel Mare, Mary S.  
 1 Black Mare, Nance,  
 1 Sorrel Mare, Elsie, colt by side, with foal.  
 1 Bay Mare, Donah, with foal,  
 1 Bay Mare, Sterling.  
 1 pair Black Mules  
 2 two year old Bay Colts,  
 2 one year old mare Colts.  
 1 mule Colt.  
 6 Milch cows,  
 1 yearling Hereford Bull.  
 3 yearling heifers.  
 18 head native sheep.  
 10 head hogs.

Gasoline engine thresher, corn sheller, saw, belt, etc.,  
 1 Advance binder, 1 ozborn Mower, 1 Ozborn rake, 1  
 Ontario Drill, 1 John Deere corn planter, 2 riding  
 cultivators, 6 walking cultivators, 2 Oliverplows,  
 1-1 horse plow, 3 farm wagons, 1 horse cart, 2 iron  
 rollers, 2 spring harrows, 1 square drag, 6 sets chain  
 gear, 10 sets rope gear, 14 plow bridles, 14 collars,  
 1 set machine horse clippers, scoop, runabout and har-  
 ness, forks, shovels, etc..

A FULL ACCOUNT OF ALL SALES:-

That Parcel No. 1. of the Real Estate above described as the Storehouse and Dwelling situate in Stevensville, Maryland, was sold under the power of sale contained in a certain mortgage from T. Walter White and Maude Kelly White, his wife, to James T. Bright, said mortgage bearing date January 1st, 1909, and by mesne assignments assigned to James T. Bright, Assignee, for purpose of foreclosure and collection, as set forth in the Cause in this Court entitled "James T. Bright, Assignee of Mortgagee, vs. T. Walter White and Maude K. White, Mortgagors", being Chancery Cause No. 2161. From this sale no moneys ever came into the hands of your Trustees.

That Parcel No. 2 of the Real Estate above described as all that undivided interest in and to all that farm known as the "Home Farm" of Thomas W. White, deceased, was recently sold under a Decree of this Court by Thomas J. Keating, Jr., and Bernard W. White, Trustees, in Chancery Cause No. 2981, in the Cause in said Court entitled "T. Walter White, et al., vs. Bernard W. White, et al.". From the proceeds of sale in said Cause there was audited to the credit of T. Walter White's interest therein the sum of \$1685.13, which said sum is now held by the aforesaid Thomas J. Keating, Jr., and Bernard W. White, Trustees, subject to the future order of this Court.

That Parcel No. 3 of the Real Estate above described as all that undivided right, interest and estate in all that farm situate at or near Love Point, known as the "Marmaduke G. White Farm", was sold under a Decree of this Court by Edwin H. Brown, Jr., and Bernard W. White, Trustees, in Chancery Cause No. 2169, in the Cause in this Court entitled "Bernard W. White, et al., vs. T. Walter White, et al.". From the proceeds of sale in said Cause there was audited to William E. Denny, individually, a judgment creditor of T. Walter White, on account of the judgment claim of the said William E. Denny (senior), the interest of T. Walter White in and to said property in said proceedings mentioned. From this sale no moneys ever came into the hands of your Trustees.

That all the personal property, live stock, farming implements and machinery above scheduled were advertised for sale by your Trustees on August 13th, 1914, at public auction, as will appear by the copy of the advertisement of said sale, which copy of said advertisement of the personal property is filed herewith and asked to be taken as a part of this Report. At the conclusion of the said sale of said personal property all sale sheets and moneys were surrendered to the said T. Walter White by your

Trustees and no moneys were retained by your Trustees, and there are no moneys or funds from said sale in the hands of your said Trustees. Your Trustees do not recall the amount of the sales nor the total amount of the personal property sales.

That there was never any appraisalment of the real estate nor of the personal property described in the above schedules.

That the said real estate and the said personal property mentioned and described in the above schedules were all the property, estate and assets belonging to the said T. Walter White at the time of the execution of the aforesaid Deed of Trust.

That your Trustees did not have any moneys or funds in hand whatever in this Cause, and never had any funds or moneys in hand except what was paid over by them to T. Walter White at the conclusion of the personal property sale.

AND YOUR TRUSTEES FURTHER REPORT and make known unto your Honors:

That there were, at the time of the execution of the aforesaid Deed of Trust numerous general and judgment-creditors of the said T. Walter White and the said Maude K. White, but your Trustees are reliably informed that all such creditors were paid and satisfied from the proceeds arising from the sale of the above named personal property.

That the purpose of the Trust being apparently accomplished in toto by the payment and satisfaction of the general and lien and judgment creditors of the said T. Walter White and the said Maude K. White shortly after the execution of the said Deed of Trust, your Trustees took no further action or proceedings in the said Trust estate, until the matter was brought to their attention on or about December 27th, 1933, when the "Home Farm" of the late Thomas W. White was sold, at which time this Court assumed jurisdiction of said Trust in this Cause and ordered Notice to Creditors of T. Walter White.

That, pursuant to the aforesaid Notice to Creditors, there were probated and filed with the Clerk of this Court the following claims, to wit:-

The Centreville National Bank of Maryland, note..\$190.00

Notation:- This claim has been paid off by Mr. T. Walter White recently.

William E. Denny & Son, copy of judgment.....\$229.14

William E. Denny & Son, account.....\$436.74

William E. Denny & Son, note.....\$342.00

That your Trustees are advised and verily believe all the above named claims so probated and filed in this Cause are claims which accrued many years subsequent to the execution of the aforesaid Deed of Trust.

That there remains to be paid in this Cause the costs of these proceedings and other costs incidental to the administration thereof.

TO THE END THEREFORE:-

THAT this Schedule, Report and Account of Sales may be accepted as the full, complete and correct Report, Schedule and Account of Sales of your Trustees in this Cause, and the same ratified and confirmed by this Honorable Court.

THAT the papers in this Cause may be referred to the Auditor of this Honorable Court.

AND AS IN DUTY BOUND etc.,

JAMES T. BRIGHT

WM. E. DENNY  
Trustees.

Solicitor for Trustees.

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

I HEREBY CERTIFY, that on this 15th day of December, 1934, before the Subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, duly commissioned and qualified, personally appeared James T. Bright and William E. Denny (Sr.), Trustees in the above entitled Cause, and did each make oath in due form of law that the matters and things set forth in the foregoing Schedule, Report and Account of Sales to be true to the best of their knowledge and belief as therein stated.

Witness my hand and Notarial Seal.

Notary  
Public  
Seal.

BARNES LEGG  
Notary Public.

Duplicate Certificate

THE CENTREVILLE OBSERVER

Centreville, Md., Dec. 7th, 1934

THE CENTREVILLE OBSERVER PUBLISHING CO. hereby certify that the Trustees Sale of Personal Property in the case of Trust estate of T. Walter White and Maude K. White, his wife, Jas. T. Bright and Wm. E. Denny, Trustees a true copy of which is hereto annexed, was inserted in THE CENTREVILLE 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 1st day of August 1914, being more than ten days before the 13th day of August 1914.

THE CENTREVILLE OBSERVER PUBLISHING CO.

By BERTHA G. DURNEY

Trustees' Sale  
Of  
PERSONAL PROPERTY

Under and by virtue of a power of sale contained in a deed of trust to James T. Bright and William E. Denney, Trustees, from T. Walter White and Maude K. White, his wife, of Queen Anne's County, dated the tenth day of April, 1914, and recorded in Liber W. F. W. No. , folio , a land record book for Queen Anne's County, the undersigned Trustees will sell at public sale on the farm where said T. Walter White now resides, and known as the Home Farm, on the public road from Kent Island Narrows to Stevensville, on THURSDAY, AUGUST 13th, 1914 beginning at 10:30 o'clock, the following valuable lot of personal property consisting of: Horses and Mules 1 Bay Mare; Mary R., 3 years old, very promising, has stepped in 2.45. 1 Bay Mare, Mary H., well bred, mother of Mary R. 1 Sorrel Mare, Mary S., good worker and driver. 1 Black Mare, Nance, with colt by side and with foal. Good worker and driver. 1 Sorrel Mare, Elsie, colt by side, with foal, fine driver, work anywhere. 1 Bay Mare, Donah, with foal, 5 years old, good driver and worker. 1 Bay Mare, Sterling, good worker and driver, with foal. 1 Pair Black Mules, fine size, good workers, well broken. 2 tow year old bay colts, very promising. 2 one year old mare colts, fine size and handsome. 1 mule colt, one year old. CATTLE 6 milch cows, will be fresh in October with calf by Guernsey bull. 1 yearling Hereford bull. 3 yearling heifers. SHEEP 18 head native sheep. HOGS 10 head hogs. IMPLEMENTS Gasoline engine thresher, corn sheller, saw, belt etc., in good running order; 1 Advance binder, 1 Ozborn Mower, 1 Ozborn rake, 1 Ontario drill, 1 John Deere corn planter, 2 riding cultivators, 6 walking cultivators, 2 Oliver plows, 1 1-horse plow, 3 farm wagons, 1 horse cart, 2 iron rollers, 2 spring harrows, 1 square drag, 6 sets chain gear, 10 sets rope gear, 14 plow bridles, 14 collars, 1 set machine horse clippers, scoop, runabout and harness, forks, shovels, etc.

TERMS OF SALE - All sums of \$10 and under, cash; on all sums over that amount a credit of 11 months will be given on note from day of sale, with interest added and payable in bank, with sureties to be approved by the undersigned. No property to be removed until terms of sale are complied with.

James T. Bright,  
Wm. E. Denney,  
Trustees.

IN THE MATTER OF THE TRUST  
OF T. WALTER WHITE,

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

ORDER OF COURT.

THE AFOREGOING REPORT of James T. Bright and William E. Denney, Trustees, having been read and considered, IT IS THEREUPON, this fifteenth day of December, 1934, by The Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, ORDERED that said T. Walter White and the said Maude K. White show cause on or before the first Monday in January, 1935, why said Report should not be ratified and confirmed, and why a new Trustee or Trustees should not be appointed in this Cause, and the papers in the Cause referred to the Auditor for the purpose of taking such testimony as may be necessary to ascertain the present status of the above mentioned Trust Estate, and to report the same to this Court; Provided a copy of said Report and of this Order be served upon the said T. Walter White and the said Maude K. White on or before December eighteenth, 1934.

AND IT IS FURTHER ORDERED, that a copy of this Order be served upon the said James T. Bright and upon the said William E. Denny (senior), Trustees in this Cause, on or before December eighteenth, 1934.

THOS. J. KEATING

Filed Dec. 15/1934

PETITION ASKING TO BE RELEASED  
AS TRUSTEES  
Filed December 17, 1934.

IN THE MATTER OF THE TRUST  
OF T. WALTER WHITE,

IN THE CIRCUIT COURT  
FOR

QUEEN ANNE'S COUNTY, IN EQUITY.

CHANCERY CAUSE No. 2082.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of James T. Bright and William E. Denny, (Senior), Trustees in the above entitled Cause, respectfully represents:

1. That under and by virtue of the Deed of Trust of T. Walter White and Maude K. White, his wife, a duly certified copy of which has heretofore been filed in these proceedings, your Petitioners were constituted and named Trustees, and that they duly accepted said Trust and entered upon the duties of the same shortly after the execution thereof.

2. That your Petitioners, on December 15th, 1934, filed in this Cause, pursuant to an order of this Court, a full and complete Schedule, Report and Account of all sales of the real and personal estate in these proceedings, under oath.

3. That your Petitioners desire to retire from and resign such trust.

Your Petitioners, therefore, pray:-

(1) That this Court will assume jurisdiction in the premises and cause such notice to be given by publication in such paper or papers, and for such

time as to it may seem proper, and that your Petitioners may be released and discharged as Trustees as aforesaid from the future execution of said Trust.

(2) That your Petitioners may have such other and further relief as their case may require.

And as in duty bound, etc.,

JAMES T. BRIGHT  
WM. E. DENNEY TRUSTEES.

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

I HEREBY CERTIFY, that on this seventeenth day of December, 1934, before the Subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, duly commissioned and qualified, personally appeared the above named James T. Bright and William E. Denny (Senior), Trustees in the above entitled Cause, being Chancery Cause No. 2082 In the Circuit Court for Queen Anne's County, in Equity, and made oath in due form of law that the matters and facts in the foregoing Petition are true to the best of their knowledge and belief.

Witness my hand and Notarial Seal.

Notary  
Public  
Seal.

BARNES LEGG  
Notary Public.

COPY OF ORDER OF COURT TO BE  
SERVED ON JAMES T. BRIGHT AND  
WM. E. DENNY,  
Filed December 17, 1934.

IN THE MATTER OF THE TRUST  
OF T. WALTER WHITE,

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

ORDER OF COURT.

THE AFOREGOING REPORT of James T. Bright and William E. Denney, Trustees, having been read and considered, IT IS THEREUPON, this fifteenth day of December, 1934, by The Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, ORDERED that said T. Walter White and the said Maude K. White show cause on or before the first Monday in January, 1935, why said Report should not be ratified and confirmed, and why a new Trustee or Trustees should not be appointed in this Cause, and the papers in the Cause referred to the Auditor for the purpose of taking such testimony as may be necessary to ascertain the present status of the above mentioned trust Estate, and to report the same to this Court; Provided a copy of said Report and of this Order be served upon the said T. Walter White and the said Maude K. White on or before December eighteenth, 1934.

AND IT IS FURTHER ORDERED, that a copy of this Order be served upon the said James T. Bright and upon the said William E. Denny (senior), Trustees in this Cause, on or before December eighteenth, 1934.

Filed Dec. 15, 1934.

THOS. J. KEATING

True Copy  
Test: Wm. H. Carter, Clerk

COPY OF SCHEDULED REPORT  
AND ACCOUNT OF SALES TO BE  
SERVED ON T. WALTER WHITE  
& MAUDE K. WHITE.  
Filed December 19, 1934.

IN THE MATTER OF THE TRUST  
OF T. WALTER WHITE,

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY,

IN EQUITY.

CHANCERY CAUSE No. 2082.

TO THE HONORABLE, THE JUDGES OF SAID COURT:-

The SCHEDULE, REPORT AND ACCOUNT OF SALES of James T. Bright and William E. Denny, Trustees of T. Walter White and Maude K. White, which Schedule, Report and Account of Sales, being submitted pursuant to the Order of this Court passed in this Cause on December 27th, 1933, unto your Honors respectfully set forth:

That on April 10th, 1914, T. Walter White and Maude K. White, his wife, executed and delivered unto your Trustees a paper writing, same being a Deed of Trust for benefit of Creditors, which Deed of Trust is recorded in Liber W. F. W. #5, folio 144, etc., a land record book for Queen Anne's County, Maryland, a certified copy of which said Deed of Trust has been made a part of these proceedings.

That under said Deed of Trust, as will appear from the aforesaid certified copy, there was granted and conveyed, bargained and sold unto your Trustees certain real estate and personal property, scheduled as follows, to wit:-

A FULL AND COMPLETE SCHEDULE OF THE REAL AND PERSONAL PROPERTY:

REAL ESTATE.

Parcel No. 1. All that Storehouse and Dwelling situate in Stevensville, in Queen Anne's County, Maryland.



Parcel No. 2. All that undivided interest in and to all that farm situate, lying and being on the right side of the public road leading from Kent Island Narrows to Stevensville, and known as the "Home Farm" of Thomas W. White, deceased.

Parcel No. 3. All that undivided right, interest and estate in all that farm situate at or near Love Point, in Queen Anne's County, Maryland, known as the "Marmaduke G. White Farm", situate, lying and being on the road from Stevensville to Love Point, adjoining the lands of William E. Denny on one side and the property of the Love Point Beach and Park Company on the other side.

PERSONAL PROPERTY.

1 Bay Mare, Mary R., 8 years old.  
 1 Bay Mare, Mary H.  
 1 Sorrel Mare, Mary S.  
 1 Black Mare, Nance,  
 1 Sorrel Mare, Elsie, colt by side, with foal.  
 1 Bay Mare, Donah, with foal.  
 1 Bay Mare, Sterling.  
 1 pair Black Mules,  
 2 tow year old Bay Colts,  
 2 one year old mare Colts.  
 1 mule Colt.

6 Milch cows,  
 1 yearling Hereford Bull.  
 3 yearling heifers.

18 head native sheep.

10 head hogs.

Gasoline engine thresher, corn sheller, saw, belt, etc.,  
 1 Advance binder, 1 Ozborn Mower, 1 Ozborn rake,  
 1 Ontario Drill, 1 John Deere corn planter, 2 riding  
 cultivators, 6 walking cultivators, 2 Oliver plows,  
 1-horse plow, 3 farm wagons, 1 horse cart, 2 iron rollers,  
 2 spring harrows, 1 square drag, 6 sets chain gear, 10 sets  
 rope gear, 14 plow bridles, 14 collars, 1 set machine  
 horse clippers, scoop, runabout and harness, forks,  
 shovels, etc.,

A FULL ACCOUNT OF ALL SALES:-

That Parcel No. 1. of the Real Estate above described as the Storehouse and Dwelling situate in Stevensville, Maryland, was sold under the power of sale contained in a certain mortgage from T. Walter White and Maude Kelly White, his wife, to James T. Bright, said mortgage bearing date January 1st, 1909, and by mesne assignments assigned to James T. Bright, Assignee, for purpose of foreclosure and collection, as set forth in the Cause in this Court entitled "James T. Bright, Assignee of Mortgagee, vs. T. Walter White and Maude K. White, Mortgagors", being Chancery Cause No. 2161. From this sale no moneys ever came into the hands of your Trustees.

That Parcel No. 2 of the Real Estate above described as all that undivided interest in and to all that farm known as the "Home Farm" of Thomas W. White, deceased, was recently sold under a Decree of this Court by Thomas J. Keating, Jr., and Bernard W. White, Trustees, in Chancery Cause No. 2981, in the Cause in said Court entitled "T. Walter White, et al., vs. Bernard W. White, et al.". From the proceeds of sale in said Cause there was audited to the Credit of T. Walter White's interest therein the sum of \$1685.13, which said sum is now held by the aforesaid Thomas J. Keating, Jr., and Bernard W. White, Trustees, subject to the future order of this Court.

That Parcel No. 3 of the Real Estate above described as all that undivided right, interest and estate in all that farm situate at or near Love Point, known as the "Marmaduke G. White Farm", was sold under a Decree of this Court by Edwin H. Brown, Jr., and Bernard W. White, Trustees, in Chancery Cause No. 2169, in the Cause in this Court entitled "Bernard W. White, et al., vs. T. Walter White, et al.". From the proceeds of sale in said Cause there was audited to William E. Denny, individually, a judgment creditor of T. Walter White, on account of the judgment claim of the said William E. Denny (senior), the interest of T. Walter White in and to said property in said proceedings mentioned. From this sale no moneys ever came into the hands of your Trustees.

That all the personal property, live stock, farming implements and machinery above scheduled were advertised for sale by your Trustees on August 13th, 1914, at public auction, as will appear by the copy of the advertisement of said sale, which copy of said advertisement of the personal property is filed herewith and asked to be taken as a part of this Report. At the conclusion of the said sale of said personal property all sale sheets and moneys were surrendered to the said T. Walter White by your Trustees and no moneys were retained by your Trustees, and there are no moneys or funds from said sale in the hands of your said Trustees. Your Trustees do not recall the amount of the sales nor the total amount of the personal property sales.

That there was never any appraisement of the real estate nor of the personal property described in the above schedules.

That the said real estate and the said personal property mentioned and described in the above schedules were all the property, estate and assets belonging to the said T. Walter White at the time of the execution of the aforesaid Deed of Trust.

That your Trustees do not have any moneys or funds in hand whatever in this Cause, and never had any funds or moneys in hand except what was paid over by them to T. Walter White at the conclusion of the personal property sale.

AND YOUR TRUSTEES FURTHER REPORT and make known unto your Honors:

That there were, at the time of the execution of the aforesaid Deed of Trust numerous general and judgment-creditors of the said T. Walter White and the said Maude

K. White, but your Trustees are reliably informed that all such creditors were paid and satisfied from the proceeds arising from the sale of the above named personal property.

That the purposes of the Trust being apparently accomplished in toto by the payment and satisfaction of the general and lien and judgment creditors of the said T. Walter White and the said Muade K. White shortly after the execution of the said Deed of Trust, your Trustees took no further action or proceedings in the said Trust estate, until the matter was brought to their attention on or about December 27th, 1933, when the "Home Farm" of the late Thomas W. White was sold, at which time this Court assumed jurisdiction of said Trust in this Cause and ordered Notice to Creditors of T. Walter White.

That, pursuant to the aforesaid Notice to Creditors, there were probated and filed with the Clerk of this Court the following claims, to wit:-

The Centreville National Bank of Maryland,  
 note.....\$190.00  
 Notation:- This claim has been paid off by Mr. T. Walter White recently.  
 William E. Denny & Son, copy of judgment.....\$229.14  
 William E. Denny & Son, account.....\$436.74  
 William E. Denny & Son, note.....\$342.00

That your Trustees are advised and verily believe all the above named claims so probated and filed in this Cause are claims which accrued many years subsequent to the execution of the aforesaid Deed of Trust.

That where remains to be paid in this Cause the costs of these proceedings and other costs incidental to the administration thereof.

TO THE END THEREFORE:-

THAT this Schedule, Report and Account of Sales may be accepted as the full, complete and correct Report, Schedule and Account of Sales of your Trustees in this Cause, and the same ratified and confirmed by this Honorable Court.

THAT the papers in this Cause may be referred to the Auditor of this Honorable Court.

AND AS IN DUTY BOUND etc.,

JAMES T. BRIGHT

WM. E. DENNY  
 Trustees

Solicitor for Trustees.

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

I HEREBY CERTIFY, that on this 15th day of December, 1934, before the Subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, duly commissioned and qualified, personally appeared James T. Bright and William E. Denny (Sr.), Trustees in the above entitled Cause, and did each make oath in due form of law that the matters and things set forth in the foregoing Schedule, Report and Account of Sales to be true to the best of their knowledge and belief as therein stated.

Witness my hand and Notarial Seal.

BARNES LEGG  
 Notary Public.

Notary  
 Public  
 Seal.

TRUSTEES' SALE

of

PERSONAL PROPERTY

Under and by virtue of a power of sale contained in a deed of trust to James T. Bright and William E. Denney, Trustees, from T. Walter White and Maude K. White, his wife, of Queen Anne's County, dated the tenth day of April, 1914, and recorded in Liber W.F.W. No. , folio , a land record book for Queen Anne's County, the undersigned Trustees will sell at public sale on the farm where said T. Walter White now resides, and known as the Home Farm, on the public road from Kent Island Narrows to Stevensville, on THURSDAY, AUGUST 13th, 1914 beginning at 10:30 o'clock, the following valuable lot of personal property, consisting of:

HORSES AND MULES

- 1 Bay Mare; Mary R., 3 years old, very promising, has stepped in 2.45.
- 1 Bay Mare, Mary H., well bred, mother of Mary R.
- 1 Sorrel Mare, Mary S., good worker and driver.
- 1 Black Mare, Nance, with colt by side and with foal. Good worker and driver.
- 1 Sorrel Mare, Elsie, colt by side, with foal, fine driver, work anywhere.
- 1 Bay Mare, Donah, with foal, 5 years old, good driver and worker.
- 1 Bay Mare, Sterling, good worker and driver, with foal.
- 1 Pair Black Mules, fine size, good workers, well broken.
- 2 two year old bay colts, very promising.
- 2 one year old mare colts, fine size and handsome.
- 1 mule colt, one year old.

CATTLE

6 milch cows, will be fresh in October with calf by Guernsey bull.  
1 yearling Hereford bull.  
3 yearling heifers.

## SHEEP

18 Head native sheep.

## HOGS

10 head hogs.

## IMPLEMENTS

Gasoline engine thresher, corn sheller, saw, belt etc., in good running order; 1 Advance binder, 1 Ozborn Mower, 1 Ozborn rake, 1 Ontario drill, 1 John Deere corn planter, 2 riding cultivators, 6 walking cultivators, 2 Oliver plows, 1 1-horse plow, 3 farm wagons, 1 horse cart, 2 iron rollers, 2 spring harrows, 1 square drag, 6 sets chain gear, 10 sets rope gear, 14 plow bridles, 14 collars, 1 set machine horse clippers, scoop, runabout and harness, forks, shovels, etc.

TERMS OF SALE-All sums of \$10 and under, cash, on all sums over that amount a credit of 11 months will be given on note from day of sale, with interest added and payable in bank, with sureties to be approved by the undersigned. No property to be removed until terms of sale are complied with.

James T. Bright,  
Wm. E. Denney,  
Trustees.

## Duplicate Certificate

THE CENTREVILLE OBSERVER

Centreville, Md., Dec. 7th 1934

THE CENTREVILLE OBSERVER PUBLISHING CO. hereby certifies that the Trustees Sale of Personal Property in the case of Trust estate of T. Walter White and Maude K. White, his wife, Jas. T. Bright and Wm. E. Denny, Trustees a true copy of which is hereto annexed, was inserted in THE CENTREVILLE 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 1st day of August, 1934, being more than ten days before the 13th day of August 1914.

THE CENTREVILLE OBSERVER PUBLISHING CO.

By BERTHA G. DURNEY

Filed Dec. 5th. 1934

True Copy -

Test: Wm. H. Carter, Clerk

IN THE MATTER OF THE TRUST

OF T. WALTER WHITE,

IN THE CIRCUIT COURT FOR QUEEN

ANNE'S COUNTY, IN EQUITY.

## ORDER OF COURT.

THE AFOREGOING REPORT of James T. Bright and William E. Denney, Trustees, having been read and considered, IT IS THEREUPON, this fifteenth day of December, 1934, by The Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, ORDERED that said T. Walter White and the said Maude K. White show cause on or before the first Monday of January, 1935, why said Report should not be ratified and confirmed, and why a new Trustee or Trustees should not be appointed in this Cause, and the papers in the Cause referred to the Auditor for the purpose of taking such testimony as may be necessary to ascertain the present status of the above mentioned Trust Estate, and to report the same to this Court; provided a copy of said Report and of this Order be served upon the said T. Walter White and the said Maude K. White on or before December eighteenth, 1934.

AND IT IS FURTHER ORDERED, that a copy of this Order be served upon the said James T. Bright and upon the said William E. Denny (senior), Trustees in this Cause, on or before December eighteenth, 1934.

Thos. J. Keating.

Filed Dec. 15, 1934.

True Copy-

Test: Wm. H. Carter, Clerk

PETITION AND ORDER OF COURT  
Filed December 28th, 1934.

IN THE MATTER OF THE

TRUST ESTATE OF T. WALTER WHITE

IN the Circuit Court for Queen

Anne's County, Md.

In Chancery Cause No. 2082.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Harrison W. Vickers, Attorney for T. Walter White and Maud K. White, respectfully presents:

1st. That he has just been employed by T. Walter White and Maud K. White to represent them in these proceedings and whereas there is a show cause order on them to answer an Order of Court on or before the 1st Monday of January 1935 and whereas I am not familiar with any proceedings in said Cause, it is necessary for me to examine the Chancery proceedings which I will be unable to do by the first Monday in January.

I, therefore request that the time for answering said Order of Court be extended for at least fifteen days.

Respectfully submitted,

.....HARRISON.W..VICKERS.....  
Attorney for T. Walter White and  
Maud K. White.

ORDER OF COURT.

The above Petition being read and considered, it is ordered and directed that said time be extended until the Eight day of January, 1935 for the said T. Walter White and Maud K. White to answer said Order of Court.

THOS. J. KEATING

Filed December 25th, 1934.

ANSWER OF T. WALTER WHITE AND  
MAUDE K. WHITE  
Filed January 8, 1935.

In the matter of the : In the Circuit Court  
Trust of T. Walter White, : for  
: Queen Anne's County,  
: In Equity, No. 2082.

T. Walter White and Maude K. White, his wife, in answer to the Order of Court served upon them in these proceedings for reply respectfully show:-

FIRST

That under the Deed of Trust executed by them on April 10th., 1914 to James T. Bright and W. E. Denny, they have been advised from time to time that all of said matters pertaining to same have been settled and disposed of, and upon examination of the proceedings of said Deed of Trust they find that all of the personal property and real estate have been disposed of except the real estate designated as parcel No. 2 consisting of a farm known as the Home Farm on the road leading from Kent Island Narrows to Stevensville and which said farm has been sold under Chancery proceedings #2981 in the case of T. Walter White, et al vs Bernard W. White, et al, in which case the said James T. Bright and William E. Denny, Trustees were made parties thereto, and under the Audit in said Cause there is a sum of \$1685.13 which is held by Thomas J. Keating, Jr., Trustee, subject to the Order of Court.

SECOND

Your Petitioners do not believe that there should be a New Trustee or Trustees appointed in the matter of the Trust Estate, and they see no reason why the papers should be submitted to an Auditor for the purpose of stating an Audit in the said matter, as the said T. Walter White had paid all of his said indebtedness filed in the Trust Estate with the exception of claim of Wm. E. Denny and son, and he is now in a position, and in course of settlement of said claim or claims of Wm. E. Denny and Son, and with their claims settled and proper receipts or vouchers filed in said Trust Estate showing all of the other claims settled, we feel that it is unnecessary to go to the expense of having any Audit stated in said proceedings, especially so as the said Trustees aver that there is no money or funds in theirs hands from the sale or sales of any of the property.

And the said Trustees allege that the purposes of said Trust have been accomplished.

Therefore, we respectfully request that said Deed of Trust be dismissed.

Respectfully submitted,

T. WALTER WHITE  
MAUDE K. WHITE

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

I hereby certify that on this 8th day of January, 1935, before me, the Subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, aforesaid, personally appeared T. Walter White and Maude K. White, and made oath in due form of law, that the matters and things in the foregoing are true and correct to the best of their knowledge and belief.

MARIE K. CONNOLLY  
Notary Public

Notary  
Public  
Seal.

ORDER OF COURT RELEASING BRIGHT AND  
DENNY AS TRUSTEES  
Filed February 23rd, 1935.

IN THE MATTER OF THE  
TRUST ESTATE OF  
T. WALTER WHITE.

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IN THE CIRCUIT COURT  
FOR  
QUEEN ANNE'S COUNTY,  
IN EQUITY,  
CHANCERY CAUSE No. 2082.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of William E. Denney and James T. Bright, Trustees, T. Walter White and Maude K. White, his wife, Trustors, and William E. Denney, Jr., trading as William E. Denney and Son, respectfully show:

1. That as will appear by reference to the report filed herein on December fifteenth, nineteen hundred and thirty-four, and the answer thereto of T. Walter White and Maude K. White filed herein on January eighth, nineteen hundred and thirty-five, (which said answer was filed in response to the order of this Honorable Court passed on December fifteenth, nineteen hundred and thirty-four) it is not necessary that any further proceedings be taken in this cause.

2. That your petitioners have agreed among themselves as to the distribution of a fund of sixteen hundred and eighty-five dollars and thirteen cents, (\$1,685.13), which is held by Thomas J. Keating, Jr., and Bernard W. White, Trustees in Chancery Cause No. 2981.

3. That your petitioners have agreed to exchange mutual releases in this cause, which said releases they file herewith, to be taken as a part of this petition.

WHEREFORE, your petitioners pray your Honors to pass an order:

(1.) Directing William E. Denney and James T. Bright, Trustees, to pay the costs to-date in these proceedings, and

(2.) upon payment of said costs, releasing and discharging the said William E. Denney and James T. Bright, Trustees, from the further execution of this trust.

Respectfully submitted.

WM. E. DENNY, SR.

JAMES T. BRIGHT  
TRUSTEES

T. WALTER WHITE

MAUDE K. WHITE  
TRUSTORS.

Filed Feb. 23rd, 1935.

WILLIAM E. DENNEY AND SON

by WILLIAM E. DENNY, JR.

IN THE MATTER OF THE  
TRUST ESTATE OF  
T. WALTER WHITE.

IN THE CIRCUIT COURT FOR QUEEN  
ANNE'S COUNTY,  
IN EQUITY,  
CHANCERY CAUSE NO. 2082.

ORDER OF COURT

UPON the foregoing petition it is by the Circuit Court for Queen Anne's County, in Equity, this 23rd day of February, in the year nineteen hundred and thirty-five, ORDERED that William E. Denney and James T. Bright, Trustees, pay the costs to-date in these proceedings, and that upon payment of said costs the said William E. Denney and James T. Bright be released and discharged from the further execution of this trust.

THOS. J. KEATING

Filed February 23rd, 1935.

CHANCERY NUMBER  
1031

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Second day of August, in the year eighteen hundred and ninety three, the following Second Report of Sale and Order Nisi were brought to be recorded, to wit:

IN THE CIRCUIT COURT

FOR QUEEN ANNE'S COUNTY IN EQUITY

Howard Bryant Trustee	)	plaintiff
	)	
vs.	)	
	)	
William P. Tanner, et al	)	defendant

TO THE HONORABLE THE JUDGES OF SAID COURT.

The second and additional report of sale, made by John B. Brown and Howard Bryant appointed by the decree in this case to make sale of the real estate therein mentioned, respectfully shows, that after having given bonds as already set forth in the first report of sale and after having given more than three successive weeks notice of the time, place, manner and terms of sale by advertisement in "The Centreville Record" and "The Centreville Observer," two newspapers printed and published in Queen Anne's County, state of Maryland, and by hand bills extensively circulated throughout said county and elsewhere, they did, pursuant to said notice, attend at Stevensville, Kent Island in said county in front of the store house of W. H. Cockey on Saturday the 19th day of August instant (1893) between the hours of three and five o'clock P. M. and then and there proceeded to sell said real estate as follows, to wit.

Your trustees having announced their purpose to offer the real estate in two separate parcels and then as a whole, in the first place offered at public auction, to the highest bidder, the farm on which Cornelius S. Tanner resides, situated on Kent Island, county and state aforesaid on the North and East or the right side of the public road leading from Kent Island ferry to Stevensville, adjoining the farms of Joseph D. Tolson, Carville Tolson, John O. Phillips and others, as containing 95 acres of land at so much per acre for actual contents and the same was struck off to William P. Tanner, he being then and there the highest bidder therefor at fourteen dollars per acre, or the aggregate sum of \$1330.00.

In the next place your Trustees offered at public auction, to the highest bidder, the tract of woodland on Kent Island aforesaid, adjoining the woodlots of Carville Tolson and John O. Phillips and on the public road leading from Phillips' store into Cox's Neck as containing 31 acres of land, and the same was struck off to William B. Shawn at \$5.00 per acre, or the aggregate sum of \$155.00.

Your trustees then offered the two parcels as a whole and the same was struck off to William P. Tanner, he being then and there the highest bidder therefor at \$1575.00, and he was thereupon declared purchaser at that price, and at once complied with advertised terms of sale by giving his four notes with Cornelius Tanner as surety thereto, as follows

Cash note		\$393.75
int. added		<u>5.64</u>
At 3 months & payable in Bank for		\$399.39
1st Credit note		\$393.75
int. on \$1181.25 for 12 months		<u>70.87</u>
note at 12 months payable		
in Bank for		\$464.62
2nd Credit note		\$393.75
int. on 787.50 for 12 months		<u>47.25</u>
note at 24 months, payable in Bank for		\$441.00
3rd Credit note		\$393.75
int. on \$393.75 for 12 months		<u>23.62</u>
		\$417.37

The farm, by actual survey, contains only 95 acres 3 roods and 32 perches of land instead of 170 acres as advertised, including a strip along The public road and next to Joseph D. Tolson of 8 1/2 acres. Of this latter piece the decree in this case covers an one undivided half interest as having belonged to the late William Tanner The other undivided half interest belonged to the late Thomas Tanner and was by him devised to L. Cornelius Tanner. The land was offered, by consent of L. Cornelius Tanner as a whole without regard to his half interest in the 8 1/2 acres, he agreeing to take its value in money, and to make the title good as to it. The woodlot contained by actual survey, 31 acres, 2 roods and 15 perches of land instead of 35 acres. The supposed woodlot of 10 1/2 acres as advertised was found not to exist.

The total sales are therefore \$1575.00. Your trustees submit herewith a copy of advertisement. All of which is respectfully submitted.

JOHN B. BROWN  
HOWARD BRYAN  
Trustees

State of Maryland )  
Queen Anne's County ) to wit

I hereby certify that on this Twenty first day of August in the year eighteen hundred and ninety three, before the subscriber, a Justice of the Peace of The State of Maryland in and for the county aforesaid, personally appeared John B. Brown one of the Trustees named within and made affidavit That the matters and things stated in the foregoing report of sales are true to the best of his knowledge and belief and that the

sale therein reported was fairly made.

B. EMMORY, JR. J. P.

STATE OF MARYLAND )  
BALTIMORE CITY ) to wit:

I hereby certify that on this 24th day of August in the year eighteen hundred and ninety three, before the subscriber a Justice of the Peace of the state of Maryland in and for Baltimore City aforesaid personally appeared Howard Bryant one of the Trustees within named and made oath in due form of law, that the matters and things stated in the foregoing report of sales are true to the best of his knowledge and belief and that the sale therein reported was fairly made.

G. EVETT REARDON J. P.

State of Maryland, Baltimore City, Sct:

I HEREBY CERTIFY, That G. Evett Reardon Esquire, before whom the annexed was made, and who has thereto subscribed his name, was, at the time of so doing, a Justice of the Peace of the State of Maryland, in and for the City of Baltimore, duly commissioned and sworn, and authorized by law to administer oaths and take acknowledgments. I further certify that I am acquainted with the hand writing of the said Justice, and verily believe the signature to be his genuine signature.

Superior Court  
Seal's Place.

IN TESTIMONY WHEREOF, I hereto set my hand and affix the seal of the Superior Court of Baltimore City, this 24th day of August A. D. 1893.

JAS. BOND  
Clerk of the Superior Court of Baltimore City.

4017

In the Circuit Court for Queen Anne's County, in Equity No. 1031

Howard Bryant, Trustee ) Plaintiff  
vs. )  
William P. Tanner & others ) Defendants

Ordered on this 29th. day of August 1893 by the Circuit Court for Queen Anne's County in Equity and by the authority thereof that the sales of Cornelius L. Tanner Farm on Kent Island Queen Anne's County, Maryland, made and reported in this case by John B. Brown and Howard Bryant, Trustees be and the same is hereby satisfied 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 published in some newspaper printed and published in Queen Anne's County, Maryland, once in each of three successive weeks before the 30th day of September next. The Report states the amount of sales to be \$1575.00

Lemuel Dunbracco, Clerk

Filed August 29, 1893.

CERTIFICATE OF ORDER NISI  
Filed Nov. 9, 1893.

We hereby certify that the annexed advertisement was inserted in the Centreville Observer, a Newspaper printed and published at Centreville, in Queen Anne's County, Maryland, once in each of Three successive weeks before the 30th day of September 1893.

BUSTEED, PRICE & BRYAN

ORDER NISI.

Howard Bryant. Trustee, Plaintiff,

vs.

William P. Tanner and Other, Defendants.

In the Circuit Court for Queen Anne's County, In Equity. No. 1031.

ORDERED, on this 29th day of August, 1893, by the Circuit Court for Queen Anne's County, in Equity, and by the authority, that the sales of Cornelius S. Tanner's farm, on Kent Island, Queen Anne's County, Maryland, made and reported in this case by John B. Brown and Howard Bryant, Trustees, be and the same is hereby ratified and confirmed, unless cause to the contrary thereof on or before the 31st day of October next; provided a copy of this order be published in some newspaper printed and published in Queen Anne's county, Maryland, once in each of three successive weeks before the 30th day of September, next.

The report states the amount of sale to be \$1575.00.

LEM: DUNBRACCO, Clerk.

True Copy,  
Test:- LEM: DUNBRACCO, Clerk

✓

FINAL ORDER OF RATIFICATION  
OF SECOND REPORT OF SALE  
Filed November 9, 1893.

NO. 1031

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

HOWARD BRYANT, Trustee. Plaintiff

vs.

WILLIAM P. TANNER and  
others. Defendants.

ORDERED, on this ninth day of November 1893 by the Circuit Court for Queen Anne's County in Equity and by the authority thereof that the sale of Real Estate made and reported to this Court in this case on the 29th day of August 1893 by John B. Brown and Howard Bryant Trustees, be and the same is hereby ratified and confirmed, no cause to the contrary thereof appearing; although notice appears to have been given in conformity with "order nisi" or conditional order heretofore passed in the case. The Trustees are hereby allowed the usual commissions and expenses not personal.

FREDERICK STUMP

PETITION OF CORNELIUS S. TANNER, and order of Court thereon substituting him as purchaser in the place and stead of Wm. P. Tanner, and Howard Bryant, survivor of Trustees is authorized to convey said property to him.  
Filed January 24, 1901.

In the Circuit Court for Queen Anne's County, to wit:

Howard Bryant, Trustee

vs.

William P. Tanner  
and others  
Cause No. 1031

To the Honorable the Judges of said court:

Your Petitioner, Cornelius S. Tanner, of said County, petitioning, says:

1st. That while William P. Tanner was reported the purchaser of the parcels of land reported sold in the Report of Sales filed in said Cause in said Cause on the 29th day of August 1893, yet that in fact he purchased the same for your said Petitioner, who either furnished him with the money to meet the payments on said purchase, or whenever he advanced any money on said purchase, shortly thereafter fully repaid the same to him, so that in fact not only was said parcels of land purchased for your petitioner, but he fully paid the purchase money therefor.

2nd. That your Petitioner remained in the possession of said lands from their sales to the present as the owner of said lands, and that at time of his death, said William P. Tanner was arranging to have the legal title of said lands placed in your Petitioner.

3rd. And that said William P. Tanner, well knowing that said parcels of land in truth and in fact belonged to your Petitioner and did not undertake to dispose of same by his last will, and that he departed this life leaving the said Hester Ann Tanner, his widow, Elizabeth Ann Tanner, Eliza Etta Tanner, Susanna A. C. Legg, formerly Tanner, wife of James R. Legg and Emaline Cockey, formerly Tanner, wife of James H. Cockey, and your said Petitioner, his only sisters and brother, and heirs at law.

Your Petitioner therefore prays that an order may be passed substituting your Petitioner as the purchaser of the aforesaid parcels of land in the place and stead of William P. Tanner, who is reported as the purchaser of same, and that Howard Bryant, who is the survivor of the Trustees in said Cause be authorized and directed to convey the same to said Cornelius S. Tanner, his heirs and assigns, by a good and sufficient deed, and that he may have such further or other relief as his case may require:

And as in duty

CORNELIUS S. TANNER  
Petitioner

Test:

JOHN O. PHILLIPS

We the undersigned Widow, and sisters aforesaid of said William P. Tanner, deceased, do hereby admit the matters and things stated in the foregoing Petition to be true, and do consent that the order may be passed as prayed or that such other order may be passed to accomplish the purpose of said Petition.

Test: as to all of  
the signatures  
JOHN O. PHILLIPS

HESTER S. TANNER  
ELIZABETH ANN TANNER  
ELIZA ETTA TANNER  
SUSANNA A. C. LEGG  
JAMES R. LEGG  
EMALINE COCKEY  
JAMES H. COCKEY

Ordered this 22nd day of January in the year nineteen hundred and one by me James A. Pearce Chief Judge of the Circuit Court for Queen Anne's County in Equity and by the authority of said Court, on the foregoing Petition, and admission, that Cornelius S. Tanner be and he is hereby substituted as the purchaser of the lands referred to



in said petition in the place and stead of William P. Tanner, who is reported the purchaser of same, and that Howard Bryant, Survivor of the Trustees in said cause, is hereby fully authorized, directed and required to convey the same to said Cornelius S. Tanner his heirs and assigns, by a good and sufficient deed as though originally reported as the purchaser of same, and he is hereby so far as necessary made sole trustee in said cause therefore the said Howard Bryant surviving trustee being just satisfied since purchase money has been fully paid.

JAMES W. PEARCE

CAUSE NUMBER 3583

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Twenty-second day of July, in the year nineteen hundred and forty-eight, the following ORDER TO DOCKET SUIT was brought to be recorded, to wit:-

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

Chancery No. 3583

J. Thomas Clark, attorney-at-law  
Assignee of Mortgage

Vs.

William Harry Austin, and  
Gertrude Frances Austin, his  
wife, Mortgagors

Suit for foreclosure of mortgage  
from Defendants to Benjamin F.  
Austin, Sr., and Melissa H. Austin  
his wife, dated February 25th,  
1947, held by J. Thomas Clark,  
attorney-at-law, by Assignment  
for a sale of mortgaged property  
provided under power of sale  
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 papers of said suit a certified copy of the mortgage of William Harry Austin and Gertrude Frances Austin, his wife, to Benjamin F. Austin, Sr., and Melissa H. Austin, his wife, dated February 25th, 1947, and recorded in Liber A. S. G. Jr., No. 16, folios 502, etc., and all assignment thereof.

This suit, to be docketed as aforesaid, is 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 interest due on the principal mortgage debt thereon covenanted to be paid by the terms of the said mortgage at the times therein provided for the payment thereof.

And as in duty bound, etc.,

J. THOMAS CLARK  
Attorney-at-law, Assignee  
of Mortgage

Filed July 22, 1948

Certified Copy of Mortgage  
Filed July 22, 1948

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Fourteenth day of March, in the year nineteen hundred and forty seven, the following Mortgage was brought to be recorded, to wit:-

One - One Dollar and One-Fifty Cent  
Recordation Tax Stamps. Endorsed  
J P S 3-14-47

THIS MORTGAGE, made this 25th day of February in the year nineteen hundred and forty-seven by William Harry Austin and Gertrude Frances Austin, his wife, "Mortgagors". of Queen Anne's County, in the State of Maryland

WHEREAS, the said William Harry Austin and Gertrude Frances Austin, his wife, have borrowed from Benjamin F. Austin, Sr. and Melissa H. Austin, his wife, of 115 Main Street, Avon By the Sea, New Jersey, the full sum of Eleven Thousand Dollars, (\$11,000.00), to be repaid, with interest semi-annually at the rate of five per-cent (5%) per annu, at the expiration of five (5) years from the date of these presents, with the right and privilege in the mortgagors to pay in whole or in part the principal mortgage indebtedness at any interest period in the meantime, to secure the payment of which principal sum with interest as aforesaid these presents are executed.

NOW, THEREFORE, THIS MORTGAGE WITNESSETH: That, in consideration of the premises and of the sum of One Dollae (\$1.00) the said William Harry Austin and Gertrude Frances Austin, his wife, do hereby grant and convey unto the said Benjamin F. Austin, Sr. and Melissa H. Austin, his wife, as tenants by the entireties, their heirs and assigns, in fee simple, the following described real estate, to wit:-

ALL that lot or parcel of land, or part of a lot and tract of land situate, lying and being near Grasonville, in the Fifty Election District of Queen Anne's County, Maryland, located on the north side of the State Road leading from Grasonville to Kent Island Narrows, bounded on the north by other lands of Carey Saddler, on the east by the lot of Melissa Helena Austin, on the south by the aforesaid State Road, and on the west by the lands of James K. Hunter, and which lot hereby conveyed is more particularly described as follows:- BEGINNING for the same on the north side of said State Road where it corners with the lands of James K. Hunter, and

running thence with the north side of said State Road in an easterly direction one hundred five feet to a point, a corner for the Melissa Helena Austin lot; thence running with the land of Melissa Helena Austin in a northerly direction of one hundred fifty feet to a point; thence running with the land of Carey Saddler in a westerly direction a distance of one hundred five feet to a point on the east line of the James K. Hunter lot; and thence running with the east line of the Hunter lot in a southerly direction a distance of one hundred fifty feet to the place of beginning, containing approximately fifteen thousand seven hundred fifty square feet of land, more or less.

BEING THE SAME PROPERTY CONVEYED unto the said Mortgagors by Carey Saddler and his wife by Deed dated the 22nd day of July, 1946, and recorded among the land records of Queen Anne's County, Maryland, in Liber A.S.G. No. 14, Folio 356.

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 herein after 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 Mortgagees, their successors, executors, administrators or assigns, the aforesaid sum of Eleven Thousand (\$11,000.00), 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 performed, 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 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 Mortgagees, 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, 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 Mortgagees, their executors, administrators or assigns, or 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 selling may deem expedient, for cash, or for cash or 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 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 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 Mortgagees, their executors, administrators, or assigns, 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, in-

cluding all costs of advertising, 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 covenant to pay.

WITNESS the hands and seals of the Mortgagors.

Test as to both  
Mortgagors:

WILLIAM HARRY AUSTIN (SEAL)  
William Harry Austin

GERTRUDE FRANCES AUSTIN (SEAL)  
Gertrude Frances Austin

PAUL B. SMITH  
Paul B. Smith

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

I HEREBY CERTIFY that on this 25th day of February, 1947, before the Subscriber, a Notary Public, in and for the State and County aforesaid, personally appeared William Harry Austin, his wife, and each acknowledged the foregoing mortgage to be their respective Act.

Witness my hand and notarial seal.

PAUL B. SMITH  
Paul B. Smith  
Notary Public

My Commission Expires May 5th, 1947

Notary  
Public  
Seal

STATE OF NEW JERSEY, COUNTY OF MONMOUTH, TO WIT:-

I HEREBY CERTIFY, that on this 4th day of February, 1947, before the Subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Benjamin F. Austin, Sr., and Melissa H. Austin, his wife, Mortgagees, and each made oath in due form of law that the consideration stated in the foregoing mortgage is true and bona fide as therein set forth.

Witness my hand and notarial seal.

FLORENCE THOMSON  
Notary Public.

My Commission expires: NOTARY PUBLIC OF N.J.

MY COMMISSION EXPIRES Aug. 31, 1949

Notary  
Public  
Seal

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Twenty Second Day of July, in the year nineteen hundred and forty eight, the following Assignment was brought to be recorded, to wit:-

We, the undersigned, Benjamin F. Austin, Sr., and Melissa H. Austin, his wife, mortgagees named in the within and foregoing mortgage, do hereby assign and transfer the within and foregoing unto J. Thomas Clark, attorney-at-law, for collection by foreclosure or otherwise for the account of us, the said Benjamin F. Austin, Sr., and Melissa H. Austin, husband and wife as tenants by the entireties.

Witness our hands and seals this 21st day of July in the year nineteen hundred and forty eight.

TEST: (As to both signatures)

BENJAMIN F. AUSTIN SR. (SEAL)  
Benjamin F. Austin, Sr.

Watson Wessel

MELISSA H. AUSTIN (SEAL)  
Melissa H. Austin

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. 16, folio 502, 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 Twenty Second day of July, in the year nineteen hundred and forty eight.

NELLIE B. WHITELEY

Clerk.

Seal of  
Circuit Court

## CERTIFIED COPY OF BOND

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Seventeenth day of August, in the year nineteen hundred and forty eight, the following Bond was brought to be recorded, to wit:

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

KNOW ALL MEN BY THESE PRESENTS, that we, J. Thomas Clark, of Queen Anne's County, State of Maryland, and the Glens Falls Indemnity 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 Twelve Thousand Five Hundred Dollars (\$12,500.00), 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 17th day of August, 1948;

WHEREAS, a certain mortgage from William Harry Austin and Gertrude Frances Austin, his wife, to Benjamin F. Austin, Sr., and Melissa H. Austin, his wife, bearing date the 25th day of February, 1947, and recorded in Liber A. S. G. Jr., No. 16, folios 502, etcl, a land record book for Queen Anne's County aforesaid, has been, by mesne assignments, duly recorded, duly assigned unto the said J. Thomas Clark, which said assignments are recorded among said land records at the foot of said mortgage;

AND WHEREAS, the above bounden J. Thomas Clark, as the Assignee as aforesaid of the above described mortgage, is about to execute the power of sale contained in the said above described mortgage by making sale of the property described in, granted and conveyed by said mortgage, default having occurred in the terms, conditions and covenants of said mortgage by reason or the non-payment of the interest due on the principal mortgage debt covenanted to be paid by the terms of said mortgage at the time therein provided for the payment thereof;

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bounden J. Thomas Clark, 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:

WILLIAM R. BISHOP  
 William R. Bishop

J. THOMAS CLARK (SEAL)  
 J. THOMAS CLARK

GLENS FALLS AND INDEMNITY  
 COMPANY

by J. H. E. LEGG  
 Its Attorney-in-Fact  
 J. H. E. LEGG

Corporate Seal  
 Place.

ATTEST:

WILLIAM R. BISHOP  
 WILLIAM R. BISHOP

And at the foot of the foregoing Bond is thus endorsed, to wit:

Security approved and Bond filed  
 Aug. 17, 1948

NELLIE B. WHITELEY, Clerk

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. 1, folio 62, 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 Eighteenth day of August, in the year nineteen hundred and forty eight.

NELLIE B. WHITELEY

Clerk.

Seal for  
 Circuit Court

REPORT OF SALE  
 Filed August 24, 1948

J. Thomas Clark, attorney-  
at-law, Assignee of Mortgage

Vs.

William Harry Austin, and  
Gertrude Frances Austin, his wife

In The Circuit Court

for

Queen Anne's County,

In Equity

Chy. No. 3583

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of J. Thomas Clark, attorney-at-law, Assignee of the mortgage from William Harry Austin and Gertrude Frances Austin, his wife, to Benjamin F. Austin, Sr., and Melissa H. Austin, his wife, bearing date the 25th day of February, 1947, and recorded in Liber A. S. G. Jr., No. 16, folio 502, etc., a land record book for Queen Anne's County, Maryland, respectfully shows:

1. That said mortgage was, by mesne assignment, duly assigned unto the said J. Thomas Clark, attorney-at-law for the purpose of collection by foreclosure or otherwise, said assignment being recorded among the land records at the foot of said mortgage.

2. That default was made by the mortgagors by reason of the non-payment of the interest due on the principal mortgage debt thereon covenanted to be paid by the terms of said mortgage at the times therein provided for the payment thereof.

3. That after giving bond to the State with such security as the Clerk of this 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 and terms of sale by advertisement inserted in The Queenstown News, 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 premises to be sold in or near the town of Grasonville, Queen Anne's County, State of Maryland, on Saturday, the 21st day of August, 1948, beginning at the hour of 2:00 o'clock P.M., 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 offer the mortgaged property for sale 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, after first reading the advertisement of said sale as appeared in said The Queenstown News, to wit:

ALL that lot of land, improved by a new frame dwelling house containing six rooms, bath, cellar and central heating plant, located in or near the village of Grasonville, in the Fifth Election District of Queen Anne's County, State of Maryland, on the north side of the State Road leading from Grasonville to Kent Narrows. The lot is 105 by 150 feet and contains 15,750 square feet of land, more or less, and is bounded on the South by said state road, on the West by the land of Oscar Smith, on the North by the land of Carey Saddler, and on the East by the land of Benjamin F. Austin, Sr., and wife. For a more particular description of the land offered for sale, reference is made to said mortgage and the title references therein.

And said Assignee sold the above described property to Benjamin F. Austin, Sr., and Melissa H. Austin, his wife, of Queen Anne's County aforesaid, at and for the sum of Ten Thousand Nine Hundred Dollars (\$10,900.00), they being at that sum the highest bidder therefor, the terms of sale announced before said 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:

(a) That a mortgage for no more than one half of the purchase price for said property would be allowed by the said Assignee.

(b) That upon payment of the purchase price, the purchaser could obtain immediate possession of said property.

(c) That the purchaser was to pay for all notary fees or any other fee or charge which was necessary to transfer said property by deed.

4. That the said purchaser being the Assignors of said mortgage bought said property to protect their interests.

Respectfully submitted,

J. THOMAS CLARK  
Attorney-at-law, Assignee of Mortgage

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

I HEREBY CERTIFY, that on this 24th day of August, 1948, before me, the subscriber, the Clerk of the Circuit Court for Queen Anne County, personally appeared, J. Thomas Clark, Attorney-at-law, Assignee of the mortgaged mentioned and described in the foregoing Report of Sale, 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.

NELLIE B. WHITELEY  
Clerk

Filed August 24, 1948

Certificate of Publication of Advertisement of Sale is recorded immediately following the Order of Ratification of Sale.

ORDER  
NISI  
Filed August 24, 1948

NISI

J. Thomas Clark, attorney-at-law,  
Assignee of Mortgage

VS.

William Harry Austin and Gertrude  
Frances Austin, his wife.

IN THE CIRCUIT COURT  
FOR QUEEN ANNE'S COUNTY  
IN EQUITY  
CHANCERY NO. 3583

ORDERED, This 24th day of August A.D., 1948, that the sale of real estate made and reported in this cause by J. Thomas Clark, Attorney-at-law, Assignee of Mortgage, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 26th 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 25th day of September next.

The Report states the amount of sales to be \$10,900.00.

NELLIE B. WHITELEY Clerk.

Filed August 24, 1948.

STATEMENT OF MORTGAGE DEBT  
Filed October 27, 1948

J. Thomas Clark, attorney-at-law,  
Assignee of Mortgage

Vs.

William Harry Austin, and  
Gertrude Frances Austin, his wife

In The Circuit Court  
for  
Queen Anne's County  
In Equity  
Chy. No. 3583

STATEMENT OF MORTGAGE DEBT

Statement of the mortgage debt due and owing as of the day of sale under the mortgage from William Harry Austin and Gertrude Frances Austin, his wife, to Benjamin F. Austin, Sr., and Melissa H. Austin, his wife, bearing date the 25th day of February, 1947, and recorded in Liber A.S.G., JR., No. 16, folio 502, etc., a land record book for Queen Anne's County, Maryland, which said mortgage was duly assigned to the said J. Thomas Clark, attorney-at-law, for the purpose of collection by foreclosure or otherwise:

Amount of the principal mortgage debt secured by said mortgage attached hereto as appears from said mortgage-----\$11,000.00

Amount of interest due thereon from February 25, 1947, to August 21, 1948, the date of sale of the mortgaged property (no interest was ever paid upon the said mortgage)-----\$ 865.59

Total amount of mortgage debt as of the 21st day of August, 1948, (the day of the sale)-----\$11,865.59

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

I HEREBY CERTIFY that on this 27th day of October, 1948, before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared J. Thomas Clark, attorney-at-law, 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.

NELLIE B. WHITELEY  
Clerk

Filed October 27, 1948.

Original Mortgage is attached to the foregoing Statement of Mortgage Debt.

CERTIFICATE OF PUBLICATION OF  
THE ORDER NISI  
Filed October 27, 1948

NISI

J. THOMAS CLARK  
Attorney-at-law  
Assignee of Mortgage

Vs.

WILLIAM HARRY AUSTIN and  
GERTURDE FRANCES AUSTIN,  
his wife.  
IN THE CIRCUIT COURT FOR  
QUEEN ANNE'S COUNTY  
IN EQUITY

CHANCERY No.3583

ORDERED, This 24th day of August A.D., 1948, that the sale of real estate made and reported in this cause by J. Thomas Clark, Attorney-at-law, Assignee of Mortgage, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 26th 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 25th day of September next.

The Report states the amount of sales to be \$10,900.00.

NELLIE B. WHITELEY,  
Clerk

True Copy:

Test: NELLIE B. WHITELEY  
Clerk

Filed August 24, 1948

THE QUEENSTOWN NEWS

Queenstown, Md. Sept. 30, 1948

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 J. Thomas Clark, Attorney at Law, Assignee of Mortgage Vs. William Harry Austin and Gertrude Frances Austin, Chancery No. 3583, 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 25th day of Sept. 1948, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 27th day of Aug. 1948.

THE QUEENSTOWN NEWS

By GEORGE STEINFELT

Filed Oct. 27, 1948

ORDER OF COURT  
Filed October 28, 1948

J. Thomas Clark, attorney-at-law,  
Assignee of Mortgage

vs.

William Harry Austin and  
Gertrude Frances Austin,  
his wife

In The Circuit Court

for  
Queen Anne's County

In Equity

Chy. #3583

ORDER OF COURT

ORDERED, this 29th day of October, 1948, by the Circuit Court of Queen Anne's County, in Equity, and by the authority of said Court, that the sale made and reported in this cause by J. Thomas Clark, attorney-at-law, assignee of mortgage, 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 per certificate of publication of Nisi to the report of sale. The Assignee is allowed the usual commissions and all expenses incident to said sale, not personal, upon the production of proper vouchers therefor to the auditor.

WM. R. HORNEY

Judge

Filed October 29, 1948

Certificate of Publication of  
Advertisement of Sale  
Filed Aug. 24, 1948

ASSIGNEE'S SALE  
Of Valuable

RESIDENTIAL PROPERTY  
in or near Grasonville

Default having occurred in the terms of the mortgage from William Harry Austin and Gertrude Frances Austin, his wife, to Benjamin F. Austin, Sr., and Melissa H. Austin, his wife, dated February 25th, 1947, and



recorded in Liber A.S.G. Jr., No. 16, folios 502, etc., a land record book for Queen Anne's County, Maryland, and assigned to J. Thomas Clark, attorney-at-law, for the purpose of collection by foreclosure or otherwise, said assignment being recorded at the foot of said mortgage, the undersigned, assignee of said mortgage as aforesaid, by virtue of the power of sale contained in said mortgage, will sell at public sale to the highest bidder on the premises in or near the town of Grasonville, Queen Anne's County, Maryland, on

SATURDAY, AUGUST 21, 1948

beginning at the hour of 2 o'clock P.M. (Eastern Standard Time) the real estate conveyed by said mortgage, consisting of

ALL that lot of land improved by a new frame dwelling house containing six rooms, bath, cellar and central heating plant, located in or near the village of Grasonville, in the Fifth Election District of Queen Anne's County, Maryland, and on the north side of the State Road leading from Grasonville to Kent Narrows. The lot is 105 by 150 feet and contains 15,750 square feet of land, more or less, and is bounded on the South by said state road, on the West by the land of Oscar Smith, on the North by the land of Carey Saddler, and on the East by the land of Benjamin F. Austin, Sr., and wife. For a more particular description of the land to be sold reference is hereby made to said mortgage and references therein.

TERMS OF SALE--One Third of the purchase money will be required on day of sale, and the balance thereof on ratification of sale, or all cash at option of purchaser, any unpaid balance of purchase money to bear interest from date of sale to date of ratification of sale.

All Taxes and Fire Insurance premiums will be adjusted as of date of sale.

Cost of title papers, revenues, stamps, and recordation stamps and charges for same to be paid by purchaser.

Possession can be had when terms of sale have been complied with.

Other terms will be announced at time of sale.

J. THOMAS CLARK,  
Attorney-at-law  
Assignee of Mortgage

J. Elmer Anthony, Auctioneer.

THE QUEENSTOWN NEWS

Queenstown, Md. Aug. 23, 1948

THE QUEENSTOWN NEWS, trading as a co-partnership between Michael W. Aker and George J. Steinfelt, do hereby certify that the Assignee's Sale in the case of J. Thomas Clark, Attorney-at-law, Assignee of Mortgage vs. William Harry Austin and Gertrude Frances Austin, His Wife, Mortgagors, 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 21 day of August 1948, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 30 day of July 1948.

THE QUEENSTOWN NEWS

By GEORGE STEINFELT

Filed August 24, 1948

MILITARY AFFIDAVIT  
Filed January 17, 1949

J. Thomas Clark, attorney-at-law,  
Assignee of Mortgage

Vs.

William Harry Austin, and  
Gertrude Frances Austin, his wife

In The Circuit Court

for

Queen Anne's County

In Equity

Chancery No. 3583

MILITARY AFFIDAVIT

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

THIS IS TO CERTIFY, that on this 17th day of January, 1949,

before me, the subscriber, Clerk of the Circuit Court in Equity for Queen Anne's County aforesaid, personally appeared J. Thomas Clark, attorney-at-law, Assignee of Mortgage, and he made oath in due form of law pursuant to the requirements of the Soldiers' and Sailors' Civil Relief Acts that neither William Harry Austin or Gertrude Frances Austin, his wife, are in the military service of the United States at this date, and neither of them have been insaid service or military service within three months prior to July 22, 1948, nor have neither of them been in said military service since July 22, 1948, and that both of these defendants reside in the Fifth Election District of Queen Anne's County aforesaid.

NELLIE B. WHITELEY  
Clerk

Filed Jan. 17, 1949

AUDIT  
July 23, 1949

J. THOMAS CLARK, Assignee,

vs.

WILLIAM HARRY AUSTIN and  
GERTRUDE FRANCES AUSTIN,  
his wife,  
Mortgagors.

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

Cause No. 3583

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Howard Wood, 3rd, your auditor, unto your Honors, respectfully shows:

1. That this account is stated at the request of J. Thomas Clark, Assignee of Mortgage, for collection by foreclosure or otherwise (and vendor) in this foreclosure proceeding; and it appears that the net proceeds of the mortgage sale were insufficient for the payment of the mortgage debt and interest amounting to the sum of \$11,865.59 as of the day of sale, per statement of mortgage indebtedness filed herein, that such deficiency amounts to the sum of \$1585.84, and that such deficiency is due the Mortgagees from the Mortgagors with interest thereon from August 21, 1948.

2. That in the within account said Assignee is charged with the gross proceeds of the sale made by him, per report of sale filed; and that he is then allowed thereout as follows: for his commission in accordance with the terms of said mortgage, the court costs of this cause per bill of Clerk, the fee of the auctioneer who cried this sale per receipted bill, the cost of the premium on said Assignee's corporate surety bond per receipted bill, the cost of advertising this sale and the order nisi thereon per receipted bills, the cost of advertising the order nisi to be passed as to this audit, the auditor's fee and finally the net proceeds of sale, in the sum of \$10,279.75, on account of the aforesaid mortgage debt and interest.

Respectfully submitted,

HOWARD WOOD, 3rd, Auditor

July 21, 1949.

Filed July 25, 1949

Cause No. 3583

The proceeds of the sale of land reported in this cause, in account with J. Thomas Clark, Assignee of the Mortgage foreclosed in these proceedings (and vendor of said land).

Cr.

1948  
August 21 By gross proceeds of sale of said land,  
per report of said vendor, to wit:.....\$10,900.00

Dr.

To J. Thomas Clark, Assignee, for his commissions for making the sale, per terms of mortgage.....\$ 481.00  
To do., for court costs of this cause, per Clerk's statement, as follows:  
Costs of Nellie B. Whiteley, Clerk..\$18.75  
Appearance fee of J. Thomas Clark... 10.00 28.75  
To do., for an amount paid J. Elmer Anthony, auctioneer, for crying said sale, per his receipt for same exhibited.... 25.00  
To do., for an amount paid J.H.E. Legg, Agent for Glen Falls Indemnity Company, for the premium on the surety bond filed by said assignee in this cause, per receipt for same exhibited..... 50.00  
To do., for amounts paid The Queenstown News, per receipts for same exhibited, to wit:

For cost of advertising this Sale..	\$18.00	
For cost od advertising the order nisi thereon.....	5.00	23.00
To do., for the cost of advertising the order nisi to be passed as to this audit in The Queenstown News.....		3.50
To Howard Wood, 3rd, Auditor, for stating this audit.....		9.00
To J. Thomas Clark, Assignee for collection, the net proceeds of this sale (on account of the mortgage indebtedness of \$11,865.59, per statement thereof filed), to wit:.....	10,279.75	
		<hr/>
	\$ 10,900.00	\$10,900.00

HOWARD WOOD, 3rd  
Auditor

July 21, 1949.

Filed July 25, 1949

NISI RATIFICATION OF AUDIT  
Filed July 23, 1949

NISI RATIFICATION OF AUDIT

J. Thomas Clark, Assignee

In the Circuit Court

VS.

For Queen Anne's County

William Harry Austin and  
Gertrude Frances Austin, his wife,  
Mortgagors.

In Equity

Cause No. 3583

ORDERED, This 23rd day of July in the year nineteen hundred and forty nine, that the Report and Account filed in these proceedings by Howard Wood, 3rd, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 20th day of August, 1949; provided a copy of this order be published once a week in each of two successive weeks before the 13th day of August, 1949, in some newspaper printed and published in Queen Anne's County.

NELLIE B. WHITELEY Clerk.

Filed July 23, 1949

WAIVER OF APPEARANCE FEE  
Filed November 14, 1949

J. Thomas Clark, etc.

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

vs.

No. 3583

William Harry Austin,  
et al.

Mr. Clerk of the Circuit Court for Queen Anne's County.

The undersigned as attorney for Plaintiff hereby waives the appearance fee for the Plaintiff.

J. THOMAS CLARK  
Attorney for Plaintiff

Filed Nov. 14, 1949

CERTIFICATE OF PUBLICATION OF  
NISI RATIFICATION OF AUDIT  
Filed Nov. 15, 1949

NISI RATIFICATION OF AUDIT

J. Thomas Clark, Assignee,

Vs.

William Harry Austin and  
Gertrude Frances Austin, his wife,  
Mortgagors

IN THE CIRCUIT COURT FOR  
QUEEN ANNE'S COUNTY  
IN EQUITY  
Cause No. 3583

ORDERED, this 23rd day of July in the year nineteen hundred and forty nine, that the Report and Account filed in these proceedings by Howard Wood, 3rd, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 20th day of August 1949; provided a copy of this order be published once a week in each of two successive weeks before the 13th day of August, 1949,

in some newspaper printed and published in Queen Anne's County.

NELLIE B. WHITELEY  
Clerk

True Copy:

Test: NELLIE B. WHITELEY,  
Clerk.

Filed July 23, 1949

THE QUEENSTOWN NEWS

Queenstown, Md. November 11, 1949.

THE QUEENSTOWN NEWS, trading as a co-partnership between Michael W. Aker and George J. Steinfeld, do hereby certify that the Nisi Ratification of J. Thos. Clark, Assignee, Vs. William Harry Austin and Gertrude Frances Austin, his wife, 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 13th day of August 1949, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 29th day of July 1949.

THE QUEENSTOWN NEWS

By Michael W. Aker

Filed Nov. 14, 1949

FINAL RATIFICATION OF AUDIT  
Filed Nov. 15, 1949

FINAL RATIFICATION OF AUDIT

ORDERED, this 15th day of November, 1949, 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 the Auditor 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 given as directed by the preceding Nisi Ratification of Audit passed thereon in this cause; and the Assignee, J. Thomas Clark, is hereby directed to apply the proceeds of the sale in accordance with and in the manner set forth in said audit, except the plaintiffs appearance fee which has been waived, but with a due proportion of the interest accrued or to accrue on the proceeds of sale.

WM. R. HORNEY  
Judge

Filed Nov. 15, 1949

.....  
Q U E E N A N N E ' S C O U N T Y , T O W I T : Be it re-  
membered that on the Twenty-eighth day of August in the year nineteen hundred and forty  
eight the following Bill of Complaint was brought to be recorded, to wit:-

QUEEN ANNE'S COUNTY  
WELFARE BOARD, Centreville,  
Maryland Plaintiff,

vs.

EVELYN JONES, incompetent,  
Defendant.

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

Cause No. 3598

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your orator, Queen Anne's County Welfare Board, by Howard Wood, 3rd, its Attorney, brings this suit for itself as well as for all other creditors of James E. Jones and Viola Jones, both late of Queen Anne's County, deceased, who will come in and contribute to the expense thereof; and your orator, complaining, says:

1. That your orator disbursed Old Age Assistance payments, in accordance with its duty provided by the laws of Maryland, unto James E. Jones in his lifetime in the total sum of \$1210.47, and unto Viola Jones, (his wife), in her lifetime in the sum of \$1229.44, in the amounts and at the times set forth in two itemized statements filed herewith as a part hereof, and marked, respectively, "Exhibit A" and "Exhibit B"; of which amounts your orator has received no part prior to the filing hereof.

2. That the said James E. Jones died intestate, a resident of Queen Anne's County, Maryland, on June 1, 1948, possessed of no personal estate of any intrinsic value, no letters of administration having been granted on his estate, but seized and possessed of a certain valuable lot or parcel of land situate in the village of Dominion, in the Fourth Election District of said County and State, improved by a dwelling house, containing one-fourth (1/4) of an acre of land, more or less, which was conveyed unto him, in fee simple, by Samuel L. Jones and Susan Catherine Jones, his wife, by deed dated September 20, 1889, and recorded in Liber W.D. No. 3, folios 363, etc., a Land Record Book for Queen Anne's County, aforesaid, a certified copy of said deed being filed herewith as a part hereof, marked "Exhibit C".

3. That the said James E. Jones left surviving him, as his only heirs at law, the aforesaid Viola Jones, his widow, and Evelyn Jones, their daughter.

4. That said Viola Jones departed this life, intestate, on the 23rd day of July, 1948, a resident of said Queen Anne's County, leaving surviving her as her only heir at law the aforesaid Evelyn Jones, her daughter, leaving no personal estate of any intrinsic value; and no letters of administration have been granted upon her estate.

5. That said Evelyn Jones is, accordingly, the sole owner of said real estate, subject, nevertheless to the debts of James E. Jones, her father; and, after the payment thereof, and as to a one-third undivided interest therein only, subject also to the debts of Viola Jones, her mother.

6. That said Evelyn Jones, daughter of the two above-mentioned decedents, is the Defendant in these proceedings, and is an adult; but said Defendant is at present confined in the Eastern Shore State Hospital at Cambridge, Dorchester County, Maryland, because of a mental disability.

TO THE END, THEREFORE:

1. That a Trustee may be appointed under the Decree of this Honorable Court to sell the real estate hereinabove described for the purpose of applying the net proceeds of sale to the payment of the debts of James E. Jones, deceased, and of Viola Jones, deceased, insofar as said proceeds may be legally subject to her debts, and

2. That your orator may have such other and further relief as its case may require.

MAY IT PLEASE your Honors to grant unto your orator the writ of subpoena directed to the Sheriff of Dorchester County, Maryland, commanding him to summons the said Evelyn Jones, adult resident of said County and a patient at the Eastern Shore State Hospital in said County, to be and appear in this Court on or before some certain day to be named in said writ, to answer this Bill of Complaint and abide by any order or decree that may be passed in the premises.

AND as in duty bound, etc.,

QUEEN ANNE'S COUNTY WELFARE BOARD,

By HOWARD WOOD, 3rd  
Attorney for Plaintiff

Filed August 28, 1948

EXHIBIT A  
Filed August 28, 1948

James E. Jones  
Chester, Md.

To:  
Queen Anne's County Welfare Board - Dr.

The Queen Anne's County Welfare Board, upon the application of James E. Jones, rendered financial assistance to the said James E. Jones, in the amounts and at the times as herein stated, to Wit:

1940	December - 1 month @ 10.40	\$ 10.40
1941	January - December; 12 months @ 10.40	124.80
1942	January - December; 12 months @ 10.40	124.80
1943	January & February; 2 months @ 10.40	20.80
	March - August; 6 months @ 11.50	69.00
	September; 1 month @ 10.50	10.50
1946	March - June; 4 months @ 19.00	76.00
	July - November; 5 months @ 18.00	90.00
	December; 1 month @ 23.19	23.19
1947	January; 1 month @ 23.18	23.18
	March - June; 4 months @ 44.18	176.72
	July - December; 6 months @ 45.04	270.24
1948	January; 1 month @ 45.04	45.04
	March - May; 3 months @ 48.60	145.80
	Total. . . . .	\$1210.47

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

I hereby certify that on this 27th day of August, in the year nineteen hundred and forty-eight, before me, the subscriber, the Clerk of Court for Queen Anne's County, personally appeared Mary H. Davis, Director of the Queen Anne's County Welfare Board, and made oath in due form of law that the within and foregoing account as stated is just and true and that said Board has not received any part of the money stated to be due or any security or satisfaction for the same, except what is credited.

NELLIE B. WHITELEY  
Clerk of the Circuit Court for  
Queen Anne's County.

Seal of  
Circuit Court

Filed Aug. 28, 1948

EXHIBIT B  
Filed August 28, 1948

Viola Jones  
Chester, Md.

To:  
Queen Anne's County Welfare Board - Dr.

The Queen Anne's County Welfare Board, upon the application of Viola Jones, rendered financial assistance to the said Viola Jones, in the amounts and at the times as herein stated to Wit:

1941	January - December ; 12 months @ 10.40	\$ 124.80
1942	January - December; 12 months @ 10.40	124.80
1943	January & February; 2 months @ 10.40	20.80
	March - August; 6 months @ 11.50	69.00
	September; 1 month @ 10.50	10.50
1946	March - June; 4 months @ 19.00	76.00
	July - November; 5 months @ 18.00	90.00
	December; 1 month @ 23.19	23.19
1947	January; 1 month @ 23.18	23.18
	March - June; 4 months @ 44.19	176.76
	July - December; 6 months @ 45.04	270.24
1948	January; 1 month @ 45.04	45.04
	March - May; 3 months @ 48.16	144.48
	June; 1 month @ 30.65	30.65
	Total. . . . .	\$ 1229.44

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

I hereby certify that on this 27th day of August, in the year nineteen hundred and forty-eight, before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared Mary H. Davis, Director of Queen Anne's County Welfare Board, and made oath in due form of law that the within and foregoing account as stated is just and true and that said Board has not received any part of the money stated to be due or any security or satisfaction for the same, except what is credited.

NELLIE B. WHITELEY  
Clerk of the Circuit Court for  
Queen Anne's County.

Seal of the  
Circuit Court

Filed Aug. 28, 1948

EXHIBIT C  
Filed Aug. 28, 1948

Queen Anne's County, to wit: Be it remembered, that on the Eighth day of October, in the year One Thousand eight hundred and eighty-nine the following Deed was brought to be recorded, to wit:

This Deed, made this 20<sup>th</sup> day of September 1889, by us, Samuel L. Jones and Susan Catherine Jones, his wife, of Kent Island Queen Anne's County, State of Maryland, Witnesseth:- That in consideration of the sum of One Hundred and fifty Dollars, We, the said Samuel L. Jones and Susan Catherine Jones his wife, do hereby grant and convey to James Elsworth Jones of said County and State, the following tract or parcel of land, lying and being Crab Alley Neck on Kent Island, in what is known as the Dominion, and more particularly described as follows, being located in the Northeast corner of the land of said Samuel L. Jones, now enclosed and improved with Dwelling, and containing about one fourth of an acre of land, more or less, in fee simple. And we do covenant with the said James Elsworth Jones to warrant generally and specially the property hereby conveyed. Witness our hands and seals.

Test: SAMUEL L. JONES (SEAL)  
JOHN O. PHILLIPS her  
SUSAN CATHERINE X JONES (SEAL)  
mark

State of Md. Queen Anne's County, Sct: I hereby certify that on this 20<sup>th</sup> day of Sept. 1889, before me, the subscriber, one of the Justices of the Peace of said State in and for the County aforesaid, personally appeared Samuel L. Jones and Susan Catherine Jones, his wife, and acknowledged 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 W.D. No. 3, folios 363, 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 28th day of August, in the year nineteen hundred and forty-eight.

NELLIE B. WHITELEY  
Clerk

Seal of the  
Circuit Court

SUBPOENA  
Filed Sept. 2, 1948

(Equity Subpoena)

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

TO

Evelyn Jones, Eastern Shore State Hospital, Cambridge, Dorchester County, Maryland.

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of September next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Queen Anne's County Welfare Board, Centreville, Maryland, against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable J. Owen Knotts, Chief Judge of the Second Judicial Circuit of Maryland the 2nd day of August, 1948.

Issued the 28th day of August, 1948.

TO THE DEFENDANT (S):

You are required to file your answer or other defense in the Clerk's Office within fifteen days after the return day named in the above subpoena. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, Complainant (s) may obtain a decree PRO CONFESSO against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant (s)

Name HOWARD WOOD, 3rd

Address CENTREVILLE, MARYLAND NELLIE B. WHITELEY, Clerk

And on the back of the foregoing Subpoena is the following endorsement, to wit:-

Received 30th day of August, 1948, and forthwith delivered to Sheriff of Dorchester County. Test: Roy S. Melvin.

Summoned, this 1st day of September 1948. Copies of Subpoena and Bill of Complaint left with Dr. Robt. B. May, Supt. of Eastern Shore State Hospital.

WALDO H. ROBINSON

PETITION FOR APPOINTMENT  
OF GUARDIAN AD LITEM  
Filed Sept. 8, 1948

QUEEN ANNE'S COUNTY WELFARE BOARD  
(Centreville, Maryland) Plaintiff,

vs.

EVELYN JONES, Incompetent,  
Defendant.

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

Cause No. 3589

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of Queen Anne's County Welfare Board, Plaintiff, unto your Honors, respectfully sets forth:

1. That as will appear by reference to the Bill of Complaint filed in this Cause, the Defendant, Evelyn Jones, is confined in the Eastern Shore State Hospital because of a mental disability; and that said mental disability renders her incompetent to answer and defend this suit in her own behalf.

2. That no Committee or Trustee has ever been appointed for said Defendant, by any Court of competent jurisdiction, so far as is known to your petitioner.

3. That the writ of subpoena heretofore issued in this Cause against the said Evelyn Jones, incompetent, has been duly served according to law upon the said incompetent as will appear from the return of the Sheriff of Dorchester County endorsed on the said writ and filed in this Cause on the 2nd day of September, 1948.

Wherefore your Petitioner prays this Honorable Court to pass an order appointing some suitable person within the jurisdiction of this Court as Guardian ad litem for the said Evelyn Jones, incompetent, with instructions to said Guardian ad Litem to answer and defend the said suit for said incompetent.

Respectfully submitted,

HOWARD WOOD, 3RD  
Solicitor for Petitioner

Filed Sept. 8, 1948

ORDER OF COURT

Upon the foregoing Petition, IT IS ORDERED, this \_\_\_\_\_ day of September, 1948, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that \_\_\_\_\_, of Queen Anne's County, in the State of Maryland, be and she is hereby appointed Guardian ad Litem of Evelyn Jones, incompetent, with instructions to her to answer and defend the suit instituted against the said incompetent by the Bill of Complaint filed in the above entitled Cause.

ORDER TO REISSUE SUBPOENA  
FOR DEFENDANT  
Filed Sept. 18, 1948

Queen Anne's County  
Welfare Board,  
Plaintiff,

vs.

Evelyn Jones, incompetent,  
Defendant

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

Cause No. 3589

Mrs. N. B. Whiteley, Clerk:

Please reissue subpoena for Defendant, directed to the Sheriff of



Dorchester County, Maryland.

HOWARD WOOD, 3RD  
Solicitor for Plaintiff

Filed Sept. 18, 1948

SUBPOENA  
Filed Sept. 23, 1948

(Equity Subpoena)

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

TO Evelyn Jones, Incompetent, Eastern Shore State Hospital,  
Cambridge, Maryland.

GREETING: We command and enjoin you that you do within the time limited by law, beginning on the first Monday of October next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Queen Anne's County Welfare Board, Centreville, Maryland, against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable J. Owen Knotts, Chief Judge of the Second Judicial Circuit of Maryland, the 6th day of September, 1948.

Issued the 18th day of September, 1948.

TO THE DEFENDANT (S):

You are required to file your answer or other defense in the Clerk's Office within fifteen days after the return day named in the above subpoena. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, Complainant (s) may obtain a decree PRO CONFESSO against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant (s)

Name HOWARD WOOD, 3RD

Address Centreville, Maryland

NELLIE B. WHITELEY, Clerk

And on the back of the foregoing Subpoena are the following endorsements; to wit;-

Received 21st day of September, 1948, and forthwith delivered to Sheriff of Dorchester County.

Test: ROY S. MELVIN, Clerk

Summoned this 22nd day of September, 1948, by reading the within subpoena to Evelyn Jones, incompetent, and by leaving copies of said subpoena and Bill of Complaint with her and with Dr. Robert B. May, Superintendent of the Eastern Shore State Hospital.

WALDO H. ROBINSON  
Sheriff.

Filed Sept. 23, 1948

AMENDED PETITION FOR APPOINTMENT  
OF GUARDIAN AD LITEM  
Filed Sept. 29, 1948

QUEEN ANNE'S COUNTY WELFARE BOARD

vs.

EVELYN JONES, Incompetent.

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

Cause No. 3589.

Amended Petition for Appointment of  
Guardian ad Litem

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Queen Anne's County Welfare Board, Plaintiff, unto your Honors, respectfully sets forth:

1. That as will appear by reference to the Bill of Complaint filed in this Cause, the Defendant, Evelyn Jones, is confined in the Eastern Shore State Hospital because of a mental disability, and that said mental disability renders her incompetent to answer and defend this suit in her own behalf.

2. That no committee or trustee has ever been appointed for said Defendant by any Court of competent jurisdiction, so far as is known to your petitioner.

3. That the second writ of subpoena heretofore issued in this Cause against the said Evelyn Jones, incompetent, has been duly served according to law upon the said incompetent, as will appear from the return of the Sheriff of Dorchester County endorsed on the said writ and filed in this Cause on the 23rd day of September, 1948.

WHEREFORE, your petitioner prays this Honorable Court to pass an order appointing some suitable person within the jurisdiction of this Court as Guardian ad Litem for the said Evelyn Jones, incompetent, with instructions to said Guardian ad Litem to answer and defend the said suit for said incompetent.

Respectfully submitted,

HOWARD WOOD, 3RD  
Solicitor for Petitioner

Filed Sept. 29, 1948.

ORDER OF COURT

Upon the foregoing petition, IT IS ORDERED, this 29th day of September, 1948, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that Ann W. Donaldson, of Queen Anne's County, in the State of Maryland, be and she is hereby appointed Guardian ad Litem of Evelyn Jones, incompetent, with instructions to her to answer and defend the suit instituted against the said incompetent by the Bill of Complaint filed in the above entitled cause.

WM. R. HORNEY

JUDGE

Filed Sept. 29, 1948

ANSWER OF DEFENDANT BY HER  
GUARDIAN AD LITEM  
Filed Sept. 29, 1948

QUEEN ANNE'S COUNTY WELFARE BOARD  
(Centreville, Maryland) Plaintiff,

vs.

EVELYN JONES, Incompetent,  
Defendant.

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

Cause No. 3589

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The answer of Evelyn Jones, incompetent, by Ann W. Donaldson, her Guardian ad Litem, to the Bill of Complaint of Queen Anne's County Welfare Board 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 submits her rights to the protection of this Honorable Court.

ANN W. DONALDSON  
Guardian ad Litem

STATE OF MARYLAND, )  
 ) to wit:  
QUEEN ANNE'S COUNTY, )

I HEREBY CERTIFY, that on this 29th day of September, 1948, before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared Ann W. Donaldson, the above named Guardian ad Litem for Evelyn Jones, incompetent, 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.

NELLIE B. WHITELEY  
Clerk of the Circuit Court

Seal of the  
Circuit Court

Filed Sept. 29, 1948

PETITION FOR LEAVE TO FILE  
AMENDED BILL OF COMPLAINT  
Filed October 19, 1948

QUEEN ANNE'S COUNTY  
WELFARE BOARD, Plaintiff,

vs.

EVELYN JONES, incompetent,  
Defendant.

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

Cause No. 3589

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of Queen Anne's County Welfare Board, Plaintiff in these proceedings, by Howard Wood, 3rd, its Attorney, unto your Honors, respectfully shows:

1. That since the filing of the bill in these proceedings, certain facts have come to the knowledge and attention of your orator including the fact that James E. Jones, deceased, died testate, and that his last will and testament has been admitted to probate by the Register of Wills of Queen Anne's County, that Viola Jones left personal estate consisting of cash in the sum of Sixty-seven Dollars and Thirty Cents (\$67.30), that an administrator of her personal estate has been appointed, that title to the land sought to be sold in these proceedings became vested solely in Viola Jones upon the death of James E. Jones, and that Viola Jones left a grandson and two great grandchildren in addition to her daughter, Evelyn Jones, as her heirs at law.

2. That your petitioner is advised that the new facts, which have been referred to above, are so material as to require the filing of an amended bill.

Wherefore your petitioner prays this Honorable Court to pass an order authorizing it to file an amended bill, adding additional parties defendant.

And as in duty bound, etc.,

QUEEN ANNE'S COUNTY WELFARE BOARD

By HOWARD WOOD, 3RD

Filed Oct. 19, 1948

ORDER OF COURT  
Filed Oct. 20, 1948

ORDER OF COURT

Upon the foregoing petition, IT IS ORDERED, this 20th day of October, 1948, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that Queen Anne's County Welfare Board be and it is hereby authorized to file an amended bill in these proceedings, adding such additional parties defendant as it may consider necessary to its case.

WM. R. HORNEY

Judge

Filed Oct. 20, 1948

AMENDED BILL OF COMPLAINT  
Filed Oct. 21, 1948

QUEEN ANNE'S COUNTY  
WELFARE BOARD, (Centreville  
Maryland),  
Plaintiff

vs.

EVELYN JONES, incompetent,  
(Eastern Shore State Hospital,  
Cambridge, Maryland),  
DARWIN LLOYD, (Chester, Mary-  
land),  
JAMES L. ROE, infant, (Rosewood  
Training School, Owings Mills,  
Maryland),  
JOYCE C. ROE, infant, (Childrens'  
Home, Easton, Maryland), and  
CLEVELAND JOHNSON, Administrator  
of Viola Jones, deceased,  
(Chester, Maryland),  
Defendants

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

Cause No. 3589

AMENDED BILL OF COMPLAINT

Your Orator, Queen Anne's County Welfare Board, by Howard Wood, 3rd, its Attorney, brings this suit for itself as well as for all other creditors of James E. Jones and Viola Jones, both late of Queen Anne's County, deceased, who will come in and contribute to the expense thereof; and your orator, complaining, says:

1. That your orator disbursed Old Age Assistance payments, in accordance with its duty provided by the laws of Maryland, unto James E. Jones in his lifetime in the total sum of \$1210.47, and unto Viola Jones, (his wife), in her lifetime in the sum of \$1229.44, in the amounts and at the times set forth in two itemized statements filed herewith as a part hereof, and marked, respectively, "Exhibit A" and "Exhibit B"; of which amounts your orator has received no part prior to the filing hereof.

2. That the said James E. Jones died testate, a resident of Queen Anne's County, Maryland, on June 1, 1948, possessed of no personal estate of any intrinsic value, no letters of administration having been granted on his estate, but seized and possessed of a certain valuable lot or parcel of land situate in the village of Dominion, in the Fourth Election District of said County and State, improved by a dwelling house, containing one-fourth (1/4) of an acre of land, more or less, which was conveyed unto him, in fee simple, by Samuel L. Jones and Susan Catherine Jones, his wife, by deed dated September 20, 1889, and recorded in Liber W.D. No. 3, folios

363, etc., a Land Record Book for Queen Anne's County, aforesaid, a certified copy of said deed being filed herewith as a part hereof, marked "Exhibit C".

3. That the last will and testament of said James E. Jones, deceased, bearing date the 25th day of February, 1946, was duly admitted to probate by the Register of Wills of said County on the 18th day of October, 1948, a certified copy of said will and probate proceedings, marked "Exhibit D", being filed herewith as a part hereof; and that, by said will, the aforesaid James E. Jones devised his real estate unto Lawrence Jones, his son, in fee simple.

4. That said Lawrence Jones dies intestate, a resident of said County, on the 9th day of April, 1946, unmarried and without children, leaving his mother and father, Viola Jones and James E. Jones, above referred to, as his heirs at law; and that, by virtue of the will of said James E. Jones, the fee simple title to said land became vested in Viola Jones as heir of her son Lawrence, deceased devisee of his father, upon the death of said James E. Jones, subject to the latter's debts.

5. That said Viola Jones departed this life, intestate, a resident of said County, on the 23rd day of July, 1948, leaving personal estate consisting only of cash in the sum of \$67.30; seized and possessed of said land in fee simple; and that letters of administration upon her personal estate were granted and committed unto Cleveland Johnson on the 18th day of October, 1948, as is evidenced by the certificate of the Register of Wills of said County, marked "Exhibit E", which is filed herewith as a part hereof.

6. That said Viola Jones, deceased, left surviving her as her only heirs at law the following persons, who are named as defendants, in this bill, to wit:

(a) Evelyn Jones, adult, daughter, who is confined to the Eastern Shore State Hospital, Cambridge, Maryland, because of a mental disability;

(b) Darwin Lloyd, adult, grandson, a child of decedent's deceased daughter, Lena J. Lloyd, residing at Chester, Maryland;

(c) James L. Roe, infant, born February 9, 1934, a son of Natline V. Roe, deceased daughter of said Lena J. Lloyd, deceased, residing at Rosewood Training School, Owings Mills, Maryland;

(d) Joyce C. Roe, infant, born October 22, 1936, a daughter of said Natline V. Roe, deceased, residing at the Childrens' Home, Easton, Maryland.

7. That the personal estates of James E. Jones, deceased, and of Viola Jones, deceased, as will fully appear by reference to the allegations hereinabove set forth, are each insufficient to pay the respective debts of said decedents.

TO THE END, THEREFORE:

1. That a Trustee may be appointed under the Decree of this Honorable Court to sell the real estate hereinabove described for the purpose of applying the net proceeds of sale to the payment of the debts of James E. Jones, deceased, and of Viola Jones, deceased;

2. That your orator may have such other and further relief as its case may require.

MAY IT PLEASE your Honors to grant unto your orator writs of subpoena as follows:

(a) against Cleveland Johnson, Administrator of Viola Jones, deceased, and against Darwin Lloyd, directed to the Sheriff of Queen Anne's County, Maryland,

(b) against Evelyn Jones, incompetent, directed to the Sheriff of Dorchester County, Maryland,

(c) against James L. Roe, infant, directed to the Sheriff of Baltimore County, Maryland, and

(d) against Joyce C. Roe, infant, directed to the Sheriff of Talbot County, Maryland,

commanding them and each of them to be and appear in this Court on or before some certain day to be named in said writ, to answer this Amended Bill of Complaint and abide by any order or decree that may be passed in the premises.

AND as in duty bound, etc.,

QUEEN ANNE'S COUNTY WELFARE BOARD

By Howard Wood, 3rd  
Attorney for Plaintiff.

Filed Oct. 21, 1948

EXHIBIT D  
Filed Oct. 21, 1948

In the name of God, Amen!  
I, James E. Jones, of Queen Anne's County in the State of Maryland, do make this the following as and for my last Will and Testament, that is to say:

First, I hereby revoke all former wills by me made.

Second, I do hereby give and bequeath unto my wife, Viola Jones, the sum of One Dollar and no more and in lieu of her legal rights in both my personal property and in my land.

Third, I do hereby give and bequeath unto my daughter, Evelyn Jones, the sum of One Dollar and no more.

Fourth: All the rest, residue and remainder of my estate and property, meaning both my personal property and my land I do hereby give, bequeath and devise unto my son, Lawrence Jones and unto his heirs, executors, administrators and assigns, absolutely and forever.

Fifth, I do hereby nominate and appoint my said son to be the executor of this my last Will and Testament.

IN TESTIMONY WHEREOF I do hereunto sign my name and affix my Seal this twenty-fifth day of February in the year nineteen hundred and forty six.

\_\_\_\_\_  
JOHN J. JONES (SEAL)

Signed, sealed, published, pronounced and declared by the above named Testator, James E. Jones, to be his last Will and Testament in our presence, who, in his presence, at his request and in the presence of each other have thereunto signed our names as witnesses.

\_\_\_\_\_  
NAOMI CROUCH

\_\_\_\_\_  
MELVIN CROUCH

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

On the 18th day of October A.D., 1948, came Cleveland Johnson, Custodian of the within and foregoing instrument of writing, purporting to be the last Will and Testament of James E. Jones, 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 Melvin Crouch and Naomi Crouch, his wife, on or about the 4th day of October A.D., 1948.

Sworn before

\_\_\_\_\_  
EDWARD E. COURSEY  
Register of Wills of Queen Anne's  
County, Maryland.

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

On the 18th day of October 1948, came Naomi Crouch and Melvin Crouch of Chester, Maryland, the two subscribing witnesses to the foregoing last Will and Testament of James E. Jones, 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 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:

\_\_\_\_\_  
EDWARD E. COURSEY  
Register of Wills of 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 JAMES E. JONES, 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 18th day of October, A.D., 1948, that the same be admitted in this Court as the true and genuine last Will and Testament of the said JAMES E. JONES, deceased.

\_\_\_\_\_  
EDWARD E. COURSEY  
Register of Wills of Queen Anne's  
County, Maryland

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 JAMES E. JONES, late of Queen Anne's County, deceased, as filed and passed in this office on October 18, 1948 and recorded in Liber N.S.D. No. 1, folio 515 in Record Book of Wills in 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 20th day of October, 1948.

\_\_\_\_\_  
EDWARD E. COURSEY  
Register of Wills of Queen Anne's  
County, Maryland

Seal of Orphans' Court

EXHIBIT E  
Filed October 21, 1948

THE STATE OF MARYLAND,

QUEEN ANNE'S COUNTY, SCT:

THE SUBSCRIBER, Register of Wills for Queen Anne's County, doth hereby certify that it appears by the Records in his office, that Letters of Administration of all the goods, chattels, credits and personal estate of Viola Jones, late of Queen Anne's County, deceased were on the 18th day of October in the year of our Lord one thousand nine hundred and forty-eight, granted and committed unto Cleveland Johnson who was then and there appointed ADMINISTRATOR of the said deceased, and that said letters are at this date in full force and effect.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the Seal of my office, this 20th day of October in the year of our Lord, nineteen hundred and forty-eight.

Test:

EDWARD E. COURSEY

Register of Wills for Queen Anne's  
County

Seal of the  
Orphans' Court

SUBPOENA  
Filed Oct. 28, 1948

(Equity Subpoena)

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

TO

Joyce C. Roe, infant, Children's Home, Easton, Maryland

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of November next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Queen Anne's County Welfare Board, Centreville, Maryland, against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable J. Owen Knotts, Chief Judge of the Second Judicial Circuit of Maryland, the 6th day of September, 1948.

Issued the 21st day of October, 1948.

TO THE DEFENDANT (S):

You are required to file your answer or other defense in the Clerk's Office within fifteen days after the return day named in the above subpoena. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, Complainant (s) may obtain a decree Pro Confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant (s)

Name HOWARD WOOD, 3RD

Address CENTREVILLE, MARYLAND

NELLIE B. WHITELEY, Clerk

SUBPOENA  
Filed Oct. 30, 1948

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

TO

Darwin Lloyd, Chester, Maryland

Greeting: We command and enjoin you that you do within the time limited by law, beginning on the first Monday of November next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Queen Anne's County Welfare Board, Centreville, Maryland, against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable J. Owen Knotts, Chief Judge of the Second Judicial Circuit of Maryland, the 6th day of September, 1948.

Issued the 21st day of October, 1948.

TO THE DEFENDANT (S)

You are required to file your answer or other defense in the Clerk's Office within fifteen days after the return day named in the above subpoena. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, Complaint (s) may obtain a decree Pro Confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant (s)

Name HOWARD WOOD, 3RD

Address CENTREVILLE, MARYLAND

NELLIE B. WHITELEY, Clerk

SUBPOENA  
Filed Oct. 30, 1948

THE STATE OF MARYLAND

Orphans' Court  
Seal

QUEEN ANNE'S COUNTY, TO WIT:

TO Cleveland Johnson, Administrator of Viola Jones, deceased,  
Chester, Maryland

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of November next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Queen Anne's County Welfare Board, Centreville, Maryland, against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable J. Owen Knotts, Chief Judge of the Second Judicial Circuit of Maryland, the 6th day of September, 1948.

Issued the 21st day of October, 1948.

TO THE DEFENDANT (S):

You are required to file your answer or other defense in the Clerk's Office within fifteen days after the return day named in the above subpoena. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, Complainant (s) may obtain a decree Pro Confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant (s)

Name HOWARD WOOD, 3RD

Address CENTREVILLE, MARYLAND

NELLIE B. WHITELEY, Clerk

SUBPOENA  
Filed Nov. 1, 1948

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

TO James L. Roe, infant, Rosewood Training School, Owings Mills,  
Maryland.

GREETING: We command and enjoin you that you do within the time limited by law, beginning on the first Monday of November next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Queen Anne's County Welfare Board, Centreville, Maryland, against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable J. Owen Knotts, Chief Judge of the Second Judicial Circuit of Maryland, the 6th day of September, 1948.

Issued the 21st day of October, 1948.

TO THE DEFENDANT (S):

You are required to file your answer or other defense in the Clerk's Office within fifteen days after the return day named in the above subpoena. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, Complainant(s) may obtain a decree Pro Confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Name HOWARD WOOD, 3RD

Address CENTREVILLE, Maryland

NELLIE B. WHITELEY, Clerk

SUBPOENA  
Filed Nov. 1, 1948

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

TO Evelyn Jones, Incompetent, Eastern Shore State Hospital,  
Cambridge, Maryland

GREETING: We command and enjoin you that you do within the time limited by law, beginning on the first Monday of November next and ending fifteen days thereafter

cause your answer or other defense to be filed to the complaint of Queen Anne's County Welfare Board, Centreville, Maryland, against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable J. Owen Knotts, Chief Judge of the Second Judicial Circuit of Maryland, the 6th day of September, 1948.

Issued the 21st day of October, 1948.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office within fifteen days after the return day named in the above subpoena. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, Complainant(s) may obtain a decree Pro Confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Name HOWARD WOOD, 3RD

Address CENTREVILLE, MARYLAND

NELLIE B. WHITELEY, Clerk

ANSWER OF DARWIN LLOYD,  
ADULT DEFENDANT  
Filed Nov. 1, 1948

QUEEN ANNE'S COUNTY  
WELFARE BOARD,  
Plaintiff,

vs.

EVELYN JONES; incompetent,  
et al.,  
Defendants.

In the Circuit Court for

Queen Anne's County

In Equity

Cause No. 3589

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Answer of Darwin Lloyd, adult defendant, to the Amended Bill in the above entitled cause against him in this Court exhibited:

This Defendant admits the matters and facts set forth in said Bill and consents to the passage of such decree or order as may be passed in the premises; does hereby waive notice of the taking of testimony in this case and does agree that depositions in said case may be taken at any time by one of the Standing Examiners of this Court, as he does not choose to appear to offer evidence in the premises.

And as in duty bound, etc.,

DARWIN M. LLOYD  
(Darwin M. Lloyd)

Filed Nov. 1, 1948

PETITION TO APPOINT  
GUARDIAN AD LITEM  
Filed Nov. 23, 1948

QUEEN ANNE'S COUNTY  
WELFARE BOARD,  
Plaintiff,

vs.

EVELYN JONES, incompetent,  
et al.,  
Defendants.

IN THE CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY

IN EQUITY

Cause No. 3589

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of Queen Anne's County Welfare Board, Plaintiff, unto your Honors, respectfully sets forth:

1. That as will appear by reference to the Amended Bill of Complaint filed in this Cause; the Defendant, Evelyn Jones, is confined in the Eastern Shore State Hospital because of a mental disability; and that said mental disability renders her incompetent to answer and defend this suit in her own behalf.

2. That no Committee or Trustee has ever been appointed for said Defendant, by any Court of competent jurisdiction, so far as is known to your petitioner.

3. That the writ of subpoena heretofore issued as requested by the Amended Bill in this Cause against the said Evelyn Jones, incompetent, has been duly served according to law upon the said incompetent as will appear from the return of the Sheriff of Dorchester County endorsed on the said writ and filed in this Cause on the 30th day October, 1948..

4. That as will further appear by reference to the said Amended Bill, the defendants James L. Roe and Joyce C. Roe, are infants under the age of twenty-one years, unable to answer and defend this suit, respectively, in their own behalf; and that no guardian has ever been appointed for either of such infant defendants by any Court, so far as is known to your petitioner.



5. That the writs of subpoena heretofore issued, as requested by said Amended Bill, in this Cause against the said infant defendants James L. Roe and Joyce C. Roe, have been duly served according to law upon the said infants, as will appear from the returns of the Sheriffs of Baltimore and Talbot Counties endorsed on said respective writs and filed in this Cause on the 1st day of November, 1948, and the 28th day of October, 1948, respectively.

Wherefore your Petitioner prays this Honorable Court to pass an order appointing some suitable person within the jurisdiction of this Court as Guardian ad Litem for the said Evelyn Jones, incompetent, and also for the said James L. Roe, infant, and for the said Joyce C. Roe, infant, with instructions to said Guardian ad Litem to answer and defend the said suit for said incompetent and for said infants.

Respectfully submitted,

HOWARD WOOD, 3rd  
Solicitor for Petitioner.

Filed Nov. 23, 1948

ORDER OF COURT  
Filed Nov. 23, 1948

ORDER OF COURT

Upon the foregoing Petition, IT IS ORDERED, this 23rd day of November, 1948, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that Caroline T. Wilson of Queen Anne's County, in the State of Maryland, be and she is hereby appointed Guardian ad Litem of Evelyn Jones, incompetent, and of James L. Roe, infant, and of Joyce C. Roe, infant, with instructions to her to answer and defend the suit instituted against the said incompetent and infants by the Amended Bill of Complaint filed in the above entitled Cause.

WM. R. HORNEY

Judge

Filed Nov. 23, 1948

ANSWER OF GUARDIAN AD LITEM  
TO BILL OF COMPLAINT  
Filed Dec. 2, 1948

QUEEN ANNE'S COUNTY WELFARE BOARD,  
Plaintiff,

vs.

EVELYN JONES, incompetent,  
et al.,  
Defendants.

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

Cause No. 3589

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Answer of Evelyn Jones, incompetent, of James L. Roe, infant, and of Joyce C. Roe, infant, by Caroline T. Wilson, their Guardian ad Litem, to the Amended Bill of Complaint of Queen Anne's County Welfare Board exhibited against them in the above entitled Cause, says:

That these defendants cannot admit any of the matters and things alleged in said Amended Bill of Complaint, and submit their respective rights to the protection of this Honorable Court.

CAROLINE T. WILSON  
Guardian ad Litem

STATE OF MARYLAND, )  
QUEEN ANNE'S COUNTY, )

TO WIT:

I HEREBY CERTIFY, that on this day of , 1948, before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared Caroline T. Wilson, the above named Guardian ad Litem for Evelyn Jones, incompetent, James L. Roe, infant, and Joyce C. Roe, infant, 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.

NELLIE B. WHITELEY  
Clerk of the Circuit Court.

Filed Dec. 2, 1948

THE ANSWER OF CLEVELAND JOHNSON,  
ADMINISTRATOR OF VIOLA JONES, DECEASED  
Filed Dec. 2, 1948

QUEEN ANNE'S COUNTY WELFARE BOARD,  
Plaintiff,

vs.  
 EVELYN JONES, incompetent,  
 et al.,  
 Defendants.

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

Cause No. 3589

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Answer of Cleveland Johnson, Administrator of Viola Jones, deceased, to the Amended Bill in the above entitled cause against him in this Court exhibited:

This defendant admits the matters and facts set forth in said Bill and consents to the passage of such decree or order as may be passed in the premises.

And as in duty bound, etc.,

CLEVELAND JOHNSON  
 (Cleveland Johnson) Administrator of  
 Viola Jones, deceased.

Filed Dec. 2, 1948

REPORT OF EXAMINER AND  
 DEPOSITIONS  
 Filed Dec. 29, 1948

QUEEN ANNE'S COUNTY  
 WELFARE BOARD, (CENTREVILLE  
 MARYLAND)

Plaintiff

EVELYN JONES, incompetent,  
 et al.

#  
 #  
 #  
 #

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

Cause No. 3589

REPORT OF EXAMINER

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The undersigned, one of the Standing Examiners of this Court, at the request of Howard Wood, 3rd, Attorney for Plaintiff, went to the office of Gibson and Wood in the town of Centreville, on Tuesday the 28th day of December, 1948, at about 2:30 P.M., and after swearing in the stenographer, Miss Wilson, and after swearing in the witnesses, the within depositions were taken, Mr. Wood conducting the examination of all witnesses.

RICHARD T. EARLE  
 One of the Standing Examiners.

Filed Dec. 29, 1948

The first witness produced on the part of the Plaintiff, of lawful age, was Cleveland Johnson, who being duly sworn deposes and states:

- Q. Please state your name, age, address and occupation.  
 A. My name is Cleveland Johnson, age 64, my occupation is oystering and following the water, My address is Chester, Md.
- Q. Did you know James E. Jones? If so, is he living or dead?  
 If dead, about when did he die?  
 A. Yes, I knew him. He is dead. I think about in June of this year.
- Q. Do you know whether James E. Jones owned real estate at the time of his death? If so, state the location and type of property.  
 A. It was all his Father's Property, he bought this acre of ground from his father with the house on it and it was deeded to him outright.
- Q. Mr. Johnson, I now hand you a copy of a deed filed in this case from Samuel L. Jones and Susan Catherine Jones, his wife, dated September 20, 1889, to James E. Jones. Can you state from this deed whether the land therein described is or is not the same land which you have stated that James E. Jones owned at his death in fee simple?  
 A. It is certainly is.
- Q. I now hand you a copy of a will which you filed in the Orphans' Court as the will of James E. Jones, deceased. Please state whether or not you knew Lawrence Jones the beneficiary under such will. If so, is he living or dead? If dead, about when did he die and did he or not leave a will?  
 A. I did know him and at this present time he is dead. To the best of my knowledge he did not leave a will. He died sometime ago, I do not know exactly when. Before James E. Jones and Viola Jones, his father and mother.
- Q. Did Lawrence Jones leave a widow surviving him?  
 A. Nothing at all whatsoever.
- Q. Did he leave any children or descendants surviving him?  
 A. No, sir, nothing whatsoever, no heirs whatsoever.
- Q. Did he leave both of his parents surviving him? If so, name them.  
 A. Yes, sir, James E. Jones and Viola Jones.

- Q. Did Viola Jones, mother of Lawrence, survive her husband, James E. Jones?  
 A. Yes Sir.
- Q. Is Viola Jones living or dead? If dead, about when did she die and did she leave a will?  
 A. Dead. No will whatsoever. Somewheres between two and three months later than the death of James E. Jones.
- Q. What children, if any, did Viola Jones leave surviving her?  
 A. She left one. Evelyn Jones, Eastern Shore State Hospital, Cambridge, Md.
- Q. What grandchildren, if any, did Viola Jones leave surviving her?  
 A. Darwin Lloyd, Chester, Md.
- Q. What great-grandchildren if any, did Viola Jones leave surviving her?  
 A. Jimmie Roe, living at an institution whose name I do not remember and also the sister, Joyce Roe, living at an institution also.
- Q. Do you know of any other descendants of Viola Jones except the persons you have named?  
 A. I do not.
- Q. Did James E. Jones leave any personal property of any value?  
 A. I don't think so.
- Q. What relation are you, if any, to James and Viola Jones?  
 A. Viola Jones brother, making me James Jones brother-in-law. I tried to dispose of what little household furniture James Jones left and was unable to sell any. Mrs. Davis of the Welfare Board suggested that I give it to members of the family as being of no value.
- Q. What personal property, if any, did Viola Jones leave at her death?  
 A. Nothing but house furniture, and I believe about \$67.00 in the Stevensville Bank.
- Q. Was her furniture of any value?  
 A. No, a second hand dealer would give no bid on it.
- Q. Are you or not the administrator of her personal estate?  
 A. Yes sir.
- Q. Please state your opinion of the fair market value at the present date of the real estate which James E. Jones owned in fee simple at the time of his death.  
 A. Well I would think be about \$2500.00 and \$3,000.00

EXAMINERS SPECIAL

- A. There is nothing else I know of.

CLEVELAND JOHNSON

The second witness called by the Plaintiff was of lawfullage, who after being duly sworn, deposes and states:

- Q. Please state your name, age, address and occupation.  
 A. Percy E. Thomas, age 48, Chester, Md., Merchant.
- Q. Did you know James E. Jones who died on or about June 1, 1948, a resident of Chester, Queen Anne's County, Maryland?  
 A. Yes I did.
- Q. Mr. Thomas, are you or not familiar with the land of which James E. Jones died seized and possessed in fee simple?  
 A. I am familiar with the land and property.
- Q. Are you or not familiar with the value of other lands in the same neighborhood?  
 A. Well not to any great extent.
- Q. Are you yourself the owner of real estate located on Kent Island, Queen Anne's County, Maryland?  
 A. I am.
- Q. What is your considered opinion of the fair market value of the lot of land and dwelling house owned by James E. Jones at the time of his death?  
 A. I would say around 27 or 2800 dollars.
- Q. You stated that you were not particularly familiar with the value of real estate in the same neighborhood as this property. Are you or not familiar with such values on Kent Island generally?  
 A. Yes I am more familiar with Kent Island as a whole than with this particular locality.

EXAMINERS SPECIAL

- A. No, I do not.

PERCY E. THOMAS

The third witness called by the Plaintiff was Mr. Roy E. Golt, of lawful age, who being duly sworn, deposes and states:

- Q. Please state your name, age, address and occupation.  
 A. Roy E. Golt, age 53, farming, address Chester, Md.

Q. Did you know James E. Jones who died on or about June 1, 1948, a resident of Chester, Queen Anne's County, Maryland?

A. Yes, sir.

Q. Mr. Golt, are you or not familiar with the land of which James E. Jones died seized and possessed in fee simple?

A. Yes, sir.

Q. Are you or not familiar with the value of other lands in the same neighborhood?

A. Yes, sir.

Q. Are you yourself the owner of real estate located on Kent Island, Queen Anne's County, Maryland?

A. Yes, sir.

Q. What is your considered opinion of the fair market value of the lot of land and dwelling house owned by James E. Jones at the time of his death?

A. About 2700 dollars.

EXAMINERS SPECIAL.

A. No.

ROYE L. GOLT

The fourth and last witness called by the Plaintiff was Mrs. Mary Davis, of lawful age, who being duly sworn, deposes and states:

Q. Please state your name, age, residence and occupation.

A. Mary H. Davis, age 35, Rock Hall, Md. Director of the Queen Anne's County Welfare Board.

Q. As director of said Welfare Board, is it or not your duty to superintend the keeping of accounts of money advanced by said board as Old Age Assistance payments?

A. It is.

Q. Do the records in the office of the Queen Anne's County Welfare Board disclose that James E. Jones, late of Chester, Maryland, received Old Age Assistance payments from said Board or not?

A. He did.

Q. Mrs. Davis, have you prepared a copy or statement of the condition of the Welfare Board's account with reference to such payments made to James E. Jones?

A. I have.

Q. Has there been any payment made to the Board on this account since you prepared it?

A. Yes, in the case of James E. Jones, \$22.50.

Q. Would you please state the nature of this payment or refund and who made it?

A. Mr. Cleveland Johnson as the guardian of Mr. Jones returned to us Board money, refunded to him by Mrs. William Melvin.

Q. Do the Board's records disclose that one Viola Jones, deceased, wife of James E. Jones, received similar financial assistance or not?

A. Yes, she did.

Q. Have you prepared a copy or statement of the condition of the Welfare Board's account with reference to such payments made to Viola Jones?

A. I have.

Q. Has there been any payment made to the Board on this account since you prepared it?

A. No, there has been no payment made.

EXAMINERS SPECIAL

A. No, I don't.

MARY H. DAVIS

After taken the depositions herein attached, the examiner was advised by Mr. Wood that he desired to take no further depositions.

Witnesses waived expenses and fees.

Richard T. Earle, Examiner-----\$8.00

Respectfully submitted,

RICHARD T. EARLE  
One of Standing Examiners.

Filed Dec. 29, 1948

Exhibits filed with the Standing Examiner are the same Exhibits recorded immediately following the Bill of Complaint and the Amended Bill of Complaint, which are Exhibits A, B, C, D and E.

CERTIFIED COPY OF BOND

CERTIFIED COPY OF BOND

QUEEN ANNE'S COUNTY, to wit: Be it remembered that on this Seventh day of February, in the year nineteen hundred and forty nine, the following BOND was brought to be recorded, to wit:

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

KNOW ALL MEN BY THESE PRESENTS, THAT we, Howard Wood, 3rd, of Queen Anne's County, State of Maryland, as principal, and the Hartford Accident and Indemnity Company, a body corporate, duly authorized by its charter to become surety on bonds, 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 7th day of February, 1949;

WHEREAS, the above bounded Howard Wood, 3rd, has been appointed by a decree of the Circuit Court for Queen Anne's County in Equity, passed on the 7th day of February, 1949, trustee to make sale of the real estate mentioned and described in the cause in said court entitled "Queen Anne's County Welfare Board, Plaintiff, vs. Evelyn Jones, incompetent, et al., Defendants", being Cause No. 3589 in the Circuit Court for Queen Anne's County in Equity;

NOW, THE CONDITION OF THE ABOVE OBLIGATION IS SUCH that if the above bounded Howard Wood, 3rd, do and shall well and faithfully perform and execute the trust reposed in him by said decree, or that may be reposed in him by any future order or decree 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:

CAROLINE T. WILSON

HOWARD WOOD, 3rd (SEAL)

HARTFORD ACCIDENT AND INDEMNITY COMPANY

Corporate Seal Place.

BY GIBSON AND WOOD

BY HOWARD WOOD, 3rd Its Attorneys-in-fact.

ATTEST:

CAROLINE T. WILSON

And at the foot of the foregoing Bond is thus endorsed, to wit: Security approved and Bond filed. Feb. 7, 1949.

NELLIE B. WHITELEY, Clerk.

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. 1, folio 84, 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 February, in the year nineteen hundred and forty-nine.

Seal of Circuit Court

NELLIE B. WHITELEY Clerk

DECREE Filed Feb. 7, 1949

QUEEN ANNE'S COUNTY WELFARE BOARD, Plaintiff

vs.

EVELYN JONES, incompetent, et al., Defendants.

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

Cause No. 3589

DECREE

The above cause standing ready for hearing, and being submitted

without argument on the Amended Bill and other proceedings filed herein, the Amended Bill of Complaint, exhibits, Answers, Depositions and other proceedings were, by the Court, read and considered.

IT IS THEREUPON, on this 7th day of February, 1949, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, ADJUDGED, ORDERED AND DECREED as follows :

That the real estate mentioned and described in these proceedings be sold at public sale to be conducted by the Trustee hereinafter appointed, for the purpose of applying the proceeds of sale to the payment of the debts of James E. Jones, deceased, and then to the debts of Viola Jones, deceased.

That Howard Wood, 3rd, of Queen Anne's County, State of Maryland, be and he is hereby appointed trustee to make said sale, but before he shall proceed to act as such trustee he shall file with the Clerk of this Court a bond to the State of Maryland with corporate surety to be approved by said Clerk in the penalty of Three Thousand Dollars.

That he shall advertise the time, place, manner and terms of sale in a newspaper printed and published in said Queen Anne's County for at least three weeks prior to the day of sale, said terms to accord immediate possession to the purchaser, and to provide payment of the entire purchase price in cash, or one-third of the purchase price in cash, and two-thirds upon final ratification of said sale by this Court, the deferred payment to bear interest from day of sale and be secured to the Trustee's satisfaction.

That he shall then proceed to make such sale at the appointed time and place, upon the above terms, by public auction, to the highest bidder for said property.

That he shall report a full account of said sale to this Court with an affidavit of the truth and fairness thereof.

That, upon the final ratification of said sale, and full payment of the purchase money, he shall convey unto the purchaser or purchasers thereof, by a good and sufficient deed to be executed and acknowledged agreeably to law, the property so sold to him, free, clear and discharged of all claims of the parties to this cause, other creditors of James E. Jones, deceased, or Viola Jones, deceased, or of those claiming by, through or under them or any of them.

That said trustee shall bring into this Court all of the money arising from said sale to be disposed of under the direction of this Court, after deducting therefrom the costs of this proceeding and such commissions to 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.

And that, at the time of the first insertion or publication of the advertisement of sale above required, he shall publish in the same newspaper a notice to the creditors of James E. Jones, deceased, and of Viola Jones, deceased, requiring them to file their claims against said decedents with the Clerk of this Court within 90 days of the date of said first insertion or be excluded from participating in the proceeds of said sale.

WM. R. HORNEY

Judge

Filed Feb. 7, 1949

REPORT OF SALE  
Filed March 8, 1949

QUEEN ANNE'S COUNTY  
WELFARE BOARD, Plaintiff,

vs.

EVELYN JONES, incompetent,  
et al., Defendants.

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

Cause No. 3589

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Sale of the real estate made in this cause by Howard Wood, 3rd, the trustee appointed to make such sale, unto your Honors, respectfully shows:

1. That pursuant to the decree of this Honorable Court passed on the 7th day of February, 1949, your trustee filed in this cause a bond in the penalty of Three Thousand Dollars (\$3,000.00), with corporate surety thereon, which said bond was duly approved by the Clerk of this Court.

2. That thereupon, pursuant to said decree, your trustee advertised 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, Maryland, for more than three successive weeks prior to the 8th day of March, 1949, as will appear by reference to the certificate of advertisement of sale which is hereto attached as a part hereof.

3. That, pursuant to said decree and said advertisement, your trustee proceeded to sell the real estate described in said advertisement, in front of the Court House door in the Town of Centreville, Queen Anne's County, Maryland, at 1:30

P.M. on Tuesday, the 8th day of March, 1949, and sold same unto Roy G. Gardner and Evelyn M. Gardner, his wife, they being then and there the highest bidders therefor, at and for the sum of Two Thousand One Hundred Dollars (\$2,100.00), and that said Purchasers passed their check for the entire purchase money unto your trustee.

4. That at the time of the first insertion of said advertisement of sale in said newspaper, your trustee published in the same newspaper a notice to the creditors of James E. Jones, deceased, and Viola Jones, deceased, requiring them to file their claims against said decedents with the Clerk of this Court within 90 days of the date of said first insertion or be excluded from participating in the proceeds of said sale, as will appear by reference to the certificate of publication of said notice to creditors, hereto attached as a part hereof.

Respectfully submitted,

HOWARD WOOD, 3RD

Trustee

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

I hereby Certify that on this 8th day of March, 1949, before me, the Clerk of the Circuit Court for Queen Anne's County, personally appeared Howard Wood, 3rd, and made oath in due form of law that the matters and facts set forth in the foregoing REPORT OF SALE are true and bona fide as therein stated, and that the sale made by him as trustee, and therein reported, was fairly made.

NELLIE B. WHITELEY

Clerk

Filed March 8, 1949

CERTIFICATE OF PUBLICATION OF  
ADVERTISEMENT OF SALE  
Filed March 8, 1949

Trustee's Sale of Kent Island  
-- Dwelling --

The undersigned Trustee, by virtue of a decree of the Circuit Court for Queen Anne's County, in Equity, passed on February 7, 1949, in Cause 3589 in said Court, 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, MARCH 8, 1949

commencing at 1:30 o'clock P.M.,

ALL that valuable lot or parcel of land, improved by afframe dwelling house, known as the "James E. Jones Residence Property", situate in the village of Dominion, in the Fourth Election District of Queen Anne's County, Maryland, containing one-fourth ( $\frac{1}{4}$ ) of an acre of land, more or less, which was conveyed in fee simple to James E. Jones (now deceased) by Samuel L. Jones and wife, by deed dated Sept. 30, 1889, and recorded in Liber W.D. No. 3, folio 363, a Land Record Book for said County.

TERMS OF SALE: Purchaser shall have full possession on day of sale; one-third of purchase money to be payable in cash on day of sale, balance on final ratification of sale by the Court; or whole price may be paid in cash on day of sale if purchaser prefers; deferred payment, if any, to bear interest from day of sale and be secured to the Trustee's satisfaction; cost of title papers and recording deed, including all deed stamps, to be at purchaser's expense. Taxes will be pro-rated as of day of sale.

HOWARD WOOD, 3RD, TRUSTEE.

Centreville, Md. March 8, 1949.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Trustee's Sale of Kent Island Dwelling in the case/estate of James E. Jones Residence Property 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 8th day of March, 1949, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 10th day of February, 1949, and the last insertion on the 3th day of March, 1949.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

By BARBARA F. BINEBRINK

Filed March 8, 1949

NOTICE TO CREDITORS  
Filed March 8, 1949

All creditors of James E. Jones, deceased, and all creditors of Viola Jones, deceased, are hereby notified that they must file their claims against said decedents with the Clerk of the Circuit Court for Queen Anne's County, in

Equity, within ninety (90) days from February 10, 1949, or be excluded from participating in the proceeds of sale of the real estate left by said decedents.

HOWARD WOOD, 3rd, TRUSTEE

Centreville, Md. March 8, 1949.

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 James E. Jones, deceased, and Viola Jones, deceased, 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 1 successive weeks before the 10th day of February 1949, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 10th day of February, 1949, and the last insertion on the 10th day of February, 1949.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

By BARBARA F. BINEBRINK

Filed March 8, 1949

ORDER NISI  
Filed March 8, 1949

Queen Anne's County Welfare Board,  
Plaintiff,

vs.

Evelyn Jones, incompetent,  
et al. Defendants.

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

CHANCERY NO. 3589

ORDERED, This 8th day of March A.D., 1949, that the sale of real estate made and reported in this cause by Howard Wood, 3rd, Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 11th 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 11th day of April next.

The Report states the amount of sales to be \$2,100.00.

NELLIE B. WHITELEY Clerk.

Filed March 8, 1949.

CERTIFICATE OF PUBLICATION  
OF ORDER NISI  
Filed June 1, 1949

Queen Anne's County Welfare Board,  
Plaintiff

vs.

Evelyn Jones, incompetent,  
et al. Defendants.

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

Chancery No. 3589

ORDERED, This 8th day of March A.D., 1949, that the sale of real estate made and reported in this cause by Howard Wood, 3rd, Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 11th 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 11th day of April next.

The Report states the amount of sales to be \$2,100.00.

NELLIE B. WHITELEY  
Clerk.

True Copy:  
Test: NELLIE B. WHITELEY  
Clerk.

Filed March 8, 1949.

Queenstown, Md. May 27, 1949.

THE QUEENSTOWN NEWS, trading as a co-partnership between Michael W. Aker and George J. Steinfelt, do hereby certify that the Nisi in the case of Queen Anne's County Welfare Board Vs. Evelyn Jones, Incompetent, et al., Defendants, Chancery No. 3589, a true copy of which is annexed hereto, was published in the 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 11 day of May, 1949, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 11th day of March, 1949.

THE QUEENSTOWN NEWS

By GEORGE STEINFELT

Filed June 1, 1949



FINAL ORDER OF RATIFICATION  
Filed June 4, 1949

Queen Anne's County Welfare  
Board,

Plaintiff,

vs.

Evelyn Jones, incompetent,  
et al.,

Defendants.

In the Circuit Court for

Queen Anne's County

In Equity.

Cause No. 3589

FINAL ORDER OF RATIFICATION

ORDERED, this 4th day of June, 1949, 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 Howard Wood, 3rd, Trustee, 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 cause; that Clayton C. Carter, Esquire, is hereby appointed to act as Special Auditor to state an audit of the proceeds of sale; that, upon the qualification of such Special Auditor by taking the oath required by law, the proceedings in the above entitled cause be forthwith referred to him for such purpose; and that said Howard Wood, 3rd, Trustee as aforesaid, is allowed the usual commissions allowed by this Court upon sales of real estate and for all expenses, not personal, upon producing the vouchers therefor before the Special Auditor hereinabove appointed.

WM.R. HORNEY

Judge

Filed June 4, 1949

PETITION  
Filed June 8, 1949

QUEEN ANNE'S COUNTY  
WELFARE BOARD, Plaintiff,

vs.

EVELYN JONES, incompetent,  
et al., Defendants.

In the Circuit Court for

Queen Anne's County

In Equity.

Cause No. 3589

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of Howard Wood, 3rd, Trustee in this Cause, unto your Honors, respectfully shows:

1. That, as will appear by reference to a certificate of publication filed with the Report of Sale in this Cause, your petitioner published a notice to the creditors of James E. Jones, deceased, and of Viola Jones, deceased, (in the form required by the Decree of this Court dated February 7, 1949) in the issue of the Queen Anne's Record-Observer of February 10, 1949.

2. That, your petitioner believes that another notice to said creditors should forthwith be published four times in order to assure that a reasonable notice be given to said creditors of the necessity of filing their claims with the Clerk of this Court, proceeds of the sale made by your petitioner as Trustee.

Wherefore, your petitioner prays your Honors to pass an order authorizing him to publish a notice to said creditors in the manner aforesaid.

HOWARD WOOD, 3RD  
(Howard Wood, 3rd) Petitioner

Filed June 8, 1949

ORDER OF COURT  
Filed June 8, 1949

Upon the foregoing petition, IT IS ORDERED, this 7th day of June, 1949, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that Howard Wood, 3rd, Trustee in the above entitled cause, be and he is hereby authorized, directed and empowered to publish in four successive issues of the Queen Anne's Record-Observer a notice to the creditors of James E. Jones, deceased, and of Viola Jones, deceased, requiring them to file their claims against said decedent with the Clerk of this Court within ninety (90) days of the date of the first insertion of such notice to creditors or be excluded from participating in the proceeds of sale of the real estate left by said decedents and heretofore sold by said Trustee under the Decree of this Court passed in this cause.

WM. R. HORNEY

Judge

Filed June 8, 1949

CERTIFICATE OF PUBLICATION  
OF NOTICE TO CREDITORS  
Filed Oct. 20, 1949

All Creditors of James E. Jones, deceased, and all creditors of Viola Jones, deceased, are hereby notified that they must file their claims against said decedents with the Clerk of Circuit Court for Queen Anne's County, in Equity, within ninety (90) days from June 9, 1949, or be excluded from participating in the proceeds of sale of the real estate left by said decedents, being the land sold under said Court's decree in Chancery Cause No. 3589.

HOWARD WOOD, 3RD, Trustee in  
Chancery Cause No. 3589.

Centreville, Md. Oct. 20, 1949.

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 James E. Jones, 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 ninety days from the 9th day of June, 1949, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 9th day of June, 1949, and the last insertion on the 30th day of June, 1949.

THE QUEEN ANNE'S RECORD AND  
OBSERVER PUBLISHING COMPANY

By CHARLOTTE M. MEARS

PETITION  
Filed Oct. 21, 1949

QUEEN ANNE'S COUNTY WELFARE BOARD

VS.

EVELYN JONES, et al.

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In the Circuit Court for

Queen Anne's County

In Equity.

Cause No. 3589

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of Gibson and Wood, solicitors for the complainant in this cause, unto your Honors, respectfully sets forth:

1. That your petitioners have instituted and conducted these proceedings for the sale of the land left at their respective deaths by James E. Jones and by Viola Jones, in order to recover certain old age assistance payments made to said decedents by the complainant; and that your petitioners believe the amount so recovered will be approximately \$1,235.00.

2. That the services performed in this suit by said petitioners included the preparation and filing of an amended bill of complaint, in addition to the original bill, (owing to the discovery of a will left by James E. Jones), and the usual conduct of the proceedings ensuing. In addition, your petitioners arranged appointments incident to the probate of said will, and represented Cleveland Johnson, Administrator of Viola Jones, in the settlement of her personal estate in the Orphans' Court of Queen Anne's County, and must look to the funds recovered in this cause for their compensation for these other services.

3. That your petitioners believe that a fair compensation to them for said services, exclusive of trustee's commissions due Howard Wood, 3rd, in this cause, would be the sum of One Hundred Twenty-Five Dollars.

Wherefore, your petitioners pray this Honorable Court to allow them a reasonable attorneys' fee, pursuant to the provision of Section 3B(b) of Article 88A of the Maryland Code, 1947 Supplement.

Respectfully submitted,

Gibson and Wood

By HOWARD WOOD, 3RD

Filed Oct. 21, 1949

ORDER OF COURT  
Filed Oct. 21, 1949

Upon the foregoing Petition IT IS ORDERED this 21st day of October, 1949, by the Circuit Court for Queen Anne's County in Equity, and by the authority of said Court, that Gibson and Wood, solicitors for the complainant in this suit, be and they are hereby allowed an attorneys' fee of One Hundred and Twenty-Five Dollars, said fee to be deducted from the gross amount of the funds recovered by the complainant in the audit of the proceeds of sale of the land heretofore sold in this cause.

WM. R. HORNEY  
Judge

Filed Oct. 21, 1949

AUDIT  
Filed Nov. 2, 1949

QUEEN ANNE'S COUNTY  
WELFARE BOARD

vs.

EVELYN JONES, et al.

IN THE CIRCUIT COURT FOR  
QUEEN ANNE'S COUNTY  
IN EQUITY  
Cause No. 3589

.....

AUDIT

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Clayton C. Carter, Special Auditor, unto Your Honors, respectfully sets forth:

That he was appointed Special Auditor in the above-entitled cause by this Honorable Court by its order dated the 4th day of June, 1949, and that before proceeding to state the audit in this cause, he did on the 2nd day of November, 1949, take the oath required by law before the Clerk of this Court.

That the proceedings in this cause have been filed in the form of a Creditors' Bill by the Plaintiff to be reimbursed for Old Age Assistance payments advanced by the Plaintiff unto James E. Jones and Viola Jones, his wife, during their lifetime, but it appears that the proceeds of the sale decreed in this cause are not sufficient to fully satisfy all the claims filed against the above named persons, after the satisfaction of the preferred claims of Barton Brothers for funeral expenses of said persons, which appear to be the only claims filed against said decedent's estates during the time allowed by order of this Court for the filing of the same, or which due notice by publication appears to have given.

That your Auditor has charged Howard Wood, 3rd, the trustee appointed by this Court to make sale, with the gross amount of the proceeds of sale; and has then allowed said trustee his commissions for making sale per rule of the Court, the Court costs in this cause, the costs of the premiums on his bond, the costs of advertising sale, costs of publication of Notice to creditors of said decedents, costs of publication of two orders nisi in these proceedings, the fee of the auctioneer crying the sale, the State and County taxes for the year 1948 and pro-rata share of the taxes for 1949 per the terms of sale, the costs of probating the will of James E. Jones and a certified copy of the same, which was filed in this cause as an unnecessary exhibit, and the fee of this Auditor.

That your Auditor has distributed the balance remaining first unto Barton Brothers to the extent of their preferred claims and the remainder unto the Plaintiff in this cause to satisfy in part their claims filed herein as "Exhibit A and B" after deducting therefrom the fee allowed Howard E. Wood, 3rd, its attorney, by order of this Court dated the 21st of October, 1949.

Respectfully submitted:

CLAYTON C. CARTER  
Special Auditor

2 November 1949 - Filed

CAUSE NO. 3589

The proceeds of the sale of the real estate of James E. Jones and Viola Jones, late of Queen Anne's County, deceased, IN ACCOUNT WITH Howard Wood, 3rd, Trustee appointed by the decree of this Court passed in this cause to sell said real estate.

CR.

1949  
Mar. 8 By gross amount of the sale in this cause, per report of the trustee filed, to wit, the sum of.....\$2,100.00

DR.

1949  
Mar. 8 To Howard Wood, 3rd, Trustee making sale, for his commissions for so doing, per rule of court, the sum of.....\$127.00  
  
To do., for Court costs, per statement of Clerk of Court exhibited, to wit, the sum of..... 92.85  
  
To do., for the cost of his bond filed containing corporate surety, paid said surety, per receipted account for same exhibited, the sum of..... 24.00  
  
To do., for costs of publishing Notice of Sale and several Notices to Creditors of James E. Jones and Viola Jones, deceased, in the Queen Anne's Record-Observer newspaper, per receipted vouchers exhibited, the sum of..... 39.75  
  
To do., for costs of publication of Order Nisi to Report of Sale, in the Queenstown News newspaper, per receipted voucher exhibited, the sum of..... 5.00

To do., for cost of publication of Order Nisi to this Audit in the Queenstown News newspaper.....\$ 3.50

To do., for amount paid J. Elmer Anthony, auctioneer, for crying sale, per receipted voucher exhibited, the sum of..... 25.00

To do, for State and County taxes assessed against the property herein sold and paid to C. Percy Arrington, Treasurer for Queen Anne's County, per terms of sale, perstatement exhibited, the sum of..... 13.99

To Clayton C. Carter, Special Auditor, for Stating this audit, the sum of..... 9.00

To Barton Brothers, funeral directors, for preferred claims filed in this Cause, as follows, to wit:

Funeral expenses of James E. Jones, deceased.....\$300.00

Funeral expenses of Viola Jones, deceased..... 260.28                      560.28                      900.37

BALANCE.....\$1199.63

To Queen Anne's County Welfare Board on account of its claim filed against James E. Jones and Viola Jones, deceased, in this Cause as Plaintiff's "Exhibit A" and "Exhibit B" in the total amount of \$2439.81, the balance is distributed as follows, to wit:

To Gibson and Wood for attorney's fee allowed per Order of this Court dated 21 October 1949, the sum of.....\$ 125.00

To Queen Anne's County Welfare Board, the net balance inthe amount of.....\$1074.63                      \$1199.63

Filed Nov. 2, 1949

CLAYTON C. CARTER  
Special Auditor

NISI RATIFICATION OF AUDIT  
Filed Nov. 2, 1949

Queen Anne's County Welfare Board  
vs.  
Evelyn Jones, et al.

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IN THE CIRCUIT COURT  
FOR QUEEN ANNE'S COUNTY  
IN EQUITY  
Cause No. 3589

ORDERED, This 2nd day of November in the year nineteen hundred and forty-nine, that the Report and Account filed in these proceedings by Clayton C. Carter, Special, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 3rd day of December, 1949; provided a copy of this order be published once a week in each of two successive weeks before the 26th day of November, 1949, in some newspaper printed and published in Queen Anne's County.

NELLIE B. WHITELEY Clerk.

Filed November 2, 1949

NISI RATIFICATION OF AUDIT  
Filed Oct. 12, 1950

Queen Anne's County Welfare Board,  
Centreville, Maryland,  
Plaintiff  
vs.  
Evelyn Jones, incompetent,  
et al.,  
Defendants

In the Circuit Court  
for Queen Anne's County  
In Equity  
Cause No. 3589

ORDERED, This 12th day of October in the year nineteen hundred and fifty that the Report and Account filed in these proceedings by Clayton C. Carter, Special Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 11th day of November, 1950; provided a copy of this order be published once a week in each of two successive weeks before the 4th day of November, 1950, in some newspaper printed and published in Queen Anne's County.

Filed October 12, 1950

NELLIE B. WHITELEY Clerk.

NISI RATIFICATION OF AUDIT  
Filed July 20, 1950QUEEN ANNE'S COUNTY WELFARE BOARD,  
CENTREVILLE, MARYLAND  
Plaintiff

Vs.

EVELY JONES, incompetent, et. al.,  
Defendants

) IN THE CIRCUIT COURT FOR QUEEN

) ANNE'S COUNTY

) INEQUITY

) Cause No. 3589

ORDERED, This 12th day of October, in the year nineteen hundred and fifty that the Report and Account filed in these proceedings by Clayton C. Carter, Special Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 11th day of November, 1950; provided a copy of this order be published once a week in each of two successive weeks before the 4th day of November 1950, in some newspaper printed and published in Queen Anne's County.

NELLIE B. WHITELEY,  
Clerk

True Copy:

Test:

NELLIE B. WHITELEY,  
Clerk

Filed October 12, 1950.

THE QUEENSTOWN NEWS

Queenstown, Md. Dec. 15, 1950

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 Queen Anne's County Welfare Board, Centreville, Md. Plaintiff Vs. Evelyn Jones, Incompetent, et. al., Defendants Cause No. 3589 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 4th day of Nov. 1950, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 20th day of Oct. 1950.

THE QUEENSTOWN NEWS

By: George J. Steinfeld

Filed July 20, 1951

FINAL ORDER OF RATIFICATION OF AUDIT

ORDERED, this 25th day of July, 1951, 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 Clayton C. Carter, Special Auditor, 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 shown by the certificate of publication of the order nisi passed as to said report and account, and the Trustee is hereby directed to apply the proceeds of of sale accordingly, with a due proportion of interest as the same has been or, may hereafter be received; but because the funeral expenses of Viola Jones have been allowed herein the Queen Anne's County Welfare Board shall allow the sum of \$1199.63 as a credit against their claim against James E. Jones, deceased.

WM. R. HORNEY  
Judge

Filed July 25, 1951

.....  
Q U E E N A N N E ' S C O U N T Y , T O W I T : Be it re-  
membered that on the twenty-second day of September in the year nineteen hundred and  
forty-eight, the following Creditors' Bill was brought to be recorded, to wit:

QUEEN ANNE'S COUNTY WELFARE BOARD, (Centreville, Maryland,) Plaintiff,  
vs.  
HORACE WRIGHT, 1927 North 20th Street, Philadelphia, Pennsylvania, Defendant.  
X In the Circuit Court for  
X Queen Anne's County  
X in Equity.  
X Cause No. 3591  
X

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your orator, Queen Anne's County Welfare Board, by Howard Wood, 3rd, its Attorney, brings this suit for itself as well as for all other creditors of Charles Wright and Lina Wright, both late of Queen Anne's County, deceased, who will come in and contribute to the expense thereof; and your orator, complaining, says:

1. That your orator disbursed Old Age Assistance payments, in accordance with its duty provided by the laws of Maryland, unto Charles Wright in his lifetime in the total sum of \$1738.59, and unto Line Wright (his wife) in her lifetime in the sum of \$61.50, and also paid the expense of burial of said Lina Wright in the sum of \$100.00, in the amounts and at the times set forth in two itemized statements filed herewith as a part hereof, and marked, respectively, "Exhibit A" and "Exhibit B"; of which amounts your orator has received no part prior to the filing hereof.

2. That the said Lina Wright died intestate, a resident of Queen Anne's County, Maryland, on January 6, 1946, possessed of no personal estate of any intrinsic value, that no letters of administration have been granted on her estate, and that she died seized and possessed of a certain valuable lot or parcel of land situate on Kent Island, in the Fourth Election District of said Queen Anne's County, once called or known as part of the William Fisher Lot, having a frontage of 80 feet on the west side of the public road, known as the Old Love Point Road, leading from Stevensville to Love Point, and a frontage of 440 feet on the north side of the public road, known as Legg's Lane, which leads from the said Old Love Point Road in a westerly direction toward the railroad, and containing between 3/4 of an acre and one acre of land; being the same land which was granted and conveyed unto the said Lina Wright by Robert J. Green (then a widower) by deed bearing date the 17th day of August, 1922, and recorded in Liber J.F.R. No. 9, folios 450, etc., a Land Record Book for Queen Anne's County, aforesaid, a certified copy of said deed being filed herewith as a part hereof, marked "Exhibit C".

3. That the said Lina Wright left surviving her the aforementioned Charles Wright, her husband, but left no child, parent or descendant surviving her, and, so far as is known to your orator, left no brother or sister, or the child of a brother or sister surviving her.

4. That the fair value of said property, at the date of the death of said Line Wright was far less than the sum of \$2000.00, and your orator is advised that the said Charles Wright became the sole owner of said land on his said wife's death, subject to the proper claims of creditors of her estate, whether or not said Line Wright left surviving her any brothers, sister or descendants of brothers or sisters.

5. That said Charles Wright died intestate on March 28, 1948, a resident of said Queen Anne's County, possessed of no personal estate of any intrinsic value, that no letters of administration have been granted upon his estate, and that he died seized and possessed of the land above described, leaving surviving him, his son and only heir at law the Defendant, Horace Wright, an adult, who is a non-resident of the State of Maryland, residing at 1927 North 20th Street, Philadelphia, Pennsylvania.

TO THE END, THEREFORE:

1. That a Trustee may be appointed under the Decree of this Honorable Court to sell the real estate hereinabove described for the purpose of applying the net proceeds of sale to the payment of the debts of Lina Wright, deceased, and then to the debts of Charles Wright, deceased, and

2. That your orator may have such other and further relief as its case may require.

MAY IT PLEASE your Honors to grant unto your orator an order of publication against the Defendant, etc.,

AND as in duty bound, etc.,

QUEEN ANNE'S COUNTY WELFARE BOARD,  
By HOWARD WOOD, 3RD  
Attorney for Plaintiff

Filed Sept. 22, 1948

EXHIBIT A  
Filed Sept. 22, 1948

Charles Wright  
Stevensville, Md.

To:  
Queen Anne's County Welfare Board - Dr.

The Queen Anne's County Welfare Board, upon the application of Charles Wright, rendered financial assistance to the said Charles Wright, in the amounts and at the times as here in stated, to Wit:-

1939		
	February - May; 4 months @5.00	\$ 20.00
	June - September; 4 months @15.00	60.00
	October - December; 3 months @12.00	36.00
1940		
	January - December; 12 months @12.00	144.00
1941		
	January - March 3 months @12.00	36.00
	April - December; 9 months @24.00	216.00
1942		
	January - December; 12 months @ 24.00	288.00
1943		
	January - May; 5 months @ 24.00	120.00
	December; 1 month @ 13.50	13.50
1944		
	January - November; 11 months @ 13.50	148.50
	December - 1 month @ 16.00	16.00
1945		
	January - October; 10 months @ 16.00	160.00
	November and December ; 2 months @ 19.50	39.00
1946		
	May and June; 2 months @ 16.50	33.00
	July - December; 6 months @ 25.25	151.50
1947		
	January; 1 month @ 29.56	29.56
	March; 1 month @ 20.64	20.64
	April - June; 3 months @ 15.48	46.44
	July - October; 4 months @ 15.10	60.40
	November & December; 2 months @ 20.01	40.02
1948		
	January - March; 3 months @ 20.01	60.03
	Total . . . . .	\$1738.59

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

I hereby certify that on this 27th day of August, in the year nineteen hundred and forty-eight, before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared Mary H. Davis, Director of the Queen Anne's County Welfare Board, and made oath in due form of law that the within and foregoing account as stated is just and true and that said Board has not received any part of the money stated to be due or any security or satisfaction for the same, except what is credited.

NELLIE B. WHITELEY  
Clerk of the Circuit Court for  
Queen Anne's County.

Seal of the  
Circuit Court

Filed Sept. 22, 1948

EXHIBIT B  
Filed Sept. 22, 1948

Lina Wright  
Stevensville, Md.

To:  
Queen Anne's County Welfare Board - Dr.

The Queen Anne's County Welfare Board, upon the application of Lina Wright, rendered financial assistance to the said Lina Wright, in the amounts and at the times as herein stated, to Wit:-

1945		
October - December; 3 months @ 20.50		\$ 61.50
1-1-46 - - Burial		<u>100.00</u>
Total . . . . .		\$161.50

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

I hereby certify that on this 27th day of August, in the year nineteen hundred and forty-eight, before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared Mary H. Davis, Director of the Queen Anne's County Welfare Board, and made oath in due form of law that the within and foregoing account as stated is just and true and that said Board has not received any part of the money stated to be due or any security or satisfaction for the same, except what is credited.

NELLIE B. WHITELEY  
Clerk of the Circuit Court for  
Queen Anne's County

Seal of  
Circuit Court

Filed Sept. 22, 1948

EXHIBIT C  
Filed Sept. 22, 1948

#9581 QUEEN ANNE'S COUNTY, TO WIT: be it remembered that on the eleventh day of October, in the year nineteen hundred and twenty-two, the following Deed was brought to be recorded, to wit:-

THIS DEED made this 17th day of August, 1922, by me, Robt. J. Green, of Kent Islld Q. A. Co. Maryland, witness, that in consideration of five hundred dollars, the said Robt. J. Green, do grant and convey unto Lina Wright her heirs and assigns all that lot of land and house and improvements thereon, being a part of the lot known as William Fisher col lot deceased, described as follows: Starting at a south easterly corner of said lot running a westerly direction 440 ft. with a lane known as Legg's lane till strikes lot known as Dorsey Lot, now owned by William Henry Robinson col. of Baltimore, running a northerly direction with said lot 80 ft. then running an easterly direction through a small lot known as Jesey Robinson lot and said Fisher lot 436 ft. to public road that runs from Stevensville to Love Point near Isaac Grollman store, that has lately burned, then running a southerly direction 80 ft. with said public road to place of beginning, containing between 3/4 and one acre more or less, more fully described bounded on the south by said Legg's lane bounded on the west by said Dorsey or Robinson lot. bounded on the north by part of the said Fisher lot. bounded on the east by mentioned public road.

Witness my hand and seal.

Test: Barnes Legg.

his  
Robt. J. X Green (SEAL)  
mark

State of Md. Q. A. Co, to wit:

I hereby certify that on this 17th day of Aug. in the year 1922; before me the subscriber, a Notary Public of the State of Md. in & for Q. A. Co. personally appeared Robt. J. Green the within named grantor & did acknowledge the foregoing deed to be his respective act.

Barnes Legg. N.P.

Notary Public  
Seal.

One Fifty Cent Int. Rev.  
Stamp-endorsed:  
R.J.G. 9/17/22

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. 9, folio 450, 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 September, in the year nineteen hundred and forty-eight.

NELLIE B. WHITELEY  
Clerk.

Seal of  
Circuit Court

Filed Sept. 22, 1948



ORDER OF PUBLICATION  
Filed Sept. 22, 1948

QUEEN ANNE'S COUNTY WELFARE BOARD, (Centreville, Maryland) Plaintiff,	X X X	In the Circuit Court for Queen Anne's County in Equity.
vs.	X	
HORACE WRIGHT, 1927 North 20th Street, Philadelphia, Pennsylvania, Defendant.	X X	Cause No. <u>3591</u>

ORDER OF PUBLICATION

The object of the Bill is to procure a decree for the sale of the hereinafter described real estate owned at her death by Lina Wright, and subsequently owned at his death by Charles Wright, her husband, for the purpose of applying the net proceeds of sale to the payment of the debts of said Lina Wright, and then to the payment of the debts of said Charles Wright, and for such other and further relief as the Plaintiff may be entitled to.

The Bill alleges that the Plaintiff disbursed Old Age Assistance payments to Charles Wright of \$1738.59, to Lina Wright of \$61.50, and paid the expense of burial of Lina Wright of \$100.00, that Lina Wright died intestate, a resident of Queen Anne's County, Maryland, on January 6, 1946, leaving no personal estate of any intrinsic value, seized and possessed of a lot of land once known as part of the William Fisher Property, on Kent Island in the Fourth Election District of said County, having a frontage of 80 feet on the west side of the Old Love Point Road and a frontage of 440 feet on the north side of Legg's Lane, being the same land which was granted and conveyed unto her by Robert J. Green (then a widower) by deed dated August 17, 1922, and recorded in Liber J.F.R. No. 9, folio 450, and leaving surviving her as the sole owner of said land her husband, Charles Wright, said land having a fair value on the date of her death of far less than \$2,000.00, and she leaving no child, parent or descendant, and, so far as known to the Plaintiff, leaving no brothers or sisters descendants of brothers or sisters surviving her; and that said Charles Wright died intestate, a resident of said County, on March 28, 1948, leaving no personal estate of any intrinsic value, seized and possessed of said real estate, and leaving the Defendant, an adult, as his son and only heir at law, who resides at 1927 North 20th Street, Philadelphia, Pennsylvania.

IT IS THEREUPON, this 22nd day of September, in the year nineteen hundred forty-eight, by the Circuit Court for Queen Anne's County, in Equity, ORDERED that the Plaintiff, by causing a copy of this order to be published in a newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 23rd day of October, 1948, give notice to the Defendant of the object and substance of the Bill of Complaint and warning him to be and appear in this Court on or before the 8th day of November, 1948, to show cause, if any he has, why the relief prayed for by the Plaintiff should not be granted.

NELLIE B. WHITELEY

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

Filed Sept. 22, 1948

ANSWER  
Filed Oct. 14, 1948

QUEEN ANNE'S COUNTY WELFARE BOARD, (Centreville, Maryland) Plaintiff,	X X X	In the Circuit Court for Queen Anne's County In Equity.
vs.	X	
HORACE WRIGHT, 1927 North 20th Street, Philadelphia, Pennsylvania, Defendant.	X X	Cause No. 3591

ANSWER

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The answer of Horace Wright to the Bill of Complaint of Queen Anne's County Welfare Board against him 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.

HORACE WRIGHT  
Horace Wright

Filed Oct. 14, 1948

DECREE

Filed Oct. 15, 1948

QUEEN ANNE'S COUNTY WELFARE BOARD, (Centreville, Maryland) Plaintiff,

vs.

HORACE WRIGHT, 1927 North 20th Street, Philadelphia, Pennsylvania, Defendant.

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

Cause No. 3591

DECREE

The above cause standing ready for hearing, and being submitted without argument on Bill and Answer, the Bill of Complaint, exhibits, Answer and other proceedings were, by the Court, read and considered.

IT IS THEREUPON, on this 15th day of October, 1948, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, ADJUDGED, ORDERED AND DECREED as follows:

That the real estate mentioned and described in these proceedings be sold at public sale to be conducted by the Trustee hereinafter appointed, for the purpose of applying the proceeds of sale to the payment of the debts of Lina Wright, deceased, and then to the debts of Charles Wright, deceased.

That Howard Wood, 3rd, of Queen Anne's County, State of Maryland, be and he is hereby appointed trustee to make said sale, but before he shall proceed to act as such trustee he shall file with the Clerk of this Court a bond to the State of Maryland with corporate surety to be approved by said Clerk in the penalty of One Thousand Dollars (\$1,000.00).

That he shall advertise the time, place, manner and terms of sale in a newspaper printed and published in said Queen Anne's County for at least three weeks prior to the day of sale, said terms to accord immediate possession to the purchaser, and to provide payment of the entire purchase price in cash, or one-third of the purchase price in cash, and two-thirds upon final ratification of said sale by this Court, the deferred payment to bear interest from day of sale and be secured to the Trustee's satisfaction.

That he shall then proceed to make such sale at the appointed time and place, upon the above terms, by public auction, to the highest bidder for said property.

That he shall report a full account of said sale to this Court with an affidavit of the truth and fairness thereof.

That, upon the final ratification of said sale, and full payment of the purchase money, he shall convey unto the purchaser or purchasers thereof, by a good and sufficient deed to be executed and acknowledged agreeably to law, the property so sold to him, free, clear and discharged of all claims of the parties to this cause, other creditors of Lina Wright, deceased, or of Charles Wright, deceased, or of those claiming by, through or under them or any of them.

That said trustee shall bring into this Court all of the money arising from said sale to be disposed of under the direction of this Court, after deducting therefrom the costs of this proceeding and such commissions to 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.

And that, at the time of the first insertion or publication of the advertisement of sale above required, he shall publish in the same newspaper a notice to the creditors of Lina Wright, deceased, and of Charles Wright, deceased, requiring them to file their claims against said deceased with the Clerk of this Court within 90 days of the date of said first insertion or be excluded from participating in the proceeds of said sale.

WM. R. HORNEY

Judge

Filed Oct. 15, 1948

CERTIFIED COPY OF TRUSTEE'S BOND

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Fifteenth day of October, in the year nineteen hundred and forty-eight, the following TRUSTEE'S BOND was brought to be recorded, to wit:

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

KNOW ALL MEN BY THESE PRESENTS, THAT we, Howard Wood, 3rd, of Queen Anne's County, State of Maryland, as principal, and the Hartford Accident and Indemnity

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 One Thousand Dollars (\$1,000.00) 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 15th day of October, 1948;

WHEREAS, the above bounden Howard Wood, 3rd, has been appointed by a decree of the Circuit Court for Queen Anne's County in Equity, passed on 15th day of October, 1948, trustee to make sale of the real estate mentioned and described in the cause in said court entitled "Queen Anne's County Welfare Board, Plaintiff, vs. Horace Wright, defendant", being Cause No. 3591 in the Circuit Court for Queen Anne's County in Equity;

NOW, THE CONDITION OF THE ABOVE OBLIGATION ISSUED such that if the above bounden Howard Wood, 3rd, do and shall well and faithfully perform and execute the trust reposed in him by said decree, or that may be reposed in him by any future order or decree 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:

CAROLINE T. WILSON

HOWARD WOOD, 3RD (SEAL)

HARTFORD ACCIDENT AND INDEMNITY COMPANY

Corporate Seal's Place

BY GIBSON AND WOOD

BY HOWARD WOOD, 3RD  
Its Attorneys-in-fact.

ATTEST:

CAROLINE T. WILSON

dorsed, to wit:

And at the foot of the foregoing Trustee's Bond, is thus endorsed,  
Security approved and Bond filed Oct. 15, 1948.

NELLIE B. WHITELEY, Clerk.

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. 1, folio 68, 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 Fifteenth day of October, in the year nineteen hundred and forty-eight.

NELLIE B. WHITELEY

Clerk.

Seal of Circuit Court

CERTIFIED COPY OF ADDITIONAL BOND

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Fifteenth day of November, in the year nineteen hundred and forty-eight, 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, Howard Wood, 3rd of Queen Anne's County, State of Maryland, as principal, and the Hartford Accident and Indemnity 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 Five Hundred Dollars (\$500.00) 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 bond 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 15th day of November, 1948;

WHEREAS, the above bounded Howard Wood, 3rd, has been appointed by a decree of the Circuit Court for Queen Anne's County in Equity, passed on the 15th day of October, 1948, trustee to make sale of the real estate mentioned and described in the cause in said court entitled "Queen Anne's County Welfare Board, Plaintiff, vs.

Horace Wright, Defendant", being Cause No. 3591 in the Circuit Court for Queen Anne's County in Equity, and has heretofore furnished his bond with the same security as these presents in the penalty of One Thousand Dollars (\$1,000.00) as required by said decree; and

WHEREAS, the said Howard Wood, 3rd, trustee as aforesaid, has sold said real estate pursuant to the authority conferred on him by said decree at and for the sum of Fifteen Hundred Dollars (\$1,500.00), so that he is by law required to furnish this additional bond, conditioned in the same manner as his original bond, in order to cover the entire purchase price;

NOW, THE CONDITION OF THE ABOVE OBLIGATION IS SUCH that if the above bounded Howard Wood, 3rd, do and shall well and faithfully perform and execute the trust reposed in him by said decree, or that may be reposed in him by any future order of decree 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:

CAROLINE T. WILSON

HOWARD WOOD, 3RD (SEAL)

HARTFORD ACCIDENT AND INDEMNITY COMPANY

BY GIBSON AND WOOD

BY HOWARD WOOD, 3RD  
Its Attorneys-in-fact

Corporate  
Seals' Place

ATTEST:

CAROLINE T. WILSON

And at the foot of the foregoing Bond is thus endorsed, to wit:

Security approved and bond filed Nov. 15, 1948.

NELLIE B. WHITELEY, Clerk.

REPORT OF SALE  
Filed Nov. 15, 1948

QUEEN ANNE'S COUNTY WELFARE BOARD,

Plaintiff,

vs.

HORACE WRIGHT,

Defendant.

In the Circuit Court for

Queen Anne's County

in Equity.

Cause No. 3591

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Sale of the real estate made in this cause by Howard Wood, 3rd, the trustee appointed to make such sale, unto your Honors, respectfully shows:

1. That pursuant to the decree of this Honorable Court passed on the 15th day of October, 1948, your trustee filed in this cause a bond in the penalty of One Thousand Dollars (\$1,000.00), with corporate surety thereon, which said bond was duly approved by the Clerk of this Court, (and later filed his additional bond in the penalty of Five Hundred Dollars (\$500.00), with the same surety, and likewise approved, on the day of filing this Report of Sale).

2. That thereupon, pursuant to said decree, your trustee advertised 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, Maryland, for more than three successive weeks prior to the 12th day of November, 1948, as will appear by reference to the certificate of advertisement of sale which is hereto attached as a part hereof.

3. That, pursuant to said decree and said advertisement, your trustee proceeded to sell the real estate described in said advertisement at said property at 1:30 P.M. on Friday, the 12th day of November, 1948, and sold same unto Max Solomon and Sophia Solomon, his wife, they being then and there the highest bidders, therefor, at and for the sum of One Thousand Five Hundred Dollars (\$1,500.00); and that said Purchasers have paid one-third of the purchase money unto your trustee, and have secured the balance by the note of Max Solomon, with interest as required by the advertisement of sale.

4. That at the time of the first insertion of said advertisement of sale in said newspaper, your trustee published in the same newspaper a notice to the creditors of Charles Wright, deceased, and of Lina Wright, deceased, requiring them to file their claims against said decedents with the Clerk of this Court within 90 days of the date of said first insertion or be excluded from participating in the proceeds of said sale, as will appear by reference to the certificate of publication of said notice

to creditors, hereto attached as a part hereof.

Respectfully submitted

HOWARD WOOD, 3RD

Trustee

Filed Nov. 11, 1948

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

I hereby Certify that on this 15th day of November, 1948, before me, the Clerk of the Circuit Court for Queen Anne's County, personally appeared Howard Wood, 3rd, and made oath in due form of law that the matters and facts set forth in the foregoing REPORT OF SALE are true and bona fide as therein stated, and that the sale made by him as trustee, and therein reported, was fairly made.

NELLIE B. WHITELEY

Clerk

Filed Nov. 15, 1948

CERTIFICATE OF PUBLICATION OF  
ADVERTISEMENT OF SALE  
Filed Nov. 15, 1948

TRUSTEES SALE OF DWELLING ON  
KENT ISLAND \*\*

The undersigned Trustee, by virtue of a decree of the Circuit Court for Queen Anne's County, in Equity, passed October 15, 1948, in Cause No. 3591 in said Court, will sell at public sale to the highest bidder, at the property to be sold, on

FRIDAY, NOVEMBER 12, 1948

commencing at 1:30 o'clock P.M.

ALL that lot of land known as the Charles and Lina Wright property, improved by a large shingle-roofed frame dwelling house in good repair, in the Fourth Election District of Queen Anne's County, Maryland, once known as part of the William Fisher lot, having a frontage of 80 feet on the west side of the old Love Point Road, and a frontage of 440 feet on the north side of Legg's Lane, bounded on the west by the former Pomp Robinson lot and on the north by the Sarah Green lot, and containing between three-fourths of an acre and one acre of land; being the same land which was granted and conveyed unto Lina Wright by Robert J. Green, by deed dated August 17, 1922, and recorded in Liber J.F.R., No. 9, folios 450, etc., a Land Record Book for said County.

TERMS OF SALE: Immediate possession; whole price may be paid in cash on day of sale; or one-third of purchase money shall be payable in cash on day of sale, the balance on final ratification sale, said balance to bear interest from day of sale and to be secured to the Trustee's satisfaction; title papers and costs of recording deed to be at purchaser's expense. Taxes will be pro-rated as of day of sale.

HOWARD WOOD, 3RD

Trustee.

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. Nov. 13, 1948.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate does hereby certify that the advertising of Trustee Sale in the case/estate of Queen Anne's County Welfare Board vs. Horace Wright, Chancery Cause 3591, 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 12th day of Nov. 1948, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 21st day of October 1948, and the last insertion on the 11th day of November 1948,

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

Filed Nov. 15, 1948

By PAUL B. SMITH

CERTIFICATE OF PUBLICATION OF  
NOTICE TO CREDITORS  
Filed Nov. 15, 1948

NOTICE TO CREDITORS

ALL creditors of Lina Wright, deceased, and all creditors of Charles Wright, deceased, are hereby notified that they must file their claims against said decedents with the Clerk of the Circuit Court for Queen Anne's County, in Equity, within ninety (90) days from October 21, 1948, or be excluded from participating in the proceeds of sale of the real estate left by said decedents.

HOWARD WOOD, 3RD

Trustee in Chancery Cause  
No. 3591

(Order Nisi and the Certificate of Publication of Order Nisi are recorded following Order of Publication.)

FINAL ORDER OF RATIFICATION  
Filed Jan. 21, 1949

Queen Anne's County Welfare  
Board,

Plaintiff,

vs.

Horace Wright,

Defendant.

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

Cause No. 3591

FINAL ORDER OF RATIFICATION

ORDERED, this 21st day of January, 1949, 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 Howard Wood, 3rd, Trustee, and reported in this cause, be and 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 cause; that John Palmer Smith, Esquire, is hereby appointed to act as Special Auditor to state an audit of the proceeds of said sale; that, upon the qualification of such Special Auditor by taking the oath required by law, the proceedings in the above entitled cause be forthwith referred to him for such purpose; and that said Howard Wood, 3rd, Trustee as aforesaid, is allowed the usual commissions allowed by this Court upon sales of real estate and for all expenses, not personal, upon producing the vouchers therefor before the Special Auditor hereinabove appointed.

WM. R. HORNEY

Judge

Filed Jan. 21, 1949

ORDER NISI  
Filed Nov. 15, 1948

N I S I

QUEEN ANNE'S COUNTY WELFARE BOARD,  
Plaintiff,

vs.

HORACE WRIGHT,

Defendant.

IN THE CIRCUIT COURT

FOR QUEEN ANNE'S COUNTY

IN EQUITY

CHANCERY NO. 3591

ORDERED, This 15th day of November A.D., 1948, that the sale of real estate made and reported in this cause by Howard Wood, 3rd, Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 19th 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 18th day of December next.

The Report states the amount of sales to be \$1,500.00.

NELLIE B. WHITELEY Clerk

Filed Nov. 15, 1948

CERTIFICATE OF PUBLICATION OF  
ORDER NISI  
Filed Jan. 20, 1949

N I S I

Queen Anne's County Welfare Board,  
Plaintiff

vs.

Horace Wright, Defendant.

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

Chancery No. 3591

ORDERED, This 15th day of November A. D., 1948, that the sale of real estate made and reported in this cause by Howard Wood, 3rd, Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 19th 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 18th day of December next.

The Report states the amount of sales to be \$1,500.00.

NELLIE B. WHITELEY  
Clerk

True Copy:  
Test: NELLIE B. WHITELEY,  
Clerk,  
Filed November 15, 1948

THE QUEENSTOWN NEWS

Queenstown, Md. Jan. 18, 1949.

THE QUEENSTOWN NEWS, trading as a co-partnership between Michael W. Aker and George J. Steinfelt, do hereby certify that the Nisi in the case of Queen Anne's County Welfare Board, Plaintiff, Vs. Horace Wright, Defendant. Chancery No. 3591. 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 18th day of December, 1948, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 19th day of November 1948.

THE QUEENSTOWN NEWS

By GEORGE J. STEINFELT

Filed Jan. 20, 1949

PETITION  
Filed June 8, 1949

QUEEN ANNE'S COUNTY  
WELFARE BOARD, Plaintiff,  
  
vs.  
  
HORACE WRIGHT,  
Defendant.

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

Cause No. 3591

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of Howard Wood, 3rd, Trustee in this Cause, unto your Honors, respectfully shows:

1. That, as will appear by reference to a certificate of publication filed with the Report of Sale in this Cause, your petitioner published a notice to the creditors of Charles Wright, deceased and of Lina Wright, deceased, (in the form required by the Decree of this Court dated October 15, 1948) in the issue of the Queen Anne's Record-Observer of October 21, 1948.

2. That, your petitioner believes that another notice to said creditors should forthwith be published four times in order to assure that a reasonable notice be given to said creditors of the necessity of filing their claims with the Clerk of this Court, in order to entitle them to participate in the distribution of the proceeds of the sale made by your petitioner as Trustee.

Wherefore, your petitioner prays your Honors to pass an order authorizing him to publish a notice to said creditors in the manner aforesaid.

Filed June 8, 1949

HOWARD WOOD, 3RD  
(Howard Wood, 3rd) Petitioner

ORDER OF COURT  
Filed June 8, 1949

ORDER OF COURT

Upon the foregoing petition, IT IS ORDERED, this 7th day of June, 1949, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that Howard Wood, 3rd, Trustee in the above entitled cause, be and he is hereby authorized, directed and empowered to publish in four successive issues of the Queen Anne's Record-Observer a notice to the creditors of Charles Wright, deceased, and of Lina Wright, deceased, requiring them to file their claims against said decedent with the Clerk of this Court within ninety (90) days of the date of the first insertion of such notice to creditors or be excluded from participating in the proceeds of sale of the real estate left by said decedents and heretofore sold by said Trustee under the Decree of this Court passed in this cause.

WM. R. HORNEY

Filed June 8, 1949

Judge

CERTIFICATE OF PUBLICATION OF  
NOTICE TO CREDITORS  
Filed Oct. 20, 1949

NOTICE TO CREDITORS

All creditors of Charles Wright, deceased, and all creditors of Lina Wright, deceased, are hereby notified that they must file their claims against said decedents with the Clerk of the Circuit Court for Queen Anne's County, in Equity, within (90) days from June 9, 1949, or be excluded from participating in the proceeds of sale of the real estate left by said decedents, being the land sold under said Court's decree in Chancery Cause No. 3591.

HOWARD WOOD, 3RD, Trustee in  
Chancery Cause No. 3591.

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. October 20,  
1949.

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 Charles Wright, dec'd, 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 ninety days from the 9th day of June 1949, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 39th day of June 1949, and the last insertion on the 30th day of June, 1949.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

Filed Oct. 20, 1949

By CHARLOTTE M. MEARS

PETITION  
Filed Oct. 21, 1949

QUEEN ANNE'S COUNTY  
WELFARE BOARD

VS.

HORACE WRIGHT

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

Cause No. 3591

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of Gibson and Wood, solicitors for the complainant in this cause, unto your Honors, respectfully shows:

1. That your petitioners have instituted this creditor's bill and conducted the ensuing proceedings for the purpose of recovering funds advanced by the complainant as old age assistance payments unto Lina Wright and Charles Wright, both now deceased; and that your petitioners believe the amount so recovered will be approximately \$910.00.

2. That the services performed by your petitioners in this connection in addition to those rendered as aforesaid, included an effort to arrange a private sale of the real estate later sold in this cause, unto a certain relative of said decedents, Howard Laniman, in accordance with the regulation of the State Department of Welfare permitting the recovery of funds advanced as aforesaid from the proceeds of a private sale of real estate left at death by a recipient of such funds, provided such sale be made to a relative of the deceased recipient; and to this end, obtained a sworn appraisal of the property by two Queen Anne's County landowners familiar with land values on Kent Island, had several conferences with said Laniman, (a veteran of the Army of the U.S.), and made an unsuccessful application for a mortgage loan to said Laniman to be guaranteed under the provisions of the current law relating to veterans of military service.

3. That your petitioners believe that a fair attorney's fee to compensate them for said services, in addition to the trustee's commission due Howard Wood, 3rd, in this cause, would be the sum of Ninety Dollars.

Wherefore your petitioners pray this Honorable Court to pass an order allowing them such reasonable attorney's fees for their services rendered as aforesaid as to the Court shall seem proper, the same to be deducted from the funds recovered by the complainant in this cause, pursuant to the provision of Section 3 (B) (b) of Article 88A of the Maryland Code, 1947 Supplement,

Respectfully submitted,

Gibson and Wood

Filed Oct. 21, 1949

By HOWARD WOOD, 3RD



ORDER OF COURT  
Filed Oct. 21, 1949

ORDER OF COURT

Upon the foregoing petition IT IS ORDERED this 21st day of October, 1949, by the Circuit Court for Queen Anne's County in Equity, and by the authority of said Court, that Gibson and Wood, solicitors for the complainant in this suit, be and they are hereby allowed an attorneys' fee of Ninety Dollars----- said fee to be deducted from the gross amount of the funds recovered by the complainant in the audit of the proceeds of sale of the land heretofore sold in this cause.

WM. R. HORNEY

Filed Oct. 21, 1949

Judge

REPORT AND ACCOUNT OF  
SPECIAL AUDITOR  
Filed Feb. 8, 1950

QUEEN ANNE'S COUNTY WELFARE BOARD  
Centreville, Maryland,  
Plaintiff,

vs.

HORACE WRIGHT, 1927 North 20th St.  
Philadelphia, Pennsylvania,  
Defendant.

In the Circuit Court for

Queen Anne's County

in Equity.

Cause No. 3591

\*\*\*\*\*

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of John Palmer Smith, Special Auditor, unto your honors, respectfully sets forth:

That he was appointed Special Auditor in the above entitled Cause by this honorable Court by its order dated January 21st, 1949, and that before proceeding to start the audit in this cause, he did on the 8th day of February, 1949, take the oath required by law before the Clerk of this Court.

That the proceedings in this cause have been filed in the form of a Creditors' Bill by the Plaintiff to be reimbursed for Old Age Assistance payments advanced by the Plaintiff unto Lina Wright and Charles Wright, her husband, during their lifetime, but it appears that the proceeds of the sale decreed in this Cause are not sufficient to fully satisfy all the claims filed against the above-named persons, after the satisfaction of the preferred claims against Lina Wright and that of John D. Williams for funeral expenses of the said Charles Wright, which appears to be the only claim filed against said decedents' estates during the time allowed by order of this for the filing of the same of which due notice by a publication appears to have been given.

That your Auditor has charged Howard E. Wood, 3rd, the trustee appointed by this Court to make sale, with the gross amount of the proceeds of sale and has allowed said Trustee his commissions for making sale per Rule of the Court, the Court costs in this Cause, the cost of the premiums on his bond, the cost of advertising sale, the cost of publication of Notice to Creditors of said decedents, cost of publication of Order Nisis in this proceeding, the fee of the auctioneer, the state and county taxes, and for the fee of this Auditor. All of trustee's vouchers examined and found to be correct.

That your Auditor has distributed the balance remaining, first unto John D. Williams to the extent of his preferred claim, and the remainder unto the Plaintiff in this Cause to satisfy in part its claim filed herein, after deducting therefrom the fee allowed to Gibson and Wood, its attorneys, by order of this Court, dated October 21st, 1949.

Respectfully submitted,

JOHN PALMER SMITH  
Special Auditor

Filed Feb. 8, 1950

CHANCERY CAUSE NO. 3591

The proceeds of the sale of the real estate of Lina Wright and Charles Wright, her husband, late of Queen Anne's County, deceased, in account with Howard E. Wood, 3rd, Trustee appointed by the decree of this Court passed in this Cause to sell said real estate.

1948	CR.	
Nov.	By gross amount of the sale in this Cause, per	
12	report of the trustee filed, to wit, the sum of. . . . .	.\$ 1,500.00
	By interest collected on deferred portion of	
	sales price, the sum of. . . . .	14.63
		<u>\$ 1,514.63</u>

DR.

1948			
Nov.	To Howard E. Wood, 3rd, Trustee making sale, for his commissions for so doing, per rule of court, the sum of . . . . .	\$ 97.50	
12	To do., for Court costs, per statement of Clerk of Court exhibited, to wit, the sum of . . . . .	44.25	
	To do., Gibson and Wood, agents for Hartford Accident and Indemnity Co., for Trustee's bond premium. , . . . . .	20.00	
	To do., C. P. Arrington, Treasurer, 1948 taxes (to date of sale) . . . . .	6.89	
	To do., for amount paid J. Elmer Anthony, auctioneer, for crying sale . . . . .	20.00	
	To do., Queen Anne's Record-Observer, advertising sale notice . . . . .	34.50	
	To do., Queen Anne's Record-Observer, Notice to Creditors. . . . .	7.50	
	To do., Queenstown News, advertising Order Nisi on sale . . . . .	5.00	
	To do., Queenstown News, advertising Order Nisi on audit . . . . .	3.50	
	To do., John Palmer Smith, Special Auditor, for stating this audit, the sum of . . . . .	9.00	\$ 248.14
	-- Balance for Creditors . . . . .		\$1266.49
	1. Creditors of Lina Wright: Queen Anne's County Welfare Board Balance for creditors of Charles Wright. . . . .		\$ 161.50 \$1104.99
	2. Creditors of Charles Wright: John D. Williams, Funeral director. . . . .		204.38 \$ 900.61
	Queen Anne's County Welfare Board a/c claim for	\$1738.59	
	Less fee, per Court order - Gibson & Wood attorney fee . . . . .	90.00	
	BALANCE. . . . .		\$ 810.61

February 8, 1949

JOHN PALMER SMITH  
Special Auditor

Filed February 8, 1950

Audit Nisi and Certificate of Public of Audit Nisi are recorded following the Order of Court.

ORDER  
Filed May 17, 1950

Cause No. 3591

Queen Anne's County Welfare Board  
vs.  
Horace Wright

|  
|  
|  
|  
|

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

ORDERED, this 17th day of May, 1950, 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 John Palmer Smith, 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 passed as to said audit, and Howard Wood, 3rd, the trustee and party making sale in this cause is hereby directed to apply the proceeds of sale and interest on credit sales received by him in accordance with said report and account.

WM. R. HORNEY  
Judge

Filed May 17, 1950

NISI RATIFICATION OF AUDIT  
Filed Feb. 8, 1950

NISI RATIFICATION OF AUDIT

Queen Anne's County Welfare Board  
Centreville, Maryland,  
Plaintiff,  
vs  
Horace Wright, 1927 North 20th St.  
Philadelphia, Pennsylvania,  
Defendant

IN THE CIRCUIT COURT  
FOR QUEEN ANNE'S COUNTY  
IN EQUITY  
Cause No. 3591

ORDERED, This 8th day of February in the year nineteen hundred and fifty that the Report and Account filed in these proceedings by John Palmer Smith, Special Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 4th day of March, 1950; provided a copy of this order be published once a week in each of two successive weeks before the 25th day of February, 1950, in some newspaper printed and published in Queen Anne's County.

Filed February 8, 1950

NELLIE B. WHITELEY Clerk.

CERTIFICATE OF PUBLICATION OF  
ORDER NISI PASSED AS TO AUDIT  
Filed May 8, 1950

NISI RATIFICATION OF AUDIT

Queen Anne's County Welfare Board,  
Centreville, Maryland,  
Plaintiff

IN THE CIRCUIT COURT FOR  
QUEEN ANNE'S COUNTY

Vs.

IN EQUITY

Horace Wright, 1927 North 20th Street,  
Philadelphia, Pennsylvania,  
Defendant.

Cause No. 3591

ORDERED, This 8th day of February in the year nineteen hundred and fifty that the Report and Account filed in these proceedings by John Palmer Smith, Special Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 4th day of March, 1950; provided a copy of this order be published once a week in each of two successive weeks before the 25th day of February, 1950, in some newspaper printed and published in Queen Anne's County.

NELLIE B. WHITELEY,  
Clerk.

True Copy:  
Test: NELLIE B. WHITELEY,  
Clerk

Filed February 8, 1950.  
1st.in. Feb. 17, 1950

THE QUEENSTOWN NEWS

Queenstown, Md. Feb. 28, 1950.

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 Queen Anne's County Welfare Board Vs. Horace Wright, 1927 North 20th St., Philadelphia, Pa., Defendant, Cause No. 3591, 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 25th day of Feb. 1950, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS, was on the 17th day of Feb. 1950.

THE QUEENSTOWN NEWS

By GEORGE J. STEINFELT

Filed May 8, 1950

## C A U S E N U M B E R 3600

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 tenth day of December, in the year nineteen hundred and forty-eight, the following BILL OF COMPLAINT was brought to be recorded, to wit:-

JAMES L. MERRICK, and	:	
HELEN C. MERRICK, his wife	:	
	::	
R. REIDER MERRICK, single man	:	
	:	IN THE CIRCUIT COURT
MARY LOUISE MERRICK, single woman,	:	
COMPLAINANTS	:	
	:	FOR
VS	:	
	:	QUEEN ANNE'S COUNTY
ANNA L. MERRICK, widow, and	:	
ALL PERSONS HAVING OR CLAIMING TO	:	
HAVE ANY INTEREST IN THE PROPERTY	:	
IN THE FIRST ELECTION DISTRICT,	:	
DESCRIBED AS LOCATED NEAR BARCLAY,	:	IN EQUITY CHY. NO. <u>3600</u>
ADJOINING THE LANDS OF CHESTER	:	
ANDERSON, ASSESSED VALUE \$1010.00,	:	
CONSISTING OF WOODLAND, CONTAINING	:	
101 ACRES, AND THE UNKNOWN OWNER OR	:	
OWNERS OF THE AFORESAID PROPERTY,	:	
DEFENDANTS	::	

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your orators, complaining, say:

FIRST: That on the 20th day of May, 1947, they attended the sale of the Treasurer of Queen Anne's County of property in said county, on which taxes were in arrears, and that being then and there the highest bidders for the hereinafter described parcel of land, said Treasurer issued a certificate of sale to your orators, as will more fully appear by an examination of Complainants' Exhibit A filed herewith and prayed to be taken as a part hereof.

SECOND: That the description of said property, in substantially the same form as the description appearing on the Collector's Tax Roll, is as follows:

"All that lot or parcel of land in the First Election District of Queen Anne's County, Maryland, located near Barclay, adjoining the lands of Chester Anderson, assessed value One Thousand and Ten Dollars (\$1010.00), consisting of woodland, containing ONE HUNDRED AND ONE (101) ACRES OF LAND, and assessed to Leslie R. Merrick heirs".

THIRD: That your orators alleged and therefore aver that the said property was owned, claimed and occupied by the said R. Leslie Merrick during his lifetime, and that the said R. Leslie Merrick died a resident of the State of Pennsylvania on March 14, 1940, intestate, leaving to survive him as his sole heirs-at-law, Anna L. Merrick, widow, the defendant named in these proceedings, and the following named children: James L. Merrick, R. Reider Merrick and Mary Louise Merrick, who are the complainants in these proceedings; and that the said R. Leslie Merrick was the owner of said tract of land for more than twenty years prior to his death in 1940, and that the aforesaid heirs of the said R. Leslie Merrick have since the death of the said R. Leslie Merrick in 1940 and up until the present time, claimed to be the owners of said property by inheritance from the said R. Leslie Merrick, who acquired said property from his father, James Merrick, who died during the year 1900, although your complainants have been unable to find any deeds of record among the land records for Queen Anne's County either in the name of R. Leslie Merrick or his father, James Merrick, as will more fully appear by an Affidavit of Search marked Complainants' Exhibit B, filed herewith and prayed to be taken as a part hereof.

FOURTH: That said property has not been redeemed by any parties in interest, although more than one year from the date of said sale has expired.

FIFTH: That One Hundred and Fifty Dollars (\$150.00), with interest at six percent per annum from May 20, 1947, is the amount necessary for the redemption of said lot or parcel of land.

TO THE END THEREFORE:

1. That this Honorable Court may pass a final decree foreclosing all rights of redemption of the defendants in and to the hereinbefore mentioned and described property.
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 Order of Publication giving notice to the said Anna L. Merrick, widow, who is a non-resident of the State of Maryland and does not reside therein, and who is at the present time residing in Glen Rock, State of Pennsylvania, and to all defendants, known and unknown, of the object and substance of this Bill, warning them to be and appear in this court, in person or by solicitor, on or before some certain day to be named therein, to answer this Bill or to redeem the property and abide by and perform such decree as may be passed therein.

AND as in duty bound, etc.

LAYMAN J. REDDEN  
Layman J. Redden  
Solicitor for Complainants.

Filed Dec. 10, 1948

EXHIBIT 'A' TO BILL OF  
COMPLAINT  
Filed Dec. 10, 1948

I, T. Sorden Pippin, Treasurer and Collector of taxes for the State of Maryland and the County of Queen Anne's, hereby certify that on May 20th, 1947, I sold to James L. Merrick, R. Reider Merrick and Mary Louise Merrick at public auction for the sum of One hundred-fifty Dollars and No Cents, of which One hundred-fifty Dollars has been paid, the property in the First Election District of Queen Anne's County, Maryland, and described as All of that lot or parcel of land located near Barclay, adjoining the lands of Chester Anderson, assessed value \$1010.00, consisting of wood land, containing 101 acres of land and assessed to Leslie R. Merrick, Heirs.

The property described herein is subject to redemption. Upon redemption the holder of this certificate will be refunded the sums paid on account of the purchase price together with interest thereon at the rate of six per cent per annum from the date of payment to the date of redemption, together with all other amounts specified by Chapter 761 of the Acts of 1943, and acts amendatory thereof. The balance due on account of the purchase price and all taxes together with interest and penalties thereon, accruing subsequent to the date of sale, must be paid to the Collector before a deed can be delivered to the purchaser. After May 23rd, 1948, a proceeding can be brought to foreclose all rights of redemption in the property. This certificate will be void unless such a proceeding is brought within two years from the date of this certificate.

Witness my hand and seal, this 20th day of May, 1947.

T. SORDEN PIPPIN

Treasurer and Collector

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

I HEREBY CERTIFY, that on this \_\_\_\_\_ day of May, 1947, before the Subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, personally appeared T. Sorden Pippin, Treasurer and Collector of taxes for the State of Maryland and the County of Queen Anne's and acknowledged the foregoing Certificate of Sale to be his act.

Witness my hand and notarial seal.

ROBERT T. NEWELL

Notary Public

Notary  
Public  
Seal

My Commission Expires 5/2/49

EXHIBIT "B" TO  
BILL OF COMPLAINT  
Filed Dec. 10, 1948

Denton, Maryland  
December 10, 1948

TO THE HONORABLE, THE JUDGES OF THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY,  
STATE OF MARYLAND:

THIS IS TO CERTIFY That I, Layman J. Redden, Attorney-at-Law and a member of the Bar of the State of Maryland, have made an examination of the records of Queen Anne's County, Maryland, including the land records of said county for more than forty years immediately prior to the institution of the proceedings in this Honorable Court, to which this affidavit and certificate is being filed as Complainants' Exhibit B to the Bill of Complaint;

AND THIS IS TO FURTHER CERTIFY That I find that the property mentioned in these proceedings and being sold on May 20, 1947 for the payment of delinquent taxes by the Treasurer of Queen Anne's County, was assessed for One Thousand and Ten Dollars (\$1010.00), and has been described on the assessment records of Queen Anne's County as being located in the First Election District of said county, near Barclay, adjoining the lands of Chester Anderson, consisting of woodland, and containing One Hundred and One (101) Acres of Land, more or less, and has been assessed for many years to Leslie R. Merrick heirs, the said Leslie R. Merrick, whose correct name was R. Leslie Merrick, having died intestate a resident of the State of Pennsylvania, on March 14, 1940, leaving to survive him as his sole heirs-at-law, Anne L. Merrick, widow, and the following named children: James L. Merrick, R. Reider Merrick and Mary Louise Merrick, in and to whom the aforesaid lands descended to and became vested, by the laws of inheritance of the State of Maryland, and who have claimed the ownership of said property as the heirs of R. Leslie Merrick, described as Leslie R. Merrick, since his death in 1940; and that I have been informed by the heirs of the said R. Leslie Merrick that the said decedent acquired said property from his father, one James Merrick, who died in 1900, although my search of the public records of Queen Anne's County, including the land records of said county, for a period of well in excess of 40 years, has failed to disclose any deeds for said property by the said R. Leslie Merrick or his father, James Merrick; but I am further informed by the heirs of the said R. Leslie Merrick that the said R. Leslie Merrick, for more than twenty years during his lifetime, did exercise complete, open, notorious and hostile possession of the aforesaid property, amounting to adverse possession and ownership, of said property, and that the heirs-at-law of the said R. Leslie Merrick have continued since his death in 1940 to assert full claim of ownership, as aforesaid, to said property, for more than twenty years prior to the delinquent taxes for which this property was sold on May 20, 1947, were paid continuously by the said R. Leslie Merrick and following his death by his aforementioned heirs; and that your affiant has neither learned nor knows of any claimant to said property except the said aforementioned heirs of the said R. Leslie Merrick, deceased.

Given under my hand and seal the day and year first above written.

LAYMAN J. REDDEN (SEAL)  
Layman J. Redden

Sworn and subscribed to before me this 10th day of December,

1948.

GERALDINE FERRICK  
Notary Public

Notary  
Public  
Seal

ORDER OF PUBLICATION  
Filed Dec. 10, 1948

LAYMAN J. REDDEN, SOLICITOR

ORDER OF PUBLICATION

JAMES L. MERRICK, and HELEN C. MERRICK, his wife	:	
	:	
R. REIDER MERRICK, single man	:	IN THE CIRCUIT COURT
MARY LOUISE MERRICK, single woman, COMPLAINANTS	::	FOR
VS	:	
ANNA L. MERRICK, widow, and ALL PERSONS HAVING OR CLAIMING TO HAVE ANY INTEREST IN THE PROPERTY IN THE FIRST ELECTION DISTRICT, DESCRIBED AS LOCATED NEAR BARCLAY, ADJOINING THE LANDS OF CHESTER ANDERSON, ASSESSED VALUE \$1010.00, CONSISTING OF WOODLAND, CONTAINING 101 ACRES, AND THE UNKNOWN OWNER OF OWNERS OF THE AFORESAID PROPERTY, DEFENDANTS	:	QUEEN ANNE'S COUNTY
	:	
	:	IN EQUITY CHY. NO. <u>3600</u>
	:	

The object of this proceeding is to secure the foreclosure of all rights of redemption in the following property assessed to Leslie R. Merrick heirs in the First Election District of Queen Anne's County, sold by the Collector of Taxes for the County of Queen Anne's, and the State of Maryland, to the complainants in this proceeding:

"All that lot or parcel of land located in the First Election

District of Queen Anne's County, near Barclay, adjoining the lands of Chester Anderson, assessed value One Thousand and Ten Dollars (\$1010.00), consisting of woodland, containing One Hundred and One (101) acres of land, assessed to Leslie R. Merrick heirs".

The Bill states among other things that the amount necessary for redemption has not been paid, although more than a year and a day from the date of sale has expired.

It is thereupon, this 10th day of December, 1948, by the Circuit Court for Queen Anne's County in Equity ORDERED, That notice be given by the insertion of a copy of this Order in some newspaper having a general circulation in Queen Anne's County once a week for four successive weeks, warning all persons interested in the said property to be and appear in this Court by the 16th day of February, 1949, and redeem the property assessed to Leslie R. Merrick heirs, and answer the Bill, or thereafter a final decree will be rendered foreclosing all rights of redemption in the property, and vesting in the plaintiffs a title, free and clear of all encumbrances.

Filed Dec. 10, 1948

WM. R. HORNEY  
JUDGE

CERTIFICATE OF PUBLICATION  
OF ORDER OF PUBLICATION  
Filed March 11, 1949

Layman J. Redden, Solicitor  
ORDER OF PUBLICATION

JAMES L. MERRICK, and  
HELEN C. MERRICK, his wife  
R. REIDER MERRICK, single man  
MARY LOUISE MERRICK, single woman,  
COMPLAINANTS

IN THE CIRCUIT COURT

FOR

VS

QUEEN ANNE'S COUNTY

ANNA L. MERRICK, widow,  
AND ALL PERSONS HAVING OR CLAIMING TO  
HAVE ANY INTEREST IN THE PROPERTY IN  
THE FIRST ELECTION DISTRICT, DESCRIBED  
AS LOCATED NEAR BARCLAY, ADJOINING THE  
LANDS OF CHESTER ANDERSON, ASSESSED VALUE  
\$1010.00, CONSISTING OF WOODLAND, CONTAINING  
101 ACRES, AND THE UNKNOWN OWNER OR OWNERS  
OF THE AFORESAID PROPERTY,  
DEFENDANTS

IN EQUITY

CHY. NO. 3600

The object of this proceeding is to secure the foreclosure of all rights of redemption in the following property assessed to Leslie R. Merrick heirs in the First Election District of Queen Anne's County, sold by the Collector of Taxes for the County of Queen Anne's, and the State of Maryland, to the complainants in this proceeding:

"All that lot or parcel of land located in the First Election District of Queen Anne's County, near Barclay, adjoining the lands of Chester Anderson, assessed value One Thousand and Ten Dollars (\$1010.00), consisting of woodland, containing One Hundred and One (101) acres of land, assessed to Leslie R. Merrick heirs".

The Bill states among other things that the amount necessary for redemption has not been paid, although more than a year and a day from the date of sale has expired.

It is thereupon, this 10th day of December, 1948, by the Circuit Court for Queen Anne's County in Equity, ORDERED, That notice be given by the insertion of a copy of this Order in some newspaper having a general circulation in Queen Anne's County once a week for four successive weeks warning all persons interested in the said property to be and appear in this Court by the 16th. day of February, 1949, and redeem the property assessed to Leslie R. Merrick heirs, and answer the Bill, or thereafter a final decree will be rendered foreclosing all rights of redemption in the property, and vesting in the plaintiffs a title, free and clear of all encumbrances.

WM. R. HORNEY

JUDGE

Filed: Dec. 10, 1948  
True Copy

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. March 11, 1949.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby

that the Order of Publication in the case/estate of Layman J. Redden, Solicitor of James L. Merrick and Helen C. Merrick, R. Reider Merrick, Mary Louise Merrick comp vs Anna L. Merrick, 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 16th day of February 1949, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 16th day of December 1948, and the last insertion on the 6th day of January 1949.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

Filed March 11, 1949

By CHARLOTTE M. MEARS

DECREE

Filed Mar. 12, 1949

JAMES L. MERRICK, et al., Complainants	:	IN THE CIRCUIT COURT
	:	FOR QUEEN ANNE'S COUNTY
vs.	:	IN EQUITY
ANNA L. MERRICK, et al., Defendants	:	CHY. NO. 3600

DECREE

It appearing that the defendants and all persons claiming through or under them, having been duly notified by Order of Publication to appear and answer the Bill of Complaint filed in this cause on or before the 10th day of December, 1948, and it further appearing that no such persons have appeared and answered, and this cause having been submitted and the proceedings herein having been read and considered, IT IS THEREUPON this 11th day of March, 1949, by the Circuit Court for Queen Anne's County, in Equity, ORDERED AND DECREED that an absolute and indefeasible title, in fee simple, free and clear of all alienations and descents of property occurring prior to this date said 11th day of March, 1949, and free and clear of all encumbrances thereon, except taxes accruing subsequent to the date of sale, and such public easements, if any, to which the said property is subject, in and to all that lot or parcel of land described in these proceedings, is vested in the complainants, James L. Merrick, R. Reider Merrick and Mary Louise Merrick.

AND IT IS FURTHER ORDERED by the Circuit Court for Queen Anne's County, in Equity, that the Treasurer of Queen Anne's County aforesaid, as a collector of taxes for the State of Maryland, and said Queen Anne's County, execute a deed to James L. Merrick, R. Reider Merrick and Mary Louise Merrick, as tenants in common, in fee simple, in and to all that said lot or parcel of land described in these proceedings, upon payment to the Collector of the balance of the purchase price due on account of the purchase price of the said property, together with all taxes and interest and penalties thereon accruing subsequent to the date of sale.

WM. R. HORNEY

J U D G E

Filed Mar. 12, 1949

PETITION

Filed Mar. 12, 1949

JAMES L. MERRICK, et al., Complainants	:	IN THE CIRCUIT COURT
	:	FOR QUEEN ANNE'S COUNTY
vs.	:	IN EQUITY
ANNA L. MERRICK, et al., Defendants	:	CHY. NO.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of Layman J. Redden, Solicitor for the complainants in the above entitled cause, respectfully represents:

FIRST: That by a decree passed by this Honorable Court on the 11th day of March, 1949, all right of redemption to the property mentioned in these proceedings was foreclosed by the terms of said decree.

SECOND: That the said property in these proceedings was sold at public sale for delinquent taxes for the price and sum of ONE HUNDRED AND FIFTY DOLLARS (\$150.00), and there remains in the hands of the County Treasurer for Queen Anne's County, a substantial portion of said purchase price after the payment of all delinquent taxes and the costs of these proceedings subject to the claims of the heirs of R. Leslie Merrick, deceased, as their respective interests may appear.

WHEREFORE your petitioner prays your Honors to pass an Order referring these proceedings to the Auditor of this Honorable Court for the purpose of stating an Audit and the taking of such testimony as may be necessary by the Auditor to determine the respective rights and interests of the aforesaid heirs.

AND as in duty bound, etc.



Filed Mar. 12, 1949

LAYMAN J. REDDEN  
Solicitor for Complainants

ORDER OF COURT  
Filed March 12, 1949

JAMES L. MERRICK, et al., Complainants	:	IN THE CIRCUIT COURT
vs.	:	FOR QUEEN ANNE'S COUNTY
ANNA L. MERRICK, et al., Defendants	:	IN EQUITY
	:	CHY. NO

ORDER OF COURT

The foregoing petition having been read and considered, it is thereupon this 11th day of March, 1949, by the Circuit Court for Queen Anne's County, in Equity, and by the authority thereof, ORDERED that these proceedings be, and they are hereby referred to the Auditor of this Court for the purpose of stating an Audit for the distribution of the proceeds of sale for the property mentioned in these proceedings, and to take such testimony as may be necessary to establish the respective interests of those claiming said surplus proceeds of sale.

WM. R. HORNEY  
Judge

Filed Mar. 12, 1949

AUDIT  
Filed April 16, 1949

James L. Merrick, et al.,	⋮	In the Circuit Court for
vs.	⋮	Queen Anne's County
Anna L. Merrick, widow, et al.	⋮	Cause No. 3600

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report and Account of Howard Wood, 3rd, your Auditor, unto your Honors, respectfully shows:

1. That this audit is stated at the request of Layman J. Redden, Esquire, solicitor for the complainants, pursuant to the Court's order passed on March 11, 1949, directing your Auditor to state an account of distribution of the surplus proceeds of sale of the land mentioned in these proceedings, and to take any testimony necessary to establish the respective interests of those claiming said surplus proceeds.

2. That your Auditor proceeded, at his office in the town of Centreville, on Friday, March 25, 1949, at 2 o'clock P.M., to take testimony in this case. There were present the two witnesses, whose depositions are hereto attached, and your Auditor's secretary, Miss Caroline T. Wilson. After administering the usual oaths to the witnesses and to Miss Wilson as stenographer, your Auditor took the depositions aforesaid, and certifies that he was present during the entire time of taking said depositions, that he asked all questions which he deemed necessary to bring out the merits of the cause, and that there was nothing irregular nor any unusual circumstance surrounding the taking of said depositions.

3. That, on the basis of such depositions, your Auditor determined that the said surplus proceeds of sale should be distributed to the heirs-at-law of R. Leslie Merrick, deceased, as owners of said land prior to the sale thereof at tax sale.

4. That, in the within account, your Auditor has charged C. Percy Arrington, Treasurer, and Collector of Taxes, for Queen Anne's County (and for the State of Maryland within said County) with the said surplus proceeds of sale as determined by said Treasurer's statement thereof, filed herewith and marked "Auditor's Exhibit No. 1", in the sum of \$107.28.

5. That, no person having redeemed said land, no costs incurred by the complainants as purchasers are allowable to them from said surplus proceeds; accordingly, the entire amount of \$107.28, so charged to said Treasurer, is distributed by the within account among the heirs-at-law of R. Leslie Merrick, deceased; but that a statement of the costs and expenses of these proceedings, (including Court costs, advertising costs and your Auditor's fee) is appended to the within account.

Respectfully submitted

April 14, 1949

HOWARD WOOD, 3RD, Auditor

Filed April 16, 1949

James L. Merrick, the first witness, being duly sworn, did depose and say as follows, in answer to questions put by your Auditor:

Q. Please state your name, age, occupation and residence.

A. James L. Merrick, I am 32 years of age, I am a toolmaker, and I live in Glen Rock,

Pennsylvania.

Q. What relation was R. Leslie Merrick to you?  
A. My father

Q. Please state whether or not your father is living and if not, the date of his death.  
A. My father died March 14, 1940.

Q. Do you know whether or not he died with or without a will?  
A. Without a will

Q. Please name the heirs-at-law of your father.  
A. My mother, Anna L. Merrick, my sister Mary Louise Merrick, and a brother, Robert Reider Merrick and myself.

Q. Are all of the members of your family, including yourself, of full legal age?  
A. Yes

Q. You and your brother and sister are the purchasers of the property of your father in these proceedings?  
A. Yes

Q. Is your contention that your mother and your brother and your sister and yourself, as heirs of your father, are the ones entitled to the distribution of the surplus proceeds remaining in the hands of the Treasurer for Queen Anne's County in this case?  
A. Yes, sir, it is.

Q. Do you or not know whether your father ever received a deed for this property from your own personal knowledge?  
A. He never did.

Q. Is it not possible that he could have received a deed without your knowledge?  
A. Yes.

Q. Based on your own knowledge for how many years did your father possess this property before his death?  
A. 40 years.

Q. Are you able to describe the type of property involved and kind of boundaries by which it is enclosed?  
A. Yes, it is woodland, one portion surrounded by cultivated farmland, the other is by wasteland with a concrete road running through the center. The part on the cultivated side is fenced in.

Q. During your father's lifetime what acts of possession did he exercise towards this property?  
A. He sold timber at two times. Around 1920 and 1933, the latter time was to Marion H. Downes, Denton, Maryland.

Q. Do you know whether your father was ever known as Leslie R. Merrick?  
A. His proper name was R. Leslie Merrick, that is all I know.

Q. To the best of your knowledge were the taxes on this property paid by your father? For at least fifteen years prior to his death and since then by his heirs?  
A. Yes.

Q. Are there any other matters or things you would like to state with regard to your claim as to the distribution of these proceeds?  
A. No.

EXAMINERS SPECIAL

A. No.

JAMES L. MERRICK

Thereupon, Layman J. Redden, the second witness, being duly sworn, did depose and say as follows, in answer to questions put by your Auditor:

Q. Please state your name, residence and occupation.  
A. Layman J. Redden, Denton, Caroline County, Md, Attorney-at-Law.

Q. Are you representing the Merrick heirs in these proceedings?  
A. Yes

Q. Have you obtained from the Treasurer for Queen Anne's County a statement of the purchase price and of the detailed expense of sale of the property sold in these proceedings?  
A. Yes, I have. I have the treasurer's certificate which I would like to introduce in evidence as an Exhibit showing the sale price of \$150.00 less delinquent taxes and costs of \$42.72 leaving a distributable surplus of \$107.28.

(Statement of Treasurer of Queen Anne's County showing purchase price, less expenses of sale of R. Leslie Merrick, heirs property, filed herewith in evidence, marked Auditor's Exhibit No. 1)

Q. Please state what knowledge you have of R. Leslie Merrick and his heirs.

A. R. Leslie Merrick was formerly a resident of Caroline County, Md., who died March 14, 1940, a resident of Pennsylvania. Mr. Merrick died intestate, leaving to survive him as his sole heirs at law, his wovow, Anna L. Merrick, and three children, namely, Mary Louise Merrick, Robert Reider Merrick and James L. Merrick, all of whom are of full legal age. And the tthre children are the purchasers of the property sold at tax sale of these proceedings.

Q. In your affidavit and search filed in these proceedings, you state that the property involved has been assessed for many years for tax purposes to "Leslie R. Merrick Heirs". Did your search reveal that the property was so assessed prior to the year 1940?

A. No, I find on reflection and examination that this property was assessed simply to Leslie R. Merrick without any mention of his heirs until around 1945 and I might add that Leslie R. Merrick as described on the tax records was the same person as R. Leslie Merrick. This property was assessed under the name of Leslie R. Merrick Heirs beginning around 1945 upon my advising the Treasurer's office of the fact of Mr. Merrick's previous death and the succeeding ownership by his heirs.

Q. Have you anything with reference to the distribution of these proceeds either concerning the ownership of the land prior to sale or otherwise which you would like to state?

A. I personally inspected this property previous to tax sale and found that the description, boundaries and condition of the property to correspond with that testified by Mr. James L. Merrick. I also learned in the neighborhood that the property was regarded as owned by Mr. R. Leslie Merrick during his lifetime and I also learned at that time of the previous sales by him of the marketable timber on the property and it was obvious from an inspection of the property that this timber had been cut around the time that Mr. James L. Merrick has stated that his father sold it.

EXAMINERS SPECIAL

A. No.

LAYMAN J. REDDEN

The balance of the proceeds of sale of the land sold at tax sale to the complainants in this Cause, insaccount with C. Percy Arrington, Treasurer of Queen Anne's County.

1947

Cr.

May 20

By balance of Proceeds of sale, per statement thereof (consisting of the gross proceeds of sale, less Treasurer's commission, costs, taxes and interest) filed herewith.....\$107.28

Dr.

Distribution of said balance among the heirs-at-law of R. Leslie Merrick, deceased:

To Anna L. Merrick, widow of said decedent:  
1/3 of said balance, to wit ..... \$ 35.76

To James L. Merrick, son of said decedent:  
2/9 of said balance, to wit: ..... 23.84

To Mary Louise Merrick, daughter of said decedent:  
2/9 of said balance, to wit: ..... 23.84

To Robert Reider Merrick, son of said decedent:  
2/9 of said balance, to wit: ..... 23.84

To Total Balance distributed as aforesaid \$107.28 \$107.28

April 14, 1949

HOWARD WOOD, 3RD, Auditor

Filed April 16, 1949

STATEMENT OF COSTS AND EXPENSES  
INCIDENT TO THIS CAUSE, PAYABLE  
BY THE COMPLAINANTS, AND FOR THE  
PAYMENT OF WHICH THEY SHOULD EXHIBIT  
THEIR VOUCHERS TO C.P. ARRINGTON, TREASURER,  
AT OR BEFORE RECEIVING THEIR AFOREMENTIONED  
DISTRIBUTIVE SHARES.

To Nellie B. Whiteley, Clerk, for her  
Costs, including cost of recording  
and appearance fee ..... \$ 26.20

To Queen Anne's Record and Observer Publishing Co.,  
 for cost of publication of Order of Publication  
 and the order nisi to be passed as to this  
 audit ..... 50.00

To Howard Wood, 3rd, Auditor, for taking the  
 foregoing testimony and for stating this  
 audit ..... 22.50

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Total costs .....\$ 98.70

Filed April 16, 1949

Howard Wood, 3rd, Auditor

AUDITOR'S EXHIBIT NO. 1  
 Filed April 16, 1949

Leslie R. Merrick, Heirs Property

Purchase Price -----	\$ 150.00
Cost, Taxes & Interest -----	\$ 40.69
Treasurer's Commission -----	2.03
	<u>42.72</u>
Total Cost -----	<u>42.72</u>
Amount of refund subject to payment of all cost & chancery #3600 of Circuit Court	107.28

Filed April 16, 1949

NISI RATIFICATION OF AUDIT  
 Filed April 16, 1949

James L. Merrick, et al.,  
 vs  
 Anna L. Merrick, widow, et al

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IN THE CIRCUIT COURT  
 FOR QUEEN ANNE'S COUNTY  
 IN EQUITY  
 Cause No. 3600

ORDERED, This 16th day of April in the year nineteen hundred and forty nine, that the Report and Account filed in these proceedings by Howard Wood, 3rd, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 13th day of May, 1949; provided a copy of this order be published once a week in each of two successive weeks before the 6th day of May, 1949, in some newspaper printed and published in Queen Anne's County.

NELLIE B. WHITELEY Clerk.

Filed April 16th, 1949

CERTIFICATE OF PUBLICATION OF  
 NISI RATIFICATION OF AUDIT  
 Filed May 31, 1949

James L. Merrick, et al.,  
 Vs.  
 Anna L. Merrick, et al

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In the Circuit Court for  
 Queen Anne's County  
 in Equity  
 Cause No. 3600

ORDERED, This 16th day of April in the year nineteen hundred and forty nine, that the Report and Account filed in these proceedings by Howard Wood, 3rd., AUDITOR, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 13th day of May, 1949; provided a copy of this order be published once a week in each of two successive weeks before the 6th day of May, 1949, in some newspaper printed and published in Queen Anne's County.

NELLIE B. WHITELEY, Clerk

Filed: April 16th, 1949  
 True Copy  
 Test: Nellie B. Whiteley, Clerk

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. May 30, 1949

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Audit Nisi in the case/estate of James L. Merrick, et al vs. Anna L. Merrick, et al, Cause No. 3600, 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 6th day of May 1949, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 21st day of April 1949, and the last insertion on the 28th day of April 1949.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

By CHARLOTTE M. MEARS

Filed May 31, 1949

ORDER OF COURT  
Filed June 4, 1949

James L. Merrick, et al.,

vs.

Cause No. 3600

Anna L. Merrick, widow, et al.

ORDER OF COURT

Ordered, this 4th day of June, in the year nineteen hundred and forty nine, by the Circuit Court for Queen Anne's County, in Equity, that the report and account filed herein by Howard Wood, 3rd, 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 previous order nisi, and C. Percy Arrington, Treasurer, is directed to make distribution in accordance therewith, upon the payment of the costs set forth on page 7 of said Audit.

WM. R. HORNEY

Judge.

Filed June 4, 1949

## C A U S E N U M B E R 3608

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the twenty-third day of February in the year nineteen hundred and forty-nine, the following ORDER TO DOCKET SUIT was filed for record, to wit:

LAYMAN J. REDDEN, ASSIGNEE	:	IN THE CIRCUIT COURT
VS.	:	FOR QUEEN ANNE'S COUNTY
SMITH W. CHANCE AND KATHLEEN CHANCE, HIS WIFE	:	IN EQUITY NO. 3608 CHY.

Mr. Clerk:

Please docket the above suit in Chancery and file mortgage from Smith W. Chance and Kathleen Chance, his wife, to G. Lawrence Wilson and Louise D. Wilson, his wife, dated December 6th, 1947, and of record in Liber A.S.G. Jr., No. 18 folio 472, together with assignment thereof to Layman J. Redden for the purpose of foreclosure and collection.

LAYMAN J. REDDEN  
Layman J. Redden  
Assignee

Filed Feb. 23, 1949

CERTIFIED COPY OF MORTGAGE  
Filed Feb. 23, 1949

#26,143 QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Ninth day of December in the year nineteen hundred forty seven, the following Mortgage was brought to be recorded, to wit:-

THIS PURCHASE MONEY MORTGAGE, made this 6th day of December, in the year one thousand nine hundred and forty-seven, by Smith W. Chance and Kathleen Chance, his wife, of Queen Anne's County, State of Maryland.

WHEREAS, we owe and are justly indebted unto G. Lawrence Wilson and Louise D. Wilson, his wife, of Caroline County, State of Maryland, in the full and just sum of twenty-three hundred and fifty dollars (\$2,350.00), the same being the balance of the purchase money for the hereinafter described real estate, twenty dollars (\$20.00) of which principal sum, together with interest at the rate of six per centum per annum on the unpaid portion of said principal sum, accounting from the date hereof, shall be due and payable on the 1st day of January, 1948 and a like payment on account of principal together with interest, as aforesaid, shall be due and payable on the first day of each and every calendar month thereafter for the period of 117 months, at the end of which time the entire balance of principal, if any, remaining and all interest thereon shall be due and payable, but the said mortgagors shall have the privilege, however, of paying more than said stipulated sum on account of said principal and shall have the privilege to anticipate the entire balance of said mortgage debt at any time within the term of this mortgage, and to better secure the prompt payment of said principal sum and each and every installment thereof as well as each and every installment of interest thereon, when and as each shall become due and payable, as aforesaid, this mortgage is executed.

NOW, THEREFORE, THIS PURCHASE MONEY MORTGAGE WITNESSETH, that for and in consideration of the premises and the further sum of One Dollar, the said Smith W. Chance and Kathleen Chance, his wife, do hereby grant and convey unto G. Lawrence Wilson and Louise D. Wilson, his wife, as tenants by the entireties, their assigns and the heirs and assigns of the survivor, in fee simple, the following described real estate:

ALL that lot improved by a frame dwelling house called or known as "The Charles A. Berg Property" or by whatsoever name or names the same may be called or known, situate, lying and being in the Fourth Election District of Queen Anne's County, State of Maryland, on Kent Island, on the north side of the public road leading from Stevensville to Kent Island Narrows and beginning for the same at a point marked by a locust post on the north side of said road and on the west side of a lane or road branching from said road to lead to the residence of or formerly of George Taylor and others and running thence in a northerly direction and with the side of said lane a distance of 410 feet to a point, a corner for the land or or formerly of Enoch L. Taylor; thence in a westerly direction but with the line of the land of the said Enoch L. Taylor a distance of 81 feet to a point marked by a stone, a boundary and corner for the same land of the said Enoch L. Taylor; thence in a southerly direction but following the line of the land of the said Enoch L. Taylor for a distance of 268

feet to a boundary stone, a corner for the said land of Enoch L. Taylor; thence in a westerly direction but still following the line of the land of Enoch L. Taylor a distance of 81 feet to a point on the first mentioned road and corner for the said land of Enoch L. Taylor; thence in an easterly direction but with the side of the first mentioned road a distance of 132 feet to the place of beginning, containing ONE (1) ACRE of land, more or less. Being the same land and premises conveyed to these mortgagors by deed of George L. Wilson and wife, bearing even date herewith and intended to be placed of record among the Land Records for Queen Anne's County simultaneously with the recording of these presents.

PROVIDED, that if we shall cause to be paid the said installments of principal and interest punctually at the times limited therefore, as aforesaid, and perform all the covenants herein contained, then this mortgage shall be void; and that until default we may possess the property; and we covenant to pay as they severally fall due, the said principal sum and each and every installment thereof and each and every installment of interest hereby intended to be secured, as aforesaid, all taxes, liens and assessments that may be on or levied against the said property and all costs and attorneys fees, commissions and charges incurred in the collection of the said principal and interest, or any part thereof, when the same shall become due and payable; and to insure immediately and pending this mortgage to keep insured the improvements on the said property against loss by fire to the amount of their insurable value in some insurance company to be first approved by the said mortgagees, their heirs, personal representatives or assigns, and to have the policy so framed and endorsed that in case of loss the proceeds thereof shall be applied primarily to the payment of the indebtedness hereby secured. Provided, also, that in case of default in any covenant herein, then the whole debt, principal and interest hereby secured shall be immediately due and demandable, and the said mortgagees, their heirs, personal representatives or assigns, or Wilbert L. Merriken, their attorney, are hereby authorized and empowered to sell the said mortgaged property pursuant to the law of the State of Maryland as it now exists and to convey the same to the purchaser upon the following terms, - cash on day of sale or for cash and credit at the option of the person making the sale and to apply the proceeds thereof to the payment of: First, all expenses incident to such sale including compensation to the person selling, as to trustees in equity, and if settlement of the indebtedness hereunder, principal, interest, commissions, costs and expenses incurred, as aforesaid, be made after docketing of suit or after advertisement and before sale, then we covenant to pay one-half of the said compensation reckoned on the amount due hereunder; Second, all money due hereunder, as aforesaid; and Third, the balance to us or to the person entitled thereto.

WITNESS the hands and seals of the said Mortgagors.

TEST:

JOHN C. PALMER

SMITH W. CHANCE (SEAL)  
Smith W. Chance

KATHLEEN CHANCE (SEAL)  
Kathleen Chance

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

I HEREBY CERTIFY, that on this 6th day of December, in the year one thousand nine hundred and forty-seven, before me, the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, aforesaid, personally appeared Smith W. Chance and Kathleen Chance, his wife, known to me or satisfactorily proven to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained; and also at the same time personally appeared G. Lawrence Wilson, known to me to be one of the persons named as mortgagees in the aforesaid mortgage, and made oath in due form of law that the consideration stated therein is true and bona fide as therein set forth.

WITNESS my hand and Notarial Seal.

JOHN C. PALMER  
Notary Public

Notary  
Public  
Seal.

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Twenty Third day of February, in the year nineteen hundred and forty nine, the following Assignment was brought to be recorded, to WIT:-

For value received, we hereby transfer and assign the within and aforesaid mortgage to Layman J. Redden, for the purpose of foreclosure and collection.

Witness our hands and seals this 16th day of February, 1949.

ATTEST:

GERALDINE FERRICK  
Geraldine Ferrick

G. LAWRENCE WILSON (SEAL)  
G. Lawrence Wilson

LOUISE D. WILSON (SEAL)  
Louise D. Wilson

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. 18, folio 472, 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 Twenty Third day of February, in the year nineteen hundred and forty nine.

NELLIE B. WHITELEY

Clerk

NOTARY  
PUBLIC  
SEAL

CERTIFIED COPY OF BOND  
March 16, 1949

QUEEN ANNE'S COUNTY, to wit: Be it remembered that on this Sixteenth day of March in the year nineteen hundred and forty nine, the following BOND was brought to be recorded, to wit:

KNOW ALL MEN BY THESE PRESENTS, that we Layman J. Redden of Caroline 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 Twenty-Five Hundred (\$2500.00) Dollars, current money of the United States of America, 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, 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 out seals and dated this 11th day of March, in the year nineteen hundred and forty-nine.

WHEREAS, a certain mortgage from Smith W. Chance and Kathleen Chance, his wife, to G. Lawrence Wilson and Louise D. Wilson, his wife, bearing date the 6th day of December, 1947, and recorded in Liber A.S.G., Jr., #18, folio 472, etc., a land record book for Queen Anne's County, State of Maryland, has been duly assigned unto the said Layman J. Redden, which said assignment is recorded among said land records at the foot of said Mortgage;

AND WHEREAS, the above bounded Layman J. Redden, as the assignee as aforesaid of the above described mortgage, is about to execute the power of sale contained in the said above described mortgage, by making sale of the property described therein, granted and conveyed by said mortgage, default having occurred in the terms, conditions and covenants of said mortgage by reason of the non-payment of the principal mortgage debt covenanted to be paid by the terms of said mortgage at the time therein provided for the payment thereof.

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bounden Laymen J. Redden 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 of law.

Signed, sealed and delivered  
in the presence of:

JANE B. WRIGHT

LAYMAN J. REDDEN (SEAL)  
Laymen J. Redden

ATTEST:

JANE B. WRIGHT

Corporate Seal Place.

Maryland Casualty Company

BY: HARRY C. BUTLER  
Attorney-in-fact

And at the foot of the foregoing Bond is thus endorsed, to wit:

Security approved and Bond filed Mar. 16, 1949

NELLIE B. WHITELEY Clerk

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. 1, folio 90, 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 Sixteenth day of March, in the year nineteen hundred and forty nine.

NELLIE B. WHITELEY

Clerk

Circuit  
Court  
Seal



REPORT OF SALE  
Filed Mar. 28, 1949

LAYMEN J. REDDEN,  
Assignee

Vs.

SMITH W. CHANCE, and  
KATHLEEN CHANCE, his wife

IN THE CIRCUIT COURT  
FOR QUEEN ANNE'S COUNTY  
IN EQUITY, No. 3608

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of Layman J. Redden Assignee, in the above entitled cause, respectfully shows:

First: That Smith W. Chance and Kathleen Chance, his wife executed a mortgage to G. Lawrence Wilson and Louise D. Wilson, his wife bearing date the 6th day of December, 1947, and recorded in Liber A.S.G. Jr. bearing date the 6th day of December, 1947, and recorded in Liber A.S.G. Jr. No. 18, Folio 472, etc., one of the Mortgage Record Books for Queen Anne's County, aforesaid, which has been duly assigned to Layman J. Redden for the purpose of foreclosure and collection, as will more fully appear by reference to a certified copy of said mortgage filed in this proceeding.

Second: That, after default occurred in the covenants and conditions of said mortgage and after having given bond as required by law, with surety approved by the Clerk of the Circuit Court for Queen Anne's County, for the faithful performance of his trust, and after having complied with all other prerequisites of law and said mortgage, and after having given more than twenty days' notice of the time, place, manner and terms of sale by advertisement inserted in The Queenstown News, a newspaper printed and published in Queen Anne's County, Maryland, as will appear by a printer's certificate of said advertisement filed herewith, your Assignee did attend at public sale, at the Court House door in the town of Centreville, Maryland, on March 22nd, 1949, at 2 o'clock P.M., and then and there proceeded to sell the property mentioned in said mortgage, and described as follows:

ALL that lot improved by a frame dwelling house called or known as "The Charles A. Berg Property" or by whatsoever name or names the same may be called or known, situate, lying and being in the Fourth Election District of Queen Anne's County, State of Maryland, on Kent Island, on the north side of the public road leading from Stevensville to Kent Island Narrows and beginning for the same at a point marked by a locust post on the north side of said road and on the west side of a lane or road branching from said road to lead to the residence of or formerly of Richard Dadds and to the residence of or formerly of George Taylor and others and running thence in a northerly direction and with the side of said lane a distance of 410 feet to a point, a corner for the land of or formerly of Enoch L. Taylor; thence in a westerly direction but with the line of the land of the said Enoch L. Taylor a distance of 81 feet to a point marked by a stone, a boundary and corner for the same land of the said Enoch L. Taylor; thence in a southerly direction but following the line of the land of the said Enoch L. Taylor for a distance of 268 feet to a boundary stone, a corner for the said land of Enoch L. Taylor; thence in a westerly direction but still following the line of the land of Enoch L. Taylor a distance of 81 feet to a point on the first mentioned road and corner for the said land of Enoch L. Taylor; thence in an easterly direction but with the side of the first mentioned road a distance of 132 feet to the place of beginning, containing ONE (1) ACRE of land, more or less; being the same land and premises conveyed to the said Smith W. Chance and Kathleen Chance, his wife, by deed of George L. Wilson and wife, dated December 6th, 1947, and of record among the Land Records for Queen Anne's County aforesaid.

Your Assignee then and there sold the said property G. Lawrence Wilson and Louise D. Wilson, his wife, they being the highest bidders therefore, at the sum of Two Thousand Dollars (\$2,000.00), and said purchasers have satisfactorily complied with the terms of sale.

Respectfully submitted,

LAYMAN J. REDDEN  
Assignee

STATE OF MARYLAND, CAROLINE COUNTY, TO WIT:

I HEREBY CERTIFY, That on this 24th day of March, 1949, before me, the subscriber, a Notary Public of the State of Maryland, in and for Caroline County, aforesaid, personally appeared Layman J. Redden, Assignee, and made oath in due form of law that the matters and things stated in the foregoing Report of Sale are correct and true as therein stated, to the best of his knowledge and belief and that the sale therein reported was fairly made, and further made oath pursuant to the requirements of the Soldiers' and Sailors' Civil Relief Acts that the Mortgagors (are) not in the military service of the United States, and have not been in such service within three months prior hereto, and show the following facts relative to the status of the Mortgagors:

The said Smith W. Chance is approximately 33 years of age, whose occupation is a taxicab driver and Kathleen Chance is approximately 33 years of age and is a housewife, and the residence of both of said mortgagors is Chester, Maryland.

Witness my hand and Notarial Seal.

GERALDINE FERRICK  
Notary public.

Notary  
Public  
Seal

CERTIFICATE OF PUBLICATION OF  
ADVERTISEMENT OF SALE  
Filed Mar. 28, 1949

Under and by virtue of the power of sale contained in a mortgage from Smith W. Chance and Kathleen Chance, his wife, to G. Lawrence Wilson and Louise D. Wilson, his wife, dated December 6th, 1947 and of record in Liber A.S.G. Jr. No. 18 folio 472, one of the Mortgage Record Books for Queen Anne's County, which said mortgage has been duly assigned to the undersigned Assignee for the purpose of fore-closure and collection default having occurred in the covenants and conditions contained in said mortgage, the undersigned Assignee will offer and expose at public sale to the highest bidder in front of the Court House in Centreville, Queen Anne's County, Maryland, on

TUESDAY, MARCH 22, 1949

at 2:00 o'clock P. M.

all the following described real estate:

ALL that lot improved by a frame dwelling house called or known as "The Charles A. Berg Property" or by whatsoever name or names the same may be called or known, situate, lying and being in the Fourth Election District of Queen Anne's County, State of Maryland, on Kent Island, on the north side of the public road leading from Stevensville to Kent Island Narrown and beginning for the same at a point marked by a locust post on the north side of said road and on the west side of a lane or road branching from said said road to lead to the residence of or formerly of Richard Dadds and to the residence of or formerly of George Taylor and others and running thence in a northerly direction and with the side of said land a distance of 410 feet to a point, a corner for the land of or formerly of Enoch L. Taylor; thence in a westerly direction but with the line of the land of the said Enoch L. Taylor a distance of 81 feet to a point marked by a stone, a boundry and corner for the same land of the said Enoch L. Taylor; thence in a southerly direction but following the line of the land of the said Enoch L. Taylor for a distance of 268 feet to a boundry stone, a corner for the said land of Enoch L. Taylor; thence in a westerly direction but still following the line of land of Enoch L. Taylor a distance of 81 feet to a point on the first mentioned road and corner for the said land of Enoch L. Taylor; thence in an easterly direction but with the side of the first mentioned road a distance of 132 feet to the place of beginning, containing ONE (1) ACRE of land, more or less; being the same land and premises conveyed to the said Smith W. Chance and Kathleen Chance, his wife, by deed of George L. Wilson and wife, dated December 6th, 1947, and of record among the Land Records for Queen Anne's County aforesaid.

IMPROVEMENTS

This property is situated on the north side of the main highway from Kent Narrows to Stevensville, approximately one-half mile west of Narrows Bridge, is at present occupied by the said Smith W. Chance and wife, and is improved by a two-story, four room, frame dwelling house in a good state of repair and offers and excellent opportunity for the purchase of a small home on a desirably located lot of unusual size.

TERMS OF SALE

One -third of the purchase money cash on day of sale and balance upon ratification of sale, or all cash at the option of the purchaser. The deferred payment, if any, to be secured by the interest bearing note of the purchaser, with security to be approved by the undersigned Assignee. Title papers and all documentary stamps and transfer costs at the expense of the purchaser.

LAYMAN J. REDDEN

Assignee

THE QUEENSTOWN NEWS

Queenstown, Md. March 25, 1949

THE QUEENSTOWN NEWS, trading as a co-partnership between Michael W. Aker and George J. Steinfeld, do hereby certify that the Assignee's Sale of Real Estate in the case of Layman J. Redden, Assignee Vs. Smith W. Chance and Kathleen Chance, his wife, to G. Lawrence Wilson and Louise D. Wilson, his wife, 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 22 day of March, 1949, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 25th day of Feb. 1949.

THE QUEENSTOWN NEWS

By GEORGE J. STEINFELT

Filed Mar. 28, 1949

ORDER NISI  
Filed March 28, 1949

Layman J. Redden, Assignee

VS.

Smith W. Chance and  
Kathleen Chance, his wife.

IN THE CIRCUIT

FOR QUEEN ANNE'S COUNTY

IN EQUITY

Chancery No. 3608

ORDERED, This 28th day of March A.D., 1949, that the sale of real estate made and reported in this cause by Layman J. Redden, Assignee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 31st 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 30th day of April next.

The Report states the amount of sales to be \$2,000.00.

Filed March 28, 1949

NELLIE B. WHITELEY Clerk.

CERTIFICATE OF PUBLICATION  
OF ORDER NISI  
Layman J. Redden, Assignee

Vs.

Smith W. Chance and  
Kathleen Chance, his wife.

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

Chancery No. 3608

ORDERED, This 28th day of March A.D., 1949, that the sale of real estate made and reported in this cause by Layman J. Redden, Assignee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 31st 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 30th day of April next.

The Report states the amount of sales to be \$2,000.00.

NELLIE B. WHITELEY,  
Clerk

True Copy:

Test: NELLIE B. WHITELEY  
Clerk

Filed March 28, 1949

THE QUEENSTOWN NEWS

Queenstown, Md. April 29, 1949

THE QUEENSTOWN NEWS, trading as a co-partnership between Michael W. Aker and George J. Steinfelt, do hereby certify that the Nisi in the case of Layman J. Redden, Assignee, Vs. Smith W. Chance and his wife, Kathleen Chance. Chancery No. 3608 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 31st day of May 1949, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 1 day of April 1949.

THE QUEENSTOWN NEWS

By GEORGE J. STEINFELT

Filed June 8, 1949

STATEMENT OF MORTGAGE INDEBTEDNESS  
Filed June 13, 1949

LAYMAN J. REDDEN, ASSIGNEE

VS

SMITH W. CHANCE, and  
KATHLEEN CHANCE, his wife

:

:

:

IN THE CIRCUIT COURT

FOR QUEEN ANNE'S COUNTY

IN EQUITY NO. 3608 Chy.

STATEMENT OF MORTGAGE INDEBTEDNESS

Mortgage principal -----		\$2,250.00
Interest from 5/1/48 to 3/22/49	\$120.27	
Less credit for interest paid between 7/20/48 to 10/1/48	<u>33.45</u>	<u>86.82</u>
Total amount due on date of sale		\$2,336.82

STATE OF MARYLAND, CAROLINE COUNTY, TO WIT:

I HEREBY CERTIFY, That on this 11th day of June, 1949, before me, the subscriber, a Notary Public of the State of Maryland, in and for Caroline County, personally appeared G. Lawrence Wilson, one of the mortgagees in the above entitled case, and made oath in due form of law that the above statement is true to the best of his knowledge and belief, and that no part nor parcel of same has been paid.

WITNESS my hand and Notarial Seal.

GERALDINE FERRICK  
Notary Public

Notary  
Public  
Seal

ORDER  
Filed June 13, 1949

ORDERED, This 13th day of June, 1949, by the Circuit Court for Queen Anne's County, in Equity, that the sale of the property mentioned in these proceedings by Layman J. Redden Assignee, 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 previous Order of this Court; and the Assignee is allowed the usual commissions and all expenses, not personal, for which he shall produce vouchers to the Auditor.

WM. R. HORNEY  
Judge

Filed June 13, 1949

REPORT AND ACCOUNT OF AUDITOR  
Filed June 24, 1949

Layman J. Redden, Assignee,  
vs.

Smith W. Chance and  
Kathleen Chance, his wife

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

Cause No. 3608

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Howard Wood, 3rd, your auditor, unto your Honors, respectfully shows:

1. That this account is stated at the request of Layman J. Redden, Assignee of Mortgage for the purpose of foreclosure and collection (and vendor) in this foreclosure proceeding; and it appears that the net proceeds of the mortgage sale were insufficient for the payment of the mortgage debt and interest amounting to the sum of Two Thousand Three Hundred Thirty-Six Dollars and Eighty-Two Cents (\$2,336.82) as of the day of sale, per statement of mortgage indebtedness filed herein, that such deficiency amounts to the sum of Five Hundred Fifty-Six Dollars and Twenty-three Cents (\$556.23), and that such deficiency is due the Mortgagees from the Mortgagors with interest thereon from March 22, 1949;

2. That in the within account said Assignee is charged with the gross proceeds of the sale made by him, per report of sale filed; and that he is then allowed thereout as follows: for his commission in accordance with the terms of said mortgage, the court costs of this cause (including appearance fee) per bill of Clerk, the fee of the auctioneer who cried this sale per receipted bill, the cost of the premium on said Assignee's corporate surety bond per receipted bill, the costs of advertising the sale and the several orders nisi of this cause, the auditor's fee, and finally the net proceeds of sale, in the sum of One Thousand Seven Hundred Eighty Dollars and Fifty-nine Cents (\$1,780.59), on account of the aforesaid mortgage debt and interest.

Respectfully submitted,

June 24, 1949

HOWARD WOOD, 3RD, Auditor

Filed June 24, 1949

Cause No. 3608

The proceeds of the sale of land reported in this cause, in account with Layman J. Redden, Assignee of the Mortgage foreclosed in these proceedings (and vendor of said land).

Cr.

1949  
 March 22 By gross proceeds of the sale of said land, per report of said vendor, to wit: ..... \$2,000.00

Dr.

To Layman J. Redden, assignee (and vendor) for his commissions for making the sale, per terms of mortgage .....	\$	122.50	
To do., for court costs of this cause per Clerk's statement, as follows:			
Costs of Nellie B. Whiteley, Clerk .....	\$18.75		
Appearance fee of Layman J. Redden .....	10.00	28.75	
To do., for an amount paid J. Elmer Anthony, auctioneer, for crying said sale, per his receipt for same exhibited .....		10.00	
To do., for an amount paid Harry C. Butler, Agent for Maryland Casualty Company, for the premium on the surety bond filed by said assignee in this cause, per receipt for same exhibited .....		10.00	
To do., for amounts paid the Queenstown News, per receipts for same exhibited, to wit:			
For cost of advertising this Sale .....	\$21.25		
For cost of advertising the or order nisi thereon .....	5.00	26.25	
To do., for the cost of advertising the order nisi to be passed as to this audit in The Queenstown News .....		3.50	
To do., for an amount paid to C. Percy Arrington, Treasurer of Queen Anne's County, on State, County and School Taxes for the year 1948, including interest, per receipt for same exhibited ...		9.41	
To Howard Wood, 3rd, Auditor, for stating this audit .....		9.00	
To Layman J. Redden, Assignee of Mortgage for foreclosure and collection, to the use of the Mortgagees in this cause, the net proceeds of this sale (on account of the Mortgage indebtedness of \$2,336.82, per statement thereof filed), to wit:		1,780.59	
		<u>2,000.00</u>	\$2,000.00

HOWARD WOOD 3rd, Auditor

June 24, 1949.

Files June 24, 1949

NISI RATIFICATION OF AUDIT  
 Filed June 24, 1949.

NISI RATIFICATION OF AUDIT

<u>Layman J. Redden, Assignee.</u>	)	In The Circuit Court
VS	)	for Queen Anne's County
	)	In Equity
<u>Smith W. Chance and</u>	)	Cause
<u>Kathleen Chance, his wife.</u>	)	No. <u>3608</u>
	)	
	)	

ORDERED, This 24th day of June in the year nineteen hundred and forty nine, that the Report and Account filed in these proceedings by Howard Wood, 3rd., Auditor, be ratified

and confirmed, unless cause to the contrary thereof be shown on or before the 23rd day of July, 1949; provided a copy of this order be published once a week in each of two successive weeks before the 16th day of July, 1949, in some newspaper printed and published in Queen Anne's County.

NELLIE B. WHITELEY Clerk.

Filed June 24, 1949

Certificate of Publication of  
Nisi Ratification of Audit

THE QUEENSTOWN NEWS

Layman J. Redden, Assignee,

Vs

Smith W. Chance and  
Kathleen Chance, his wife

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

ORDERED, This 24th day of June Cause No. 3608

in the year nineteen hundred and Forty-nine, that the Report and Account filed in these proceedings by Howard Wood, 3rd., Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 23rd day of July, 1941; provided a copy of this order be published once a week in each of two successive weeks before the 16th day of July, 1941, in some newspaper printed and published in Queen Anne's County.

NELLIE B. WHITELEY  
Clerk.

True Copy:  
Test: NELLIE B. WHITELEY  
Filed June 24, 1949.

Clerk.

THE QUEENSTOWN NEWS

Queenstown, Md July 28, 1949

THE QUEENSTOWN NEWS, trading as a co-partnership between Michael W. Aker and George J. Steinfeldt, do hereby certify that the \_\_\_\_\_

Nisi Ratification of Audit

in the case of Layman J. Redden, Assignee, Vs.,

Smith W. Chance and Kathlee Chance his wife.

Cause No. 3608

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 16th DAY of July 1949, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 1st day of July 1949

THE QUEENSTOWN NEWS

By GEORGE J. STEINFELT

Filed July 30, 1949

FINAL ORDER OF RATIFICATION  
Filed August 1, 1949.

Layman J. Redden, Assignee )

vs. )

Smith W. Chance and )  
Kathleen Chance, his wife )

Chancery No. 3608

FINAL ORDER OF RATIFICATION

It is ORDERED this 1st day of August, 1949, by the Circuit Court for Queen Anne's County, in Equity, that the within and afore-going Report and Account of Howard Wood, 3rd, 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 give, as shown by the Certificate of Publication of the Nisi Ratification of Audit filed herewith, and Layman J. Redden, Assignee in this Cause, is hereby directed to make distribution in accordance therewith.

WM. R. HORNEY

Judge.

Filed August 1, 1949

CAUSE NO. 2124.

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Twenty First day of October, in the year nineteen hundred and forty six, the following Petition was brought to be recorded, to wit:-

IN THE MATTER OF THE TRUST ESTATE  
FOR AND IN BEHALF OF  
HARRIET McK. GIBSON

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

Cause No. 2124.

-----  
TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Robert F. Gibson, Surviving Trustee in the above entitled cause, unto your Honors, respectfully shows:

1. That among the principal assets of this estate, as set forth in the Eighth Annual Report of the Said trustee, were 15 - \$1000 Federal Land Bank Consolidated Bonds, 3s.
2. That said bonds were called for redemption on January 1, 1946, and that since said date said trustee has had Fifteen Thousand Dollars (\$15,000) in hand awaiting investment.
3. That said trustee has an opportunity to invest the total Fifteen Thousand Dollars (\$15,000), by taking a first mortgage from Thomas G. Hayden and Mary R. Hayden, his wife.
4. That said first mortgage will be payable five years after date with interest at the rate of 5% per annum, payable semi-annually.
5. That said first mortgage will cover the two parcels of land particularly described in the certificate of value, filed herewith and asked to be considered a part hereof, and as further security will also cover the machinery and equipment now used on said properties by said Thomas G. Hayden in the conduct of his business, known as "Farm Supply Company", and as still further security will also cover a lot of approximately 3/4 of an acre, lying next to the Pennsylvania Railroad tracks and fronting on Railroad Avenue, being a part of the lot conveyed to said Thomas G. Hayden and Mary R. Hayden, as tenants by the entireties, by deed dated October 17th, 1945, and recorded among the Land Record Books for Queen Anne's County in Liber A.S. G. Jr. 12, folio 366, by Margaret F. Aldridge, et Al.
6. That said trustee believes that the properties covered by the aforesaid first mortgage are ample security for the loan, particularly in view of the additional coverage of the machinery and equipment and the abovementioned small lot.
7. That said trustee attaches hereto a Certificate of Value signed by two landowners of Queen Anne's County as to the value of the two main parcels of land.

Wherefore, your said trustee prays your Honors to pass an order authorizing him to invest the sum of Fifteen Thousand Dollars (\$15,000) of the corpus of this estate in a first mortgage from Thomas G. Hayden and Mary R. Hayden, his wife, on the hereinbefore described real and personal property.

Respectfully submitted,

ROBERT F. GIBSON  
Surviving Trustee

Filed October 21, 1946.

ORDER OF COURT  
Filed October 21, 1946

Upon the foregoing petition and the affidavits and certificates accompanying the same, it is, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, on this 18th day of October, 1946, ADJUDGED, ORDERED and DECREED that Robert F. Gibson, Surviving Trustee in the Above entitled cause, be and he is hereby authorized and empowered to invest the sum of Fifteen Thousand Dollars (\$15,000) in a first mortgage from Thomas G. Hayden and Mary R. Hayden, his wife, on the real estate and personal property described in the foregoing petition, payable five years after date with interest at the rate of 5% per annum payable semi-annually, upon the release and satisfaction of all prior liens, and upon the proper endorsement to the mortgage of all policies of insurance on the buildings and machinery and equipment included in said mortgage.

Wm. R. Horney  
Judge

Filed October 21, 1946



PETITION FOR AUTHORITY TO PURCHASE  
 PARKING LOT ADJOINING HAYDEN MILL  
 PROPERTY  
 Filed April 17, 1950

In the Matter of the Trust Estate  
 For and In Behalf of  
 Harriet McK. Gibson.

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

Cause No. 2124

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Robert F. Gibson, Surviving Trustee in the above entitled cause, unto your Honors, respectfully shows:

1. That, as will appear by reference to the mortgage foreclosure proceedings in this Court entitled "Howard Wood, 3rd, Assignee, vs. Thomas G. Hayden and wife, Mortgagors", being Cause No 3658 on the Chancery Docket, your petitioner is the purchaser of the Mill property sold in said cause No. 3658 under the power of sale contained in the mortgage from Thomas G. Hayden and Mary R. Hayden, his wife, to your petitioner, dated October 25, 1946, and recorded among the land and chattel records of Queen Anne's County.

2. That, as will further appear by reference to the Report of Sale filed in said mortgage foreclosure proceedings, your petitioner, as purchaser of the Mill property aforesaid, received an option to purchase of said Howard Wood, 3rd, individually, a parking area fronting on Water Street, adjacent to the Mill property, for the sum of \$640.00, consisting of the two parcels of land granted by Theodore L. James to Howard Wood, 3rd, by deed dated December 1, 1949, and recorded among the land records of Queen Anne's County; and that, although said option has already expired, your petitioner is advised by said Howard Wood, 3rd, his attorney, that the latter's purchase of said land from Theodore L. James was made solely in order to protect your petitioner by enhancing the attractiveness of the Mill property at the foreclosure sale, and that your petitioner may exercise said option within a reasonable time hereafter.

3. That, your petitioner is advised and suggests that said two parcels of land have been leased and used for several years by the abovementioned Mortgagors as a parking area in connection with said Mill property; that there is not other available parking area adjacent to said Mill property; and that it will, therefore, be to the interest and advantage of this Trust Estate to purchase said two lots of land on the terms above stated, the same to become a part of the aforesaid "Mill Property" from henceforth.

Wherefore, your petitioner prays this Honorable Court to pass an order authorizing, directing and empowering him to purchase said two lots of land from said Howard Wood, 3rd, upon the terms above set forth.

Respectfully submitted,

Robert F. Gibson  
 Surviving Trustee

Filed April 17, 1950.

ORDER OF COURT  
 Filed April 19, 1950.

ORDER OF COURT

Upon the foregoing petition, IT IS ORDERED, this 19th day of April, 1950, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that Robert F. Gibson, Surviving Trustee in this cause, be and he is hereby authorized, directed and empowered to purchase of Howard Wood, 3rd, the two lots of land granted by Theodore L. James to Howard Wood, 3rd, by deed dated December 1, 1949, and recorded among the land records of Queen Anne's County, at and for the sum of \$640.00, payable from the corpus of this trust estate upon the execution and delivery by said Howard Wood, 3rd, and by his wife, of a special-warranty deed conveying said two parcels of land unto said Surviving Trustee, his successors and assigns, in fee simple.

WM. R. HORNEY  
 Judge

Filed April 19, 1950

✓ PETITION FOR SALE OF Hayden Mill Property  
 Filed Nov. 25, 1950.

IN THE MATTER OF THE TRUST  
ESTATE FOR AND IN BEHALF OF  
HARRIET McK. GIBSON

¶  
¶  
¶

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

Cause No. 2124.

TO THE HONORABLE, THE JUDGES OF SAIS COURT:

The Petition of Robert F. Gibson, Surviving Trustee in these proceedings, unto, your Honors, respectfully shows:

1. That a part of the corpus of this trust estate consists of the "Hayden Mill Property and adjacent parking area", situate, lying and being in the Third Election District of Queen Anne's County, in the State of Maryland, on the northeast side of water Street or Railroad Avenue and on the northwest side of Banjo Lane, in the town of Centreville, being composed of the land and personal property conveyed and transferred to your trustee as follows: (A) By the Deed and Bill of Sale from Howard Wood, 3rd, Assignee, dated May 11, 1950, and recorded among the land records of said County in Liber N.B.W. No. 6, folios 191, etc., and among the chattel records of said County in Liber A.S.G. Jr. No. 2, folios 283, etc., and (B) By the Deed from Howard Wood, 3rd and Mary D. Wood, his wife, dated May 5, 1950, and recorded among the land records of said County in Liber N.B.W. No. 6, folios 193, etc.

2. That by the provisions of Item Twenty of the last will and testament of William McKenney, deceased, by which this trust was established, the testator empowered any one or more of the respective trustees of his respective children, by and with the advice and by the decree of this Court, on proper and satisfactory proof, if advantages and to the best interest of his or their cestui que trust, at any time, to sell the real estate of his or their cestui que trust, and to have, hold, manage and invest the proceeds thereof for the benefit of his or their cestue que trust the same as if the said proceeds had remained land, subject to the devolution of title or power of title or power of disposition by the cestui que trust.

3. That your trustee, the petitioner, on November 21, 1950, approved the terms of an option given by his agent, Howard wood, 3rd, to Bradley's Hatchery, Inc., a body corporate, on November 18, 1950, and exercised by said corporation on the same date, to purchase for the sum of \$15,500.00, upon the terms of said option, all of the property above referred to in Paragraph No. 1 hereof, subject to the approval and ratification of this Honorable Court, of which said sum your trustee has received the sum of \$500.00, which he is holding on deposit pending this Court's order upon this petition and pending final settlement under said option, at which time the balance of said purchase price is due and payable in cash. The terms of said sale are fully set forth in said option, which was executed in duplicate, and of which one of the originals, marked "Hayden Exhibit No. 1", is filed herewith, as a part hereof.

4. That your trustee, the petitioner, desires hereby to make known and report to this Honorable Court that the aforesaid purchase price of Fifteen Thousand Five Hundred Dollars (\$15,500.00) for said property is, in his ipinion, the best price obtainable therefor, that in the judgment of your petitioner it would be advantageous and to the best interest of his cestui que trust that the aforesaid sale be ratified by this Honorable Court; and that your trustee files herewith, as a part of this petition, marked "Hayden Exhibit No. 2", the certificate of two real estate brokers on Queen Anne's County, aforesaid, who are familiar with real estate values in the locality in which said property is situate, and the certificate of a resident of said County familiar with values of the type of machinery included in said property, indicating that it would be advantageous to made said sale at the aforementioned price of Fifteen Thousand Five Hundred Dollars (\$15,500.00).

5. That there is also filed herewith, as a part of this petition, marked "Hayden Exhibit No. 3", the certificate of Harriet McK. Gibson, the cestui que trust, to the effect that she was consulted as to and urged the approval of said option and the sale contemplated thereby, and that the said sale is advantageous to her and to the remaindermen of the trust fund.

Your petitioner therefore prays this Honorable Court to pass a decree ratifying said contract of sale and authorizing, directing and empowering your trustee, the petitioner, to make, and consummate settlement thereunder and to make sale of said property known as the "Hayden Mill Property and adjacent parking area" unto the said corporation, Bradley's Hatchery, Inc., at and for the sum of Fifteen Thousand Five Hundred Dollars (\$15,500.00), upon the terms set forth in said option, and that your petitioner may be further authorized directed and empowered, upon the payment of the entire purchase money therefor, to grant and convey the said property, and to transfer the same, unto the said corporation, its successors and assigns, by a good and sufficient deed and bill of sale.

And as in duty bound, etc.,

ROBERT F. GIBSON  
Trustee.

GIBSON AND WOOD

By HOWARD WOOD 3RD  
Solicitors for Trustee

STATE OF VIRGINIA, ALBEMARLE COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 21st day of November, 1950, before me, the subscriber, a Notary Public of the State of Virginia, and for Albemarle County, personally appeared Robert F. Gibson, trustee mentioned in the foregoing petition, and made oath in due form of law that the matters and facts set forth in the foregoing petition are true as therein stated, to the best of his knowledge and belief.

WITNESS my hand and notarial seal:

MARY F. BURCH  
Notary Public

Filed November 25, 1950

HAYDEN EXHIBIT NO. 1  
Filed Nov. 25, 1950

THIS OPTION, given this 18 day of November, 1950, by Howard Wood, 3rd, Agent for Robert F. Gibson, Trustee for Harriet McK. Gibson, of Queen Anne's County, Maryland:

WITNESSETH, that for and in consideration of the sum of Twenty-Five Dollars (\$25.00), the receipt of which is hereby acknowledged, the said Howard Wood, 3rd, Agent as aforesaid, does hereby give to Bradley's Hatchery, Inc., a body corporate of the State of Maryland, having its principal place of business at Easton, Talbot County, Maryland, its successors and assigns, the exclusive right to purchase, on or before November 18, 1950, at 12 o'clock noon (time being of the essence of this option) all of the following described real and personal property, to wit:

A. All of the land and personal property conveyed and transferred to said Trustee by Howard Wood, 3rd, Assignee, by Deed and Bill of Sale dated May 11, 1950, and recorded among the land records of Queen Anne's County, Maryland, in Liber N. B.W. No. 6, folio 191, and among the chattel records of said County in Liber A.S. G. No. 2, folio 283.

B. All of the land conveyed to said Trustee by Howard Wood, 3rd, and Mary D. Wood, his wife, by deed dated May 5, 1950, and recorded among the land records of said County in Liber N.B.W. No. 6, folio 193.

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 that the terms of said option are as follows:

1. That the purchase price thereof shall be the sum of Fifteen Thousand Five Hundred Dollars (\$15,500.00), payable as follows:

(a) The payment made for this option, in the sum of Twenty-Five Dollars (\$25.00) shall in the event of its exercise, be credited in part payment of said purchase price;

(b) The sum of Four Hundred Seventy-Five Dollars (\$475.00) shall be paid by check upon the exercise of this option, which must be exercised in writing.

(c) The balance of Fifteen Thousand Dollars (\$15,000.00) thereof shall be paid at the time of final settlement hereunder.

2. That possession of said property shall be given to the said corporation upon the exercise of this option, subject only to the tenancy and right of entry of the firm of "Record Office Supplies" in the portion of the building on said property now occupied by said firm. Taxes for 1950, fire insurance premiums and rents received from said tenant shall, at final settlement, be adjusted as of the said date of exercise of this option; present fire insurance policies will be kept in force pending final settlement, and, upon the exercise of this option, will be endorsed to protect the interest of said corporation as purchaser. Although the machinery sold is believed by the Trustee to be in working order, it is not so warranted.

3. Upon the exercise of this option, the sale thereby made shall be subject to the ratification of the Circuit Court for Queen Anne's County, in Equity, in Cause No. 2124 on the Chancery Docket; and said Trustee will promptly institute the proceedings necessary to obtain such ratification, at his expense.

4. Said corporation may at its own expense have the title to said property examined and or guaranteed by an attorney or title guarantee company of its selection, and the Trustee, subject to the ratification of said Court as aforesaid, agrees to convey to said corporation and or to such person or persons as it may designate, a good and merchantable title to said property, free, clear and discharged of any and all liens and encumbrances, by a good and sufficient fee simple deed and absolute bill of sale, but without warranties of title, which said deed and bill of sale shall be executed and acknowledged by said trustee agreeably to law, the delivery of said deed to be made upon full payment of the purchase money and at the time of final settlement. The cost of preparing said deed and bill of sale, the necessary revenue and recordation stamps to be affixed to same, and for all recording costs and notary fees incident thereto shall be paid by said corporation.

5. In the event that said Trustee shall be unable to deliver a good and merchantable title to the aforesaid property by the time of final settlement hereunder,

then and in that event, the Trustee agrees to return all moneys paid hereunder, and said sale shall become null and void, and the said corporation shall restore said property to the Trustee in the same condition as it now is, reasonable wear and tear and acts of God excepted.

6. Should the Trustee be prepared to deliver a good and merchantable title to said property at the time of final settlement as aforesaid, and the said corporation fail to pay the balance of said purchase money as herein provided, then said down payment of Four Hundred Seventy-Five Dollars (\$475.00) shall be retained by the Trustee as liquidated damages.

7. Final settlement, as aforesaid, shall be made at the office of Gibson and Wood, Centreville, Maryland, sixty (60) days after the exercise of this option, between the hours of 9 A. M. and 3 P. M., or upon such prior or subsequent date or at such other location as may be agreeable to the Trustee and to said corporation.

8. Upon the exercise of said option, subject to said Court's ratification as aforesaid, the sale thereby made shall bind and enure to the benefit of the Trustee's successors and assigns, and the successors and assigns of said corporation

WITNESS the hand and seal of said Agent, in duplicate;

TEST:

CAROLINE T. WILSON

HOWARD WOOD 3RD (SEAL)  
Agent for Robert F. Gibson, Trustee for  
Harriet McK. Gibson.

The within option is hereby exercised, with all its terms and conditions, this 18th day of November, 1950.

ATTEST:

J. WALTER HASTING, JR.

BRADLEY'S HATCHERY, INC.

BY: R.M. BRADLEY  
President

Delivered this 18th day of November at 9 A. M.

HOWARD WOOD 3rd  
Agent.

The foregoing option given under date of November 18, 1950, by Howard Wood, 3rd, as my agent, to Bradley's Hatchery, Inc., a body corporate, and exercised by said corporation on the same day, in reference to the sale by me, as trustee, to said corporation, of the property in Centreville, Maryland, known as the "Hayden Mill Property and adjacent parking area", having been duly presented to and read by me, I do hereby evidence my approval and ratification of the act of a said agent in giving such option, and do hereby adopt the said option and contract of sale thereby created as my own act, with all its terms and conditions.

WITNESS my hand and seal, this 21st day of November, in the year nineteen hundred fifty:

TEST:

ROBERT F. GIBSON (SEAL)  
(Robert F. Gibson) Trustee for Harriet  
McK. Gibson

MARY F. BURCH

Filed November 25, 1950

And at the foot of the Option are the following endorsements, to wit:

I, J. WALTER HASTINGS, do HEREBY certify that I am the duly elected and qualified secretary and the keeper of the records and corporate seal of Bradley's Hatchery, Inc., a corporation organized and existing under the laws of the State of Maryland, and that the following is a true and correct copy of a certain resolution duly adopted at a meeting of the Board of Directors, thereof, convened and held in accordance with law and the By-laws of said Corporation on the 12th day of January, 1951, and that such resolution is now in full force and effect:

RESOLVED, That the option agreement between this Corporation and Robert F. Gibson, Trustee for Harriet McK. Gibson, dated November 18, 1950, for the purchase of the Hayden Mill property, located in Centreville, Md., be assigned to the Centreville Milling Company for the sum of Five Hundred (\$500.00) dollars, and that the officers of the Corporation are hereby authorized to execute such instruments as may be requisite to effect said assignment.

IN WITNESS WHEREOF, I have affixed my name as Secretary and have caused the corporate seal of said Corporation to be hereunto affixed this 12th day of January, 1951.

J. WALTER HASTING, JR.  
Secretary

Filed January 30, 1951

FOR VALUE RECEIVED,

The within option is hereby assigned unto THE CENTREVILLE  
MILLING COMPANY.

Test: BRADLEY'S HATCHERY, INC.

J. WALTER HASTING, JR.  
Secretary

By A.M. BRADLEY  
President

Filed January 30, 1951

HAYDEN EXHIBIT No. 2  
Filed Nov. 25, 1950

IN THE MATTER OF THE TRUST	§	In the Circuit Court for
ESTATE FOR AND IN BEHALF OF	§	Queen Anne's County
HARRIET McK. GIBSON	§	In Equity
		Cause NO. 2124.

"HAYDEN EXHIBIT NO. 2"

THIS IS TO CERTIFY that we, the undersigned, residents of Queen Anne's County, Maryland, and free holders of said County, are familiar with the parcels of land making up the "Hayden Mill Property and adjacent parking area", situate, lying and being in the town of Centreville, in the Third Election District of said County, on Water Street or Railroad Avenue and on Banjo Lane which is a part of the corpus of the trust estate in the above entitled cause, and that we are familiar with the value of real estate in the locality in which said tracts of land are situate; that we, the undersigned, Oliver C. Jones. and M. Wilson Harris are licensed read estate brokers doing business in said County, and that I, the undersigned, Christopher S. Thomas, having engaged in the grain business, am familiar with the type of machinery located on said property; that the purchase price of Fifteen Thousand Five Hundred Dollars (\$15,500.00) agreed to be paid for said property by Bradley's Hatchery, Inc., is a fair and sufficient price for said property; and that, in our judgment, it will be to the interest and advantage of the aforesaid trust estate to make sale of said property at said price, including the said machinery and the office equipment now located on said property.

CHRISTOPHER S. THOMAS

OLIVER C. JONES

M. WILSON HARRIS

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

I HEREBY CERTIFY, that on this 22nd day of November, 1950, before me, the Clerk of the Circuit Court for Queen Anne's County, personally appeared Oliver C. Jones, M. Wilson Harris and Christopher S. Thomas, and each made oath, in due form of law, that the matters and facts set forth in the foregoing CERTIFICATE OF VALUATION are true as therein stated, to the best of his knowledge and belief.

NELLIE B. WHITELEY, Clerk.

Filed November 25, 1950

Hayden Exhibit No. 3  
Filed November 25, 1950

IN THE MATTER OF THE TRUST	§	In the Circuit Court for
ESTATE FOR AND IN BEHALF OF	§	Queen Anne's County
HARRIET McK. GIBSON	§	in Equity.
		Cause No. 2124.

"HAYDEN EXHIBIT NO. 3"

THIS IS TO CERTIFY that I, Harriet McK. Gibson, the cestui que trust of the above entitled trust estate, was consulted as to the approval by her trustee of the option given by Howard Wood, 3Rd, as Agent for said trustee, to Bradley's Hatchery, Inc., dated November 18, 1950, by which Bradley's Hatchery, Inc., has agreed to purchase the property known as the "Hayden Mill Property and adjacent parking area" from my trustee at and for the sum of Fifteen Thousand Five Hundred Dollars (\$15,500.00) upon terms more fully set forth in said option, and urged the approval of said option by my said trustee; and that, in my opinion, the ratification of said sale is advantageous to me and to the remaindermen of said trust estate.

HARRIET McK. GIBSON  
(Cestui que trust)

STATE OF VIRGINIA, )  
ALBEMARLE COUNTY, ) TO WIT:

I HEREBY CERTIFY, that on this 21st day of November, 1950 before me, the subscriber, a Notary Public of the State of Virginia, in and for Albemarle County, personally appeared Harriet McK. Gibson, and made oath in due form of law that the matters and facts set forth in the within and aforegoing CERTIFICATE AND CONSENT are true as therein stated, to the best of her knowledge and belief.

WITNESS my hand and notarial seal:

MARY F. BURCH  
Notary Public

Filed November 25, 1950

Decree  
Filed November 25, 1950  
  
IN THE MATTER OF THE TRUST  
ESTATE FOR AND IN BEHALF  
OF HARRIET McK. GIBSON

In the Circuit Court for  
Queen Anne's County  
in Equity  
  
Cause No. 2124.

DECREE

The aforegoing petition and affidavit, and the certificate of value, certificate and consent of the cestui que trust and option and contract of sale accompanying the same, having been read and considered, IT IS THEREUPON, this 25th day of November, 1950, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, ADJUDGED, ORDERED AND DECREED that Robert G. Gibson, Surviving Trustee in the above entitled cause, be and he is authorized, directed and empowered to make sale to Bradley's Hatchery, Inc., a corporation, of Talbot County, in the State of Maryland, of the land known as the "Hayden Mill Property and adjacent parking area", including the machinery and office equipment located thereon, and described in the aforegoing option, at and for the sum of Fifteen Thousand Five Hundred Dollars (\$15,500.00) in accordance with the terms and conditions of said contract of sale, which is hereby approved and ratified; IT IS FURTHER ADJUDGED, ORDERED AND DECREED that the said Robert F. Gibson, Surviving Trustee as foresaid, be and he is hereby authorized, directed and empowered, upon the full payment to him of the sum of Fifteen Thousand Five Hundred Dollars (\$15,500.00), and not before, to grant, transfer and convey unto the said Bradley's Hatchery, Inc., its successors and assigns, the said property known as the "Hayden Mill Property and adjacent parking area" and said machinery and office equipment, by fee simple deed and absolute bill of sale.

AND IT IS FURTHER ADJUDGED, ORDERED and DECREED that the said Robert F. Gibson, Trustee as aforesaid, shall pay from the cash proceeds of sale of said property the costs of proceedings relating to said sale, including a commission to himself for making said sale as per the rule of this Court, and shall invest the balance for the benefit of his cestui que trust, subject to the same devolution of title as if the proceeds of sale had remained land and personal property.

WM R. HORNEY  
Judge

Filed November 25, 1950

CAUSE NO. 3609.

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Twenty Third day of February, in the year nineteen hundred and forty nine, the following Order to Docket Suit was filed for record, to wit:

THOMAS J. KEATING, JR.,  
Assignee,

versus

ANNIE M. JACOBS,  
Mortgagor.

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY.

ORDER OF DOCKET SUIT

TO: Nellie B. Whiteley, Clerk:

YOU will please docket suit as per the above Titling for foreclosure of the Mortgage from Annie M. Jacobs to William L. Holton dated May 20, 1926, recorded in Liber BHT No. 5, folio 247, etc., a Land Record Book for Queen Anne's County Maryland, default having occurred in the terms thereof, and you will file in said Suit a certified copy of said Mortgage and Assignments and the accompanying Affidavit.

THOMAS J. KEATING, JR.  
(Thomas J. Keating, Jr.) ASSIGNEE

Filed February 23, 1949

Military Affidavit  
Filed February 23, 1949

AFFIDAVIT

ON this 23rd day of February, 1949, before the subscriber, a Clerk of the Circuit Court for Queen Anne's County, Maryland, personally appeared Thomas J. Keating, Jr., Assignee, and made oath in due form of law that the Mortgagor, Annie M. Jacobs, is deceased, and that under the terms of her Last Will and Testament her Devisees are Annie Craig, Sadie Bowser, and Albert Bowser; that Sadie Bowser is deceased, intestate, leaving Albert Bowser as her only heir-at-law; that said Annie Craig is an adult non-resident of the state of Maryland, residing in Neptune, New Jersey, and that Albert Bowser is an adult residing in Centreville, Queen Anne's County, Maryland; that neither the said Annie Craig, nor the said Albert Bowser are in the Military Service of the United States, nor have they been in said Service within six (6) months prior hereto; all of which said Thomas J. Keating, Jr., says to the best of his knowledge and belief.

NELLIE B. WHITELEY  
(Nellie B. Whiteley) CLERK

Filed February 23, 1949

Certified Copy of Mortgage  
Filed February 23, 1949

.....  
#11,898 QUEEN ANNE'S COUNTY, TO WIT:

Be it remembered that on the 21st, day of May, in the year nineteen hundred and twenty six, the following Mortgage was brought to be recorded, to wit:

THIS MORTGAGE, Made this twentieth day of May, in the year nineteen hundred and twenty six, by Annie Jacobs, (widow), of Queen Anne's County, in the state of Maryland;

WHEREAS, the said Annie M. Jacobs is indebted unto William L. Holton, of Queen Anne's County aforesaid, in the full sum of ONE HUNDRED AND FIFTY DOLLARS (\$150.00), for money this day loaned to her by the said William L. Holton;

AND WHEREAS, it is hereby agreed by and between the parties to this mortgage that the said sum of ONE HUNDRED AND FIFTY DOLLARS (\$150.00), shall be repaid to the said William L. Holton at the expiration of three years from the

of this mortgage, with the interest thereon in the meantime payable semi-annually from the date of this mortgage;

AND WHEREAS, the said loan was made upon the express precedent agreement that the aforesaid principal sum of ONE HUNDRED AND FIFTY DOLLARS (\$150.00), and the interest to accrue thereon as aforesaid, and the prompt payment of the same at the respective 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 (\$1.00), the receipt of which is hereby acknowledged, the said Annie M. Jacobs does hereby grant and convey unto the said William L. Holton, his heirs and assigns, in fee simple, the following described real estate, to wit:

ALL that lot or parcel of land, improved by a frame dwelling house and called or known as the "Cato Jacobs Property", situate, lying and being in or near the southern portion of the town of Centreville, in Queen Anne's County, State of Maryland, being bounded on the north by the property formerly of Solomon Raley and on the south by the property of the heirs of Anne Reed, deceased, formerly of Rebecca Trusty, the said lot of land having a frontage of thirty feet on a street or road with a depth from said street or road of two hundred and forty feet, more or less, and containing one-eighth of an acre of land, more or less, being the same land which was conveyed by Joseph A. Holton and Catharine J. Holton, his wife, by deed bearing date the fifth day of July, eighteen hundred eighty four, and recorded in Liber S. C. D. No. 4, folios 562, etc., a land record book for Queen Anne's County aforesaid, to Cato Jacobs, now deceased, (from whom the same descended to the said Annie M. Jacobs, his widow, and Henrietta Scribner, nee Jacobs, Nancy Jane Jacobs, and Cato Jacobs, Junior, his children, who were his only heirs at law); the said Henrietta Scribner and Alexander Scribner, her husband, and Nancy Jane Jacobs, having conveyed their interest in said land to Madison Brown, who by deed, (his wife uniting therein), bearing date the eighteenth day of October, nineteen hundred and eighteen, and recorded in Liber J. F. R. No. 1, folios 288 etc., a Land record book for Queen Anne's County Aforesaid, conveyed the same to the said Annie M. Jacobs; and the said Cato Jacobs, Junior, and Lina V. Jacobs, his wife, having conveyed their interest in said land to J. Grant Yates, who by deed, (his wife uniting therein), bearing even date herewith and to be recorded among said land records immediately preceding this mortgage, conveyed the same to the said Annie M. Jacobs.

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.

Provided, that if the said Annie M. Jacobs, her heirs, executors, administrators or assigns shall well and truly pay to the said William L. Holton, his executors, administrators or assigns, the aforesaid sum of ONE HUNDRED AND FIFTY DOLLARS (\$150.00) when and as the same shall become due and payable as above set forth, 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 her and their part to be performed, then this mortgage shall be void; and until default be made in the premises the said Annie M. Jacobs, her heirs and assigns, shall possess said property.

And the said Annie M. Jacobs, 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 taxed, 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 L. Holton, 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, 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 L. Holton, his executors, administrators or assigns, or J. Frank Harper and William R. Horney, or either of them, his and 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, 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, for 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 said Annie M. Jacobs, 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 L. Holton, his executors, administrators or assigns, or J. Frank Harper and William R. Horney, or either of them, his and their 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 decree of the Circuit Court for Queen Anne's County, in Equity, and which said costs, expenses and commissions the said Annie M. Jacobs, for herself, her heirs, executors, administrators and assigns, hereby covenants to a pay.

WITNESS the hand and seal of the said Mortgagor:

TEST: Annie M. Jacobs (SEAL)  
Wm. W. Rhodes.

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

I HEREBY CERTIFY that on this twenty-first day of May, in the year nineteen hundred and twenty six, 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, personally appeared Annie M. Jacobs and acknowledged the foregoing MORTGAGE to be here act; and at the same time also before me, the subscriber, personally appeared William L. Holton, 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:

Notary  
Public  
Seal.

WILLIAM W. RHODES  
Notary Public.

Queen Anne's County, to wit: Be it remembered that on the twelfth day of April, in the year 1934, the following Assignment was brought to be recorded, to wit:-

For value received, I hereby transfer and assign the within and foregoing mortgage unto the Centreville National Bank of Maryland.

Witness my hand and seal this 21st day of March, in the year nineteen hundred and thirty four.

Witness: W. Ray Tabler.

William L. Holton (SEAL)

Queen Anne's County, to wit: Be it remembered that on the fourteenth day of June, in the year 1939, the following assignments were brought to be recorded, to wit:-

FOR VALUE RECEIVED, The Centreville National Bank of Maryland, a body corporate, does hereby transfer and assign the within and foregoing mortgage unto William L. Holton, without recourse or guarantee.

WITNESS the hand of said body corporate by its president, attested by and its seal affixed by its Cashier, this 12 day of May, 1939:

ATTEST: THE CENTREVILLE NATIONAL BANK OF MARYLAND

Henry T. Deaver  
Asst. Cashier  
Henry T. Deaver  
Corporate  
Seal.

by H. F. McPherson  
Vice President.  
H. F. McPherson

FOR VALUE RECEIVED, I hereby transfer and assign the within and foregoing Mortgage unto the Centreville National Bank of Maryland, a body corporate, without recourse or guarantee.

WITNESS my hand and seal this thirteenth day of June, in the year nineteen hundred and thirty nine.

Witness:

William L. Holton (SEAL)

W. Ray Tabler  
W. Ray Tabler

William L. Holton

Queen Anne's County, to wit: Be it remembered that on the 18th day of January 1945 the following assignment was brought to be recorded, to wit:

For Value Received, The within and foregoing mortgage is hereby assigned unto Sadie Bowser, the mortgage debt, principal and interest, having been paid by her.

Witness the hand of The Centreville National Bank of Maryland, a body corporate, by H. F. McPherson, its Vice-President, attested by and its corporate seal affixed by Henry T. Deaver, its Cashier, this 1st day of / December, in the year nineteen hundred and forty four.

ATTEST:

Henry T. Deaver  
Cashier.

The Centreville National Bank of Maryland,  
a body corporate.

by H. F. McPherson  
Vice President.

QUEEN ANNE'S COUNTY, TO WIT: be it remembered that on the Twenty third day of February, in the year nineteen hundred and forty nine, the following Assignment was

brought to be recorded, to wit:

PURSUANT to an Order of the Orphans' Court of Queen Anne's County passed on the 23rd day of February, 1949, "In the Matter of the Estate of Sadie Bowser, deceased," the within and aforegoing Mortgage is hereby transferred and assigned unto Thomas J. Keating, Jr., for the purpose of foreclosure and collection.

WITNESS my hand and seal this 23rd day of February, 1949.

TEST:

ALBERT H. BOWSER (SEAL)  
(Albert H. Bowser)

MARY KER KEATING  
(Mary Ker Keating)

ADMINISTRATOR OF SADIE BOWSER, deceased.

STATE OF MARYLAND

QUEEN ANNE'S COUNTY, to wit:

I HEREBY CERTIFY that the aforegoing is truly taken and copied from Liber B.H.T. No. 5, folio 247, 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 Twenty Third day of February, in the year nineteen hundred and forty nine.

NELLIE B. WHITELEY

Clerk

CERTIFIED COPY OF BOND  
Filed February 23, 1949

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Eighth day of March in the year nineteen hundred and forty nine, 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, JR., of Queen Anne's County State of 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 One Thousand and 00/100 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 7th day of March in the year of our Lord nineteen hundred and forty-nine.

Whereas, the above bounden Thomas J. Keating, Jr., by virtue of the power contained in a mortgage from Annie M. Jacobs to William L. Holton bearing date the 20th day of May, 1926 and recorded among the mortgage records of Queen Anne's County, Maryland, in Liber BHT No. 5 Folio 247 and by mesne Assignments assigned unto the said said Thomas J. Keating, Jr., Assignee, 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, Jr., do and shall well and truly and faithfully perform the trust reposed in him under the mortgage aforesaid, and shall abide by and fullfill 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 thereof, 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, Jr., 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, the day and year first herein above written.

Signed, sealed and delivered  
in the presence of

MARY KER KEATING  
Mary K. Keating

THOMAS J. KEATING JR. (SEAL)  
(Thomas J. Keating, Jr.)

WITNESS:

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

By KATHRYN STOLZENBACH  
Kathryn Stolzenbach

By WESLEY C. BROOKS  
Wesley C. Brooks, Attorney-in-fact

Corporate  
Seal.

Power of Attorney is attached to the foregoing Bond And on the back of the foregoing Bond is thus endorsed, to wit:

Bond Approved

NELLIE B. WHITELEY Clerk  
Filed March 8, 1949

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. 1, folio 88, 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 Eighth day of March, in the year nineteen hundred and forty nine.

NELLIE B. WHITELEY  
Clerk

REPORT OF SALE  
Filed April 22, 1949

THOMAS J. KEATING, JR.,  
ASSIGNEE,

versus

ANNIE M. JACOBS,  
MORTGAGOR

¶  
¶  
¶  
¶  
¶  
¶

IN THE CIRCUIT COURT  
FOR  
QUEEN ANNE'S COUNTY.

R E P O R T O F S A L E

TO the Honorable The Judges of said Court:

THE REPORT OF SALE of the real estate made in this Cause by Thomas J. Keating, Jr., Assignee, respectfully shows unto your Honors:

THAT default having occurred-----in the terms of the Mortgage from Annie M. Jacobs to William L. Holton, dated May 20, 1926, recorded in Liber BHT #5, folio 247, etc., a Land Record Book of Queen Anne's County, and by mesne Assignments assigned unto the said Thomas J. Keating, Jr., for foreclosure and collection, your Assignee did docket suit for foreclosure of said Mortgage and did file herein a Certified Copy of the Mortgage and Assignments and an Affidavit as to the Military Status of the Parties interested in the Mortgaged property, the Mortgagor being deceased, and after advertising the Mortgaged property for sale, as per the annexed Certificate of Advertisement, for more than three (3) successive weeks before the day of sale in the Queen Anne's Record-Observer, a weekly newspaper printed and published in Queen Anne's County, Maryland and after filing an approved bond, did attend in front of the Court House door in the town of Centreville, Queen Anne's County, Maryland, on Tuesday, April 19, 1949, between the hours of one and two o'clock P.M., and at the hour of one-fifteen o'clock, P.M. did offer the Mortgaged property for sale to the highest bidder after reading the Advertisement thereof, and did sell the same, a description of which is hereinafter set forth, unto Lewis G. E. Smith at and for the sum of \$850.00, upon the terms set forth in said Advertisement, your Assignee believing said price to be adequate for the property.

THE Purchaser has paid the sum of Five Hundred Dollars (\$500.00) on account of the purchase price, and is to pay the remainder thereof upon ratification of the sale by this Honorable Court.

THE description of the property is as follows:

ALL that lot or parcel of land, improved by a frame dwelling house and called or known as the "Cato Jacobs Property", situate, lying and being in or near the Southern portion of the town of Centreville, in Queen Anne's County, State of Maryland, being bounded on the North by the property formerly of Solomon Raley, and on the South by the property of the heirs of Anne Reed, deceased, formerly of Rebecca Trusty, the said lot of land having a frontage of 30 feet on a street or road, with a depth from said street or road of 240 Feet, more or less, and containing One-Eighth (1/8) of an ACRE of land, more or less; being the same described in the aforesaid Mortgage.

THE Report states the amount of sales to be Eight Hundred and Fifty Dollars (\$850.00).

Respectfully submitted,

THOMAS J. KEATING, JR.  
(Thomas J. Keating, Jr.)

ASSIGNEE

Filed April 22, 1949

STATE OF MARYLAND,  
 QUEEN ANNE'S COUNTY,

TO WIT:

THIS IS TO CERTIFY, that on this 22nd day of April, 1949, before the subscriber, the Clerk of the Circuit Court for Queen Anne's County, Maryland, personally appeared Thomas J. Keating, Jr., Assignee, and did make oath in due form of law that the matters and things 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 seal the day and year herein last above written.

NELLIE B. WHITELEY

CLERK OF THE CIRCUIT COURT  
 for QUEEN ANNE'S COUNTY.

Filed April 22, 1949

CERTIFICATE OF PUBLICATION  
 OF ADVERTISEMENT OF SALE  
 Filed April 22, 1949

Assignee's Sale  
 of Valuable

DWELLING PROPERTY

DEFAULT having occurred in the terms of the mortgage from Annie M. Jacobs to William L. Holton, dated May 20, 1926, recorded in Liber BHT No. 5, folio 247, etc., a Land Record Book for Queen Anne's County, and by mesne assignments assigned unto Thomas J. Keating, Jr., for foreclosure and collection, the undersigned Assignee, by virtue of the power of Sale contained in said Mortgage, will offer 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, APRIL 19, 1949 between the hours of 1 and 2 o'clock, P.M. the following described real estate, to wit:

ALL that lot or parcel of land, improved by a frame dwelling house and called or known as the "Cato Jacobs Property", situate, lying and being in or near the Southern portion of the town of Centreville, in Queen Anne's County, State of Maryland, being bounded on the North by the property formerly of Solomon Raley and on the South by the property of the heirs of Anne Reed, deceased, formerly of Rebecca Trusty, the said lot of land having a frontage of 30 feet on a street or road, with a depth from said street or road of 240 feet, more or less, and containing One-Eighth (1/8) of an ACRE of land, more or less; being the same described in the foregoing Mortgage.

TERMS OF SALE: One-third (1/3) of the purchase money will be required on the day of sale and the balance payable in cash upon the ratification of the sale by the Court. Possession will be given upon final settlement and all taxes adjusted as of the day of final settlement. Title papers and Revenue stamps at the Purchaser's expense.

THOMAS J. KEATING, JR.,  
 Assignee.

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. April 22, 1949

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Assignee's Sale

in the case estate of Annie M. Jacobs to William L. Holton

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 19th DAY OF April 1949 and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 24th day of March, 1949 and the last insertion on the 14th day of April 1949.

THE QUEEN ANNE'S RECORD AND OBSERVER  
 PUBLISHING COMPANY

By BARBARA R. BINEBRINK

Filed April 22, 1949

N I S I  
 Filed April 22, 1949

N I S I

Thomas J. Keating, Jr., Assignee,	)	In the Circuit Court
	)	for Queen Anne's County
VS.	)	In Equity
Annie M. Jacobs, Mortgagor	)	
	)	Chancery No. <u>3609</u>

ORDERED, This 22nd day of April A.D. 1949, that the sale of real estate made and reported in this cause by Thomas J. Keating, Jr., Assignee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 28th 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 28th day of May next.

The Report states the amount of sales to be \$850.00

NELLIE B. WHITELEY Clerk.

Filed April 22, 1949

CERTIFICATE OF PUBLICATION OF  
 ORDER NISI  
 Filed June 16, 1949

NISI

Thomas J. Keating, Jr., Assignee,	)	In the Circuit Court For
	)	Queen Anne's County
Vs.	)	In Equity
Annie M. Jacobs, Mortgagor	)	
	)	Chancery No. 3609

ORDERED, This 22nd day of April A.D., 1949, that the sale of real estate made and reported in this cause by Thomas J. Keating, Jr., Assignee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 28th day of June next; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, once in each of four successive weeks before the 28th day of May next.

The Report states the amount of sales to be \$850.00.

NELLIE B. WHITELEY  
 Clerk

Filed: April 22, 1949  
 True Copy  
 Test: Nellie B. Whiteley, Clerk

STATEMENT OF MORTGAGE DEBT  
 Filed June 30, 1949

THOMAS J. KEATING JR.  
 ASSIGNEE

VS

ANNIE M. JACOBS  
 MORTGAGOR

IN THE CIRCUIT COURT  
 FOR  
 QUEEN ANNES COUNTY  
 IN EQUITY

STATEMENT OF MORTGAGE DEBT

Principal debt due under mortgage form Annie M. Jacobs to William L. Holton, dated May 20, 1926, recorded in Liber B.H.T. No.5, folio 247, Assigned to Sadie Bowser on Dec. 1, 1944	\$150.00
Interest from Dec, 1, 1944 to Mar 29, 1949, the day of sale,-----	39.00
	<u>189.00</u>

Attorneys commissions on said sum of \$189.00 at 5% as provided in the mortgage-----	9.45
--	------

TOTAL DEBT

\$198.45

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

This is to certify that on this 30th day of June 1949, before the subscriber, Clerk of the Circuit Court for Queen Annes County, personally appeared Thomas J. Keating Jr., Assignee, and made oath in due form of law that the above statement of mortgage debt is true to the best of his knowledge and belief.

NELLIE B. WHITELEY  
CLERK

Filed June, 30, 1949

FINAL ORDER OF RATIFICATION  
Filed April 22, 1949

FINAL ORDER OF RATIFICATION

ORDERED, this 1st day of July, 1949, by the Circuit Court for Queen Anne's County, in Equity, that the sale of real made and reported in this cause by Thomas J. Keating Jr., Assignee, 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 Assignee is allowed the usual commission and such proper expenses; not personal, as he shall produce vouchers for to the Auditors.

WM R. HORNEY  
JUDGE

Filed July 1, 1949

A U D I T  
Filed July 22, 1949

THOMAS J. KEATING, JR., Assignee

vs.

ANNIE M. JACOBS, Mortgagor

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

Cause 3609

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Howard Wood, 3rd, your auditor, unto your Honors,  
respectfully shows:

1. That this account is stated at the request of Thomas J. Keating, Jr., Assignee of Mortgage (and vendor) in this foreclosure proceeding; and it appears that the proceeds of the mortgage sale were more than sufficient for the payment of the mortgage debt, interest, costs of collection and costs of these proceedings.

2. That in the within account said Assignee is charged with the gross proceeds of the sale made by him, per report of sale filed; and that he is then allowed thereout as follows: for his commission in accordance with the terms of the mortgage, the court costs of this cause per bill of Clerk, the fee of the auctioneer selling the land per his agreement with said Assignee, the cost of advertising the sale and the order nisi thereon, per receipted bill, the amount paid by said Assignee on account of the 1949 taxes on the mortgaged property per receipted bill and said assignee's statement of the proportion thereof paid by him, the cost of the premium on said Assignee's corporate surety bond per receipted bill, the cost of advertising the order nisi to be passed as to this audit, the auditor's fee, and the amount of the mortgage claim, including principal, interest and collection commissions, per statement of debt filed.

Your auditor has directed, at said Assignee's request, that the balance, or surplus, of the proceeds of sale shall remain subject to the future order of this Court pending the completion of certain further proceedings contemplated with reference to said surplus.

Respectfully submitted,

HOWARD WOOD 3RD  
Auditor

July 20, 1949

Filed July 22, 1949

Cause No. 3609

The proceeds of the sale of the land reported in this cause, in act.

with Thomas J. Keating Jr., Assignee of the Mortgage foreclosed in these proceedings (and vendor of said land).

Cr.

1949  
 April 19 By gross proceeds of the sale of said land, per report of said vendor, to wit: ..... \$850.00

Dr.

To	Thomas J. Keating, Jr., Assignee, for his commissions for making the sale, per terms of mortgage.....	\$ 57.75	
To	do., for court costs of this cause per Clerk's statement, as follows:		
	Costs of Nellie B. Whiteley, Clerk	\$18.75	
	Appearance fee of Thomas J. Keating, Jr.....	<u>10.00</u>	28.75
To	do., for an amount due J. Elmer Anthony, auctioneer, for crying said sale.....		25.00
To	do., for amounts paid the Queen Anne's Record and Observer Publishing Company, per receipts for same exhibited, to wit:		
	For Cost of advertising this sale....	34.88	
	For cost of advertising the order nisi thereon.....	<u>7.50</u>	42.38
To	do., for an amount paid to C. Percy Arrington, Treasurer of Queen Anne's County, for State and County taxes for the period from January 1, 1949, to the date of settlement with the purchaser, per receipt for same exhibited, to wit:		6.24
To	do., for an amount paid to Thomas J. Keating, Jr., Agent for Fidelity and Deposit Company of Maryland, for the premium on the surety bond filed by said assignee in this cause, per receipt for same exhibited, to wit:.....		10.00
To	do., for the cost of advertising the order nisi to be passed as to this audit in the Queen Anne's Record-Observer.....		5.00
To	Howard Wood, 3rd, Auditor, for stating this audit.....		9.00
To	Thomas J. Keating, Jr., Assignee of Mortgage for the purpose of foreclosure and collection, in full of the mortgage debt with interest and costs of collection thereof, per statement of debt filed, to wit:.....		198.45
To	balance, being the surplus proceeds of this sale, to wit:.....	<u>467.43</u>	
		\$ 850.00	\$850.00

HOWARD WOOD 3RD, AUDITOR

Cr.

By the above balance constituting the surplus proceeds of this sale, the same to remain in the hands of said Assignee, subject to the future order of this Court, to wit:..... \$467.43

HOWARD WOOD 3rd  
Auditor

NISI RATIFICATION OF AUDIT  
 Filed July 22, 1949

NISI RATIFICATION OF AUDIT

Thomas J. Keating, Jr., Assignee	)	In the Circuit Court for Queen Anne's County In Equity
VS	)	
Annie M. Jacobs, Mortgagor	)	Case No. <u>3609</u>

ORDERED , This 22nd day of July in the year nineteen hundred and forty nine, that the Report and Account filed in these proceedings by Howard Wood, 3rd., Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 19th day of August 1949; provided a copy of this order be published once a week in each of two successive weeks before the 12th. day of August 1949, in some newspaper

printed and published in Queen Anne's County.

NELLIE B. WHITELEY Clerk

Filed July 22, 1949

NISI RATIFICATION OF AUDIT  
Filed September 2, 1949

NISI RATIFICATION OF AUDIT

Thomas J. Keating, Jr.  
Assignee

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

VS

Annie M. Jacobs, Mortgagor

Cause No. 3609

ORDERED, This 22 nd day of July in the year nineteen hundred and forty nine, that the Report and Account filed in these proceedings by Howard Wood, 3rd, Auditor be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 19th day of August, 1949 provided a copy of this order be published once a week in each of two successive weeks before the 12th day of August, 1949, in some newspaper printed and published in Queen Anne's County.

NELLIE B. WHITELEY, Clerk

Filed: July 22, 1949  
True Copy  
Test: Nellie B. Whiteley, Clerk

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. September 1, 1949

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, Jr., assignee vs. Annie M. Jacobs, 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 August 1949, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 28th day of July 1949, and the last insertion on the 4th day of August 1949.

THE QUEEN ANNE'S RECORD AND  
OBSERVER PUBLISHING COM-  
PANY

By BARBARA L. BINEBRINK

Filed September 2, 1949

FINAL ORDER RATIFICATION OF AUDIT  
Filed September 2, 1949

FINAL ORDER OF RATIFICATION OF AUDIT

ORDERED, by the Circuit Court for Queen Anne's County this 2nd day of September, 1949, that the foregoing Report and Account of Howard Wood, III, Auditor, be and the same is hereby ratified and confirmed, no cause to the contrary thereof having been shown as required by the preceding Order Nisi; and the Assignee is directed to apply the proceeds accordingly, with a due proportion of interest as the same has been or may be received.

WILLIAM R. HORNEY

JUDGE

Filed September 2, 1949

PETITION AND AFFIDAVIT  
Filed September 28, 1949

THOMAS J. KEATING, JR.,  
Assignee,

versus

ANNIE M. JACOBS,  
Mortgagor.

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY,

IN EQUITY

P E T I T I O N

TO THE HONORABLE, the Judges of said court:

THE PETITION of Albert Bowser, respectfully shows unto your Honors:



(1) THAT, as will appear by reference of the Audit of Sales heretofore made and reported in this Cause, and duly ratified by this Honorable Court, there eas a surplus of the proceeds of sale over and above the amount required to pay the Mortgage debt and the costs and expenses of the sale and said surplus is being held by Thomas J. Keating, Jr., the Assignee, pending the further Order of this Court;

(2) THAT your petitioner is the grandson of the said Annie M. Jacobs, Mortgagor, and is also one of the Devisees named in her Will, which was duly admitted to probate by the Orphans' Court of Queen Anne's County on the 18th day of October, 1948; a certified copy thereof being filed herewith marked "Petitioner's Exhibit No.1"; the said Annie M. Jacobs, Mortgagor, having departed this life about the year 1937;

(3) THAT the other Devisees named in said Will, namely Sadie Bowser and Annie Craig, survived the said Annie M. Jacobs and the said Annie Craig is still living, being a resident of Neptune, New Jersey;

(4) THE said Sadie Bowser named as A Devisee therein departed this life on or about the 2nd day of September, 1948, leaving surviving her as her next of kin and only heir-at-law your Petitioner, Albert Bowser, her son;

(5) THAT before the Foreclosure of the Mortgage in this Cause, your Petitioner had granted unto him by the Orphans' Court of Queen Anne's County Letters of Administration, C.T.A., on the Estate of the said Annie M. Jacobs for the purpose of giving Notice to Creditors and thus clearing the Title to said real estate, there being no personal estate left by the said Annie M. Jacobs;

(6) THAT no claims have been filed in the Orphan's Court of Queen Anne's County against the Estate of the said Annie M. Jacobs, deceased;

(7) THAT Letters of Administration on the Estate of Sadie Bowser, the deceased Devisee, were also granted unto your Petitioner by the Orphan's Court of Queen Anne's County and said Estate has been fully administered in the Orphan's Court of Queen Anne's County and all claims filed against same have been paid;

(8) THAT your Petitioner is, therefore, entitled to have distributed unto him two-thirds (2/3) of the surplus proceeds of sale remaining in the hands of the said Thomas J. Keating, Jr., Assignee (being 1/3 in his own right and 1/3 as heir-at-law of the said Sadie Bowser) and one-third (1/3) thereof unto Annie Craig ;

(9) THAT your Petitioner is an adult and resides in Centreville , Queen Anne's County, Maryland, and the said Annie Craig is an adult, is a daughter of the said Annie M. Jacobs, deceased, Mortgagor, and resides in Neptune, in the State of New Jersey;

WHEREFORE, your Petitioner prays your Honor to pass Order referring the papers in this Cause to the regular Auditor of this Court for the purpose of stating an Audit destributing the surplus proceeds of sale unto the Parties entitled there-to.

Respectfully submitted,

ALBERT BOWSER  
(Albert Bowser) PETITIONER

Filed September 28, 1949

STATE OF MARYLAND,  
QUEEN ANNE'S COUNTY,

(  
( to wit:  
(  
(

THIS IS TO CERTIFY that on the 27th day of September, 1949, before the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, personally appeared Albert Bowser, the Petitioner herein, 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; and at the same time also personally appeared JOHN C. ROZIER whose residence is Centreville, Queen Anne's County Maryland, and made oath in due form of law that he is not interested in the proceeds of sale in this case but that he is acquainted with the persons and facts set forth in the foregoing Petition and that the same are true to the best of his knowledge and belief;

IN TESTIMONY WHEREOF, I hereunto set my hand and Notarial Seal affis the day and year herein last above written.

J. CARL STARKEY  
NOTARY PUBLIC

Filed September 28, 1949

ODER OF COURT  
Filed September 28, 1949

ORDER OF COURT

UPON THE AFOREGOING PETITION, AFFIDAVITS AND EXHIBIT, it is, by the Circuit Court for Queen Anne's County, in Equity, ORDERED, this 28th day of September, 1949 that the proceeds in this Cause be and they are hereby referred to the regular Auditor of this Court to state and report and Audit distributing the surplus proceeds of sale to those shown to be entitled to it with authority to take such testimony as he may deem necessary.

WM R. HORNEY  
JUDGE  
Filed September 28, 1949

CERTIFIED COPY OF LAST WILL AND TESTAMENT  
OF ANNIE M. JACOBS, deceased.  
Filed October 6, 1949

I, Annie M. Jacobs, widow lady, colored, of Queen Anne's County, in the State of Maryland do make and publish 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;

(1) I give and bequeath my furniture and household effects, in my home on Kidwell Avenue where I am residing at this time, and all of my personal property to my daughter Sadie Bowser and Annie Creigh, and to my grandson Albert H. Bowser, in equal portions, share and share alike, they divide it among themselves satisfactory to themselves.

(2) I give and devise my home where I live and the land attached to it, in fact all my real estate, I give and devise to my two Daughters, Sadie Bowser and Annie Creigh and my grandson Albert H. Bowser, in equal portions, share and share alike.

(3) All the rest and residue of my estate, real and personal, of every kind and description and wheresover situate, I give and devise and bequeath to my two daughters, Sadie Bowser, Annie Creigh, and my grandson, Albert H. Bowser, in equal portions, share and share alike.

I constitute and appoint my two daughters Sadie Bowser, Annie Creigh and my grandson Albert H. Bowser, to be the executors 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 18th day of August, in the year, nineteen hundred and thirty six.

ANNIE JACOBS (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 in the presence of each other, have hereunto subscribed our names as witnesses.

J.H.C. LEGG

JOHN F. COLLINS, M.D.

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

On the 11th day of August A.D., 1937, came Sadie Bowser, Custodian of the within and foregoing instrument of writing, purporting to be the last Will and Testament of Annie M. Jacobs, 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 her hand and possession, and that she does not know nor has she heard of any other and that she received the same from the hand of the testatrix on or about the 18th day of August A.D., 1936.

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 24th day of December 1948, came John F. Collins of 1208 Avenue, Pleasantville, New Jersey, one of the subscribing witnesses to the foregoing last Will and Testament of Annie M. Jacobs

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 hear her publish, pronounce 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.H.C. Legg, now deceased subscribed his name as witness to said Will at her request in her presence and in the presence of each other.

Sworn in open court.

Test:

Edward E. Coursey

Register of Wills of  
Queen Anne's County, Md.

John F. Collins

(John F. Collins)

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, SCT:

On this 3rd day of January in the year nineteen hundred and forty-nine personally appeared Henry T. Deaver, Asst. Cashier of the Centreville National Bank of Maryland, and made oath in due form of law that he was well acquainted with J. H. C. Legg who was one of the subscribing witnesses to the last Will and Testament of Annie M. Jacobs and who is now dead, having departed this life sometime in the year March 10 - 1937; that he was well acquainted with his handwriting and that the signature of the said J.H.C. Legg and that he believes that the signature as appearing on the last Will and Testament of Annie M. Jacobs as a witness thereto, is in the handwriting of the said J.H.C. Legg, and is the true and genuine signature of the said J.H.C. Legg.

Sworn in Open Court,

Test:

Edward E. Coursey,  
Register of Wills for Queen Anne's County,  
Maryland.

Signature:

Henry T. Deaver  
(Henry T. Deaver)

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 M. JACOBS, 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 4th day of January, A.D., 1949; that the same be admitted in this Court as the true and genuine last Will and Testament of the said ANNIE M. JACOBS, deceased.

H.F. Callahan

C. Tilghman Bishop

W. Rembert Phillips

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

In the Orphans's 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 Last Will and Testament of Annie M. Jacobs, late of Queen Anne's County, deceased, as filed and passed in this office on

January 4, 1949 and recorded in Liber N.S.D. No.1 Folio 531 In Record Book of WILLS In 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 23rd day of September 1949.

EDWARD E. COURSEY  
Register of Wills for Queen Anne's County, Maryland

Filed October 6, 1949

A U D I T  
Filed December 7, 1949

THOMAS J. KEATING, JR.,  
Assignee,

vs.

ANNIE M. JACOBS,  
Mortgage.

¶  
¶  
¶  
¶

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

Cause No. 3609.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Second Report and Account of Howard Wood, 3rd, your Auditor, unto your Honors, respectfully shows:

1. That this account, distributing the surplus proceeds of sale un this cause, is made at the request of Thomas J. Keating, Jr., Esquire, Assignee of Mortgage and Vendor of the land sold in these proceedings, and pursuant to this Court's order of September 28, 1949, referring the said proceeds to your Auditor for distribution,

2. That, it appears, by reference to the Will of Annie M. Jacobs, deceased a copy of same being filed in this Cause, and to the proceedings in the Orphans' Court of Queen Anne's County in the settlement of the personal estates of Annie M. Jacobs and Sadie Bowser, both deceased, that the facts set forth in the petition filed herein by Albert Bowser on the 28th day of September, 1949, are true as therein stated.

3. That, your Auditor's account accordingly directs that said surplus proceeds shall be distributed, after deduction of the court costs of this Cause since the first Audit, the cost of advertising the order nisi to be passed as to this Audit, and your Auditor's fee, in accordance with the allegation of the 8th paragraph of said petition.

Respectfully submitted,

HOWARD WOOD, 3RD. Auditor

December 7, 1949

Filed December 7, 1949

Cause No. 3609

The balance of surplus proceeds of sale shown in this Auditors' account filed in this cause on July 22, 1949, in account with Thomas J. Keating, Jr., Assignee of the Mortgage foreclosed in these proceedings.

	Cr.	
1949 July 20	By the abovementioned surplus proceeds .....	\$467.43
	Dr.	
To	Thomas J. Keating, Jr., Assignee as aforesaid for the court costs of this Cause since the first Audit, per bill of Clerk exhibited.....\$	5.95
To	do., for the cost of advertising the order nisi to be passed as to this Audit, in the Queen Anne Record-Observer..	5.00
To	Howard Wood, 3rd, for stating this Audit..	4.50
To	Balance for distribution among the devisees of Annie M. Jacobs, deceased Mortgagor.....	451.98
		<u>467.43</u>
		\$467.43

Cr.

By the above Balance for Distribution as aforesaid ..... \$451.98

Dr.

The foregoing balance is hereby distributed as follows:

To Albert Bowser, devisee of Annie M. Jacobs, Mortgagor, and sole heir of Sadie Bowser, deceased devisee of said Annie M. Jacobs: 2/3 of said balance, to wit: .....\$301.32
To Annie Craig, devisee of said Annie M. Jacobs: 1/3 of said balance, to wit:..... 150.66

Total distributed as aforesaid..... 451.98 \$451.98

HOWARD WOOD, 3Rd Auditor

December 7, 1949

Filed December 7, 1949

NISI RATIFICATION OF AUDIT Filed December 7, 1949

NISI RATIFICATION OF AUDIT

Thomas J. Keating, Jr., Assignee VS Annie M. Jacobs, Mortgagor In the Circuit Court for Queen Anne's County in Equity Cause NO, 3609

ORDERED, This 7th day of December in the year nineteen hundred and forty nine, that the Report and Account filed in these proceedings by Howard Wood, 3rd, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 30th day of December, 1949; provided a copy of this order be published once a week in each of two successive weeks before the 23 rd. day of December, 1949, in some newspaper printed and published in Queen Anne's County.

NELLIE B. WHITELEY Clerk

Filed December 7, 1949

NISI RATIFICATION OF AUDIT Filed January 3, 1950

Thomas J. Keating, Jr., Assignee Vs. Annie M. Jacobs, Mortgagor In the Circuit Court for Queen Anne's County in Equity Cause No. 3609

ORDERED, This 7th day of December in the year nineteen hundred and forty-nine, that the Report and Account filed in these proceedings by Howard Wood, 3Rd, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 30th day of December, 1949; provided a copy of this order be published once a week in each of two successive weeks before the 23rd day of December 1949, in some newspaper printed and published in Queen Anne's County.

NELLIE B. WHITELEY, Clerk

Filed December 7, 1949 True Copy Test: Nellie B. Whiteley, Clerk

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. December 29, 1949

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, Jr., Assignee vs. Annie M. Jacobs, 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 2 successive weeks before the 23rd day of December 1949, and

that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 8th day of December 1949, and the last insertion on the 15th day of December 1949.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

By BARBARA L. BINEBRINK

Filed January 3, 1950

FINAL ORDER OF RATIFICATION

ORDERED by the Circuit Court for Queen Anne's County, this 7th day of Jan, 1950;

That the report and account filed in these proceedings by Howard Wood III, auditor, being a second audit, be ratified, and confirmed, no cause to the contrary thereof having been shown although notice appears to have been give as required by the preceding order nisi;

And the assignee is 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 January 7, 1950

INSOLVENTS No. 45

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Nineteenth day of July, in the year eighteen hundred and ninety seven, the following 2nd. Report and Account was filed for record, to wit:

Ex Parte	:	IN THE
In the Matter of the	:	CIRCUIT COURT
Insolvency Proceedings	:	FOR
of	:	QUEEN ANNE'S COUNTY
Finley Roberts	:	

IN ACCOUNT WITH

Thomas J. Keating, Jr. Preliminary & Permanent Trustee.

		Cr.
By Purchase Money received as per report filed		\$1144.00
Interest received by trustee on purchase money		<u>26.00</u>
Making total received by trustee		1170.00
	Dr.	
To Thomas J. Keating, Preliminary Trustee 2% commissions	\$23.40	
To Thomas J. Keating, Jr. Permanent trustee commissions 6%	70.20	
To Thomas J. Keating appearance fee	10.00	
Taxes paid Jas. A. Lane, 1893	81.52	
Taxes paid W.D. Roe, 1894 and 1895	102.07	
C.S. Jump, auctioneer	10.00	
Bustee, Price & Bryan advertising cost	8.00	
Roberts & Hopper advertising costs	15.86	
Wm. H. Cecil, clerk's cost	14.75	
Olin Bryan auditor's fee	9.00	
This balance to be hereinafter distributed	<u>825.10</u>	
	\$1170.00	1170.00
By balance brought forward for distribution		825.10
To Chestertown National Bank in full payment of judgment, interest and Cost No.1	78.80	
To working Mens Permanent Building & Loan Association use of Jos. E. George in full payment of judgment interest and cost No. 2	223.86	
John M. Collins use of Wm. Dever, in full payment of balance on judgment interest and cost No.3	71.28	
The Working Mens Permanent Building & Loan Assn. of Q. A. County use of J. Husey Hall, use of the W.P.B. & L. Assn of Queen Anne's County, this balance in part payment of judgment No. 4 filed herewith	<u>451.16</u>	
	\$825.10	\$825.10

Ex Parte	:	IN THE
In the Matter of the	:	CIRCUIT COURT
Insolvency Proceedings	:	FOR
of	:	QUEEN ANNE'S COUNTY
Finley Roberts	:	

TO THE HONORABLE

THE JUDGES OF SAID COURT.

The report of auditor respectfully shows;

That he has charged the trustee in the above entitled cause with proceeds of sale of real estate, per his report, and the interest received by said trustee on the deferred payments; he then allowed the trustee two per cent commissions as preliminary trustee and six per cent commissions as permanent trustee, solicitor's fee, taxes for 1893, 1894 and 1895, auctioneer's fee, advertising costs, clerk's cost, your auditor's fee and the balance remaining in the hands of the trustee he then distributed as follows: to the Chestertown National Bank in full payment of judgment, interest and cost; to the Working Men's Permanent Building & Loan Association, use of Jos. E. George in full payment of judgment, interest and cost; John M. Collins use of William Dever, in full payment of balance owing on judgment to the Working Men's Permanent Building & Loan Association, the balance of Four hundred and fifty one dollars and sixteen cents in part payment of judgment No. 4; your auditor calculating the interest on respective judgments allowed up to July 15th., 1897, the day of making the audit.

Respectfully submitted,

WM. BRYAN

ORDER OF RATIFICATION  
Filed August 5, 1897

ORDERED this 31st day of July, 1897 by the Circuit Court for Queen Anne's County, in Equity, that the foregoing account and report of the Auditor be and the same is hereby finally ratified and confirmed no cause to the contrary having been known, and the trustee is hereby ordered and directed to distribute the funds accordingly with a due proportion of interest as it has been or may be decreed.

George Russum

Filed August 5, 1897

PETITION TO HAVE TRUSTEE APPOINTED  
TO MAKE CONVEYANCE  
Filed November 27, 1950

IN THE MATTER OF THE  
INSOLVENCY OF  
FINLEY ROBERTS

\*  
\*  
\*  
\*

ON THE CIRCUIT COURT  
FOR  
QUEEN ANNE'S COUNTY  
Insolvency #45

\*\*\*\*\*

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Ella Roberts and W. Scott Roberts unto Your Honors respectfully shows:

1. That with the exception of the Auditor's 2nd Report and Account all of the papers heretofore filed in this proceeding are missing and have never been recorded.
2. That as will more fully appear by reference to the docket entries in this case, found in Insolvents Liber S.C.D. No.1 folio 45, a certified copy of which is filed herewith as a part hereof and marked "Petitioners' Exhibit A", a Petition and Schedule of Liabilities with affidavits was filed herein on February 25, 1896 and Thomas J. Keating Jr. (now Thomas J. Keating, Sr.) was appointed Preliminary Trustee same day and his bond with security approved was filed. Thereafter, on March 7, 1896, the Report of Clerk with Exhibits "A and B" were filed and on March 23, 1896 Thomas J. Keating, Jr. was appointed Permanent Trustee and on March 31, 1896 his bond with Security approved was filed. Still later on April 22, 1896 a certificate of publication of order nisi



was filed and the sale finally ratified.

3. The Auditor's 2nd Report and Account charged the said Thomas J. Keating, Jr. with the purchase money received as per report filed in the amount of \$1144.00 plus interest on the deferred payments.

4. That your Petitioners allege and aver that at the time the said Finley Roberts filed his petition in insolvency in this case he owned only two parcels of real estate, reduced into one farm more particularly described as follows, to wit

All those two tracts, parts of tracts and parcels of land situate, lying and being in the First Election District of Queen Anne's County, Maryland, comprising "The Home Farm of the late Lemuel Roberts" on the east side of the public road leading from Dudley's Corner to Crumpton, and which said farm is bounded on the north by a public road, on the east by the land of M. Edwin George, known as "The Clements Farm", on the south by the land of Joseph M. George, and on the west by the aforesaid public road from Dudley's Corner to Crumpton, containing in the aggregate Two Hundred and Ten (210) Acres of land, more or less, according to the Certificates of Survey and Plats thereof made on the 3rd day of November, 1870, by James W. Thompson, County Surveyor, and filed as Plats A and G among the proceedings in a cause in the Circuit Court for Queen Anne's County entitled "In the Matter of the Petition to Divide the Land of Lemuel Roberts" being Petition No. 13 on the docket of said court for the November term, 1873, and recorded at length in Judgment Record in Extenso J.W. No. 2 folio 587, and contained within the following metes and bounds, courses and distances, as follows:

TRACT NO. 1.

BEGINNING at a stone marked No. 2 and running thence east 64 perches to stone No. 3 thence north 89 degrees 30 minutes east 120 perches to another stone NO. 3, thence north 26 degrees west 150 perches and 2/10ths of a perch, thence west 120 perches, thence north 16 perches, thence west 36 perches to the branch, thence with the branch south 19 degrees 15 minutes west 127 perches and 6/10ths of a perch, thence south 23 degrees east 22 perches, thence south 30 degrees east 13 perches and thence east 66 perches to the beginning, Containing 186 acres, 2 roods and 37 perches of land; and

BEING the same land designated on the Certificate of Survey and the Plat marked "A" filed in said cause, which was allotted unto Finley Roberts, as Lot NO. 1 therein which will more fully appear by reference to the Amended Return of the Commission filed in said cause on the 24th day of September, 1872, a certified copy of which is filed herewith as a part hereof and marked "Petitioners' Exhibit B".

TRACT NO. II

BEGINNING at the south point at a stone No. 1 and running thence north 112.4 perches to a stone, No. 2, thence west 66 perches to the road and with the road south 30 degrees east 130 perches to the beginning, Containing 23 Acres and 29 perches of land; and

BEING THE second parcel of land conveyed unto Finley Roberts by deed from John B. and Edwin H. Brown, Trustees, date July 29, 1878 and recorded in Land Liber J.W. No. 8, folio 328, a certified copy of which is filed herewith as a part hereof and marked "Petitioners' Exhibit C"; and being the same land designated on Plat marked "G" in the aforesaid cause, which was allotted unto William Scott Roberts, as part of Lot No. 3 therein.

5. That all the right, title, interest and estate of the said Finley Roberts in and to said real estate became vested in the said preliminary trustee upon his filing an approved bond and later became vested in the said permanent trustee upon his filing an approved bond.

6. That your Petitioners further allege and aver that the sale, with respect to which a report was filed by said permanent trustee on July 13, 1896, was of the only real estate aforesaid of which Finley Roberts was seized at the time of his insolvency; that the same was sold to Arra S. Roberts, wife of the said Finley Roberts, who had an inchoate right of dower in and to said real estate, at and for the price of \$1144.00 which has been fully paid and satisfied.

7. That the Land Record indices fail to show that the said Thomas J. Keating, Jr., Trustee as aforesaid, has ever executed a deed to the above-mentioned real estate unto Arra S. Roberts, the purchaser, or those claiming by, from or under her.

8. That the said Arra S. Roberts entered into possession of the above-described land in the year 1896 under a claim of exclusive ownership and occupied the same, openly, notoriously, exclusively and continuously from that time until her death on the 19th day of November, 1933, paying in the meanwhile all taxes and public charges levied on the same.

9. That by her Last Will and Testament dated June, 1917, duly admitted to probate by the Orphans' Court of Queen Anne's County on December 12, 1933, and recorded in Will Liber W.T.B. No. 3, folio 457 of Queen Anne's County, a certified copy of which is filed herewith as a part hereof and marked "Petitioners' Exhibit D", the said Arra S. Roberts devised all real estate of which she died seized and possessed unto her five children, J. Lemuel Roberts, Ella Roberts, Austin F. Roberts, Hilda Roberts and Scott Roberts; the interests of the said J. Lemuel Roberts and Austin F. Roberts later being conveyed unto their sister, Ella Roberts by deed dated March 5, 1935, recorded in Land Liber W.H.C. No. 1A folio 94 of Queen Anne's County, a certified copy of which is filed herewith, as a part hereof, and marked "Petitioners' Exhibit E". That by deed dated April 13, 1935, recorded in Land Liber W.H.C. No. 1A, folio 192, a certified copy of which is filed herewith as a part hereof, and marked "Petitioners' Exhibit F", the said W. Scott Roberts, Ella Roberts and Hilda Roberts conveyed the said real estate unto Marie Shortall, who by deed dated the

the same date, recorded in Land Liber W.H. C. No. 1A folio 193, a certified copy of which is filed herewith, as a part herewith, as a part hereof, and marked "Petitioners' Exhibit G", reconveyed the same unto W. Scott Roberts to the extent of an undivided 1/10th interest, unto Ella Roberts, to the extent of an undivided 3/10ths interest and unto Hilda Roberts to the extent an undivided 6/10ths interest; the said Hilda Roberts havind departed this life intestate on the 3rd day of January 1948, seized and possessed of said interest insaid real estate which thereupon descended unto her only heirs at law, J. Lemuel Roberts, a brother, Ella Roberts, a sister, W. Scott Roberts, a brother, Martha G. Walmsley, William S. Roberts, Anna Austin Roberts and Helen R. Roberts, neices and nephews, the only children of Austin F. Roberts, a deceased brother; the said J. Lemuel Roberts, Martha G. Walmsley, William S. Roberts, Anna Austin Roberts and Helen R. Roberts having conveyed unto Ella Roberts and W. Scott Roberts, as tenants in common, in equal shares, their respective interests in and to said real estate by deed dated December 23, 1948, recorded in Land Liber N.B.W. No. 2, folio 417 of Queen Anne's County, a certified copy of which is filed hereiwth, as a part hereof, and marked "Petitioners' Exhibit H".

10. That your Petitioners further allege and aver that the said Thomas J. Keating, Jr., Permanent Trustee in this cause, is by reason of his age and physical condition unable to execute a deed to the above-decribed real estate unto your Petitioners, who are advised and believe that they are entitled to have the said real estate conveyed unto them in common, according to their respective undivided interests therein, as the successors, devisees and assigns in right, title and interest of the said purchaser, Arra S. Roberts, and for that purpose to have a trustee appointed to make said conveyance.

WHEREFORE, your Petitioners pray:

(1) That if this Honorable Court be satisfied of the truth of the allegations contained in this Petition, (except that it find the said Thomas J. Keating, Jr. is able to execute a deed to the real estate mentioned and described herein) that it pass an order directing him to convey all the right, title and interest of him and of those claiming by, through or from him in and to said real estate unto your Petitioners as tenants in common according to their respective interests therein.

(2) That if this Honorable Court be satisfied of the truth of the allegations contained in this Petition, and that the said Thomas J. Keating, Jr. is unable to execute a deed to said real estate, that it appoint someone as Substitute Trustee, without the necessity of giving bond, in the place and stead of Thomas J. Keating, Jr. and direct said Substitute Trustee to convey the real estate mentioned and described therein unto your Petitioners as tenants in common according to their respective interests therein.

(3) And that they may have such other and further relief as their case may require.

Respectfully submitted,

ELLA ROBERTS  
Ella Roberts

W. SCOTT ROBERTS  
W. Scott Roberts

STATE OF MARYLAND  
QUEEN ANNE'S COUNTY

SS:

I HEREBY CERTIFY that on this 24th day of November, 1950, before the subscriber, a Notary Public of the State Of Maryland, and for Queen Anne's County, personally appeared Ella Roberts and W. Scott Roberts and each made oath in due form of law that the matters and facts set forth in the foregoing Petition are true to the best of their knowledge, information and belief.

AS WITNESS my hand and Notarial Seal.

JOHN E. GEORGE  
Notary Public

Filed November 27, 1950

CERTIFIED COPY OF DOCKET ENTRIES  
IN THIS CASE  
Filed November 27, 1950

In the matter of the Insolvency of  
Finley Roberts

No. 45  
T.J.K. Jr.  
Trustee

) Petition and Schedule of lia-  
) nilities with affidavits filed  
) February 25" 1896 and Thomas J.  
) Keating Jr. appointed prelim-  
) inary Trustee same day- Bond  
) with security approved filed  
) same day.  
) Report of Clerk with Exhibit  
) "A & B" filed March 7" 1896  
)  
) Order of Court appointing  
) Thomas J. Keating Jr. Perm-  
) anent Trustee filed March 23,  
) 1896.  
) Bond of Thos. J. Keating Jr.,  
) Permanent Trustee with sec-  
) urity approved filed March  
) 31, 1896. Report of Sale

with order of ratification nisi  
 filed April 22, 1896:  
 Order of Court for petitioner to  
 appear

July 20, 1896 to answer &c. and copy furnished printer June 3 1896.  
 Certificate of Publication of order nisi filed July 13" 1896. Sale finally rat-  
 ified.  
 Order of Court discharging Petitioner, filed July 20" 1896. Auditor's Report  
 and Account filed November 2" 1896  
 Auditor's Report and account filed November 2" 1896  
 2nd. Report of Auditor with six claims filed July 19, 1897.  
 2nd. Report & Accounc ratified per order filed August 5, 1897.

STATE OF MARYLAND,

QUEEN ANNE'S COUNTY, to wit:

I HEREBY CERTIFY that the foregoing is truly taken and copied from  
 Liber S.C. D. No. 1, folio 45, an Insolvents Record 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 27th  
 day of November, in the year nineteen hundred and fifty.

NELLIE B. WHITELEY

Clerk

Filed November 28, 1950

PETITIONERS' EXHIBIT B"  
 Filed November 27, 1950

To the Honorable the Judges of Circuit Court for Queen Anne's County.

The undersigned Commissioners appointed by a commission issued out of your Honor-  
 able Court upon the petition of William G. Temple and Emma V. Temple his wife, to  
 value and divide the real Estate of Lemuel Roberts late of Queen Anne's County  
 deceased, and which said commission is herewith returned, do hereby certify that  
 after having taken the oath annexed to said commission to be taken by us and after  
 having given notice to all the parties interested of the time and place of our  
 meeting by advertisements in the "Observer" a newspaper published at Centreville  
 once a week successively for two months, previous to the day of meeting and by  
 written notice posted at the Court House door at Centreville and on the lands  
 mentioned in said Commission for two months previous to the day of meeting in  
 pursuance of said notice, we went upon one of the tracts of land mentioned in  
 the Commission to wit: the farm or tract of land called the "Home Farm" the late  
 residence of the said deceased on the thirty first day of October eighteen hun-  
 dred and seventy and on the other tracts or parcels of land-mentioned in said  
 Commission on other days thereafter agreeably to adjournment and did, walk, ride  
 over and examine said several parcels or tracts of land and caused the same to  
 be surveyed by James W. Thompson the County surveyor and to be plated and divi-  
 ded by him, which Plats and divisions with the Certificates of the said Surveyor  
 accompanying the same are herewith returned as part of this report, and we further  
 certify that not being advised of any incumbrance thereon, we proceeded to value  
 and divide and allot the lands mentioned in said Commission as follows-that is  
 to say. Lot No. 1 - All that part of a tract of land known as The "Home Farm"  
 or by whatsoever name the same may be called, which is situated in the first  
 Election District of Queen Anne's County and designated on the accompanying Plat  
 marked A as lot No. 1, containing one hundred and eighty six acres two roods and  
 thirty seven perches of land, we value at ten thousand five hundred dollars and  
 as equal in value to one fourth of all the lands mentioned in said Commission  
 and we allot the same as lot No. 1 to Finley Roberts son of the said deceased  
 and one of the four heirs at law of the said deceased. All of which is respect-  
 fully submitted under our hands and seals this sixteenth day of November in the  
 year one thousand eight hundred and seventy.

JOHN W. E. SUDLER (SEAL)

W. H. NEAL (SEAL)

W. C. DUDLEY (SEAL)

JAS. P. DUDLEY (SEAL)

W. I. SUDLER (SEAL)

The Plats referred to in foregoing return are as follows, to wit:

State of Maryland )  
 Queen Anne's County ) Sct. I hereby certify, that I have surveyed for  
 John W. E. Sudler, James P. Dudley, William H. Neal, William C. Dudley, Esqrs.  
 and Dr. William I. Sudler, Commissioners to value and divide the real estate  
 of Lemuel Roberts decd. a tract of land called and known by the  
 name of the "Home Farm" containing within the following metes and bounds, courses  
 and distances, to wit: beginning at a stone marked No. 2, and North eighty nine

degrees thirty minutes, East one hundred and twenty perches to running thence east sixty four perches to stone No. 3 thence North / twenty six degrees, west one hundred and fifty perches and two tenths of a perch, thence west one hundred and twenty perches, thence North sixteen perches, thence west thirty six perches to the branch thence with the branch south nineteen degrees fifteen minutes, west one hundred and twenty seven perches and six tenths of a perch, thence South twenty three degrees, East twenty two perches, thence south thirty degrees, East thirteen perches and thence East sixty six perches to the beginning containing one hundred and eighty six acres, two roods and thirty seven perches of land. These lines were run by the holdings as shown by the Commissioners and Scott Roberts Esqr.

James W. Thompson, C. S.  
November 3rd. 1870

"Plat A.

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. 2, folios, 589, etc., a Judgment in Extenso 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 27th. day of November, in the year nineteen hundred and fifty.

NELLIE B. WHITELEY  
Clerk

Filed November 27, 1950

"PETITIONERS' EXHIBIT C"  
Filed November 27, 1950

Queen Anne's County, to wit: be it remembered, that on the sixth day of August, in the year Eighteen hundred and Seventy eight, the following Deed was brought to be recorded, to wit:

This deed, made this twenty ninth day of July in the year Eighteen hundred and Seventy eight by us John B. Brown and Edwin H. Brown, Trustees of Queen Anne's County, State of Maryland, Witnesseth whereas on the Sixth day of August in the year of our Lord one thousand eight hundred and Seventy four by deed of trust made and executed by William Scott Roberts and Eliza J. Roberts, his wife and the said William Scott Roberts and J. Reese Woodall trading as Roberts and Woodall and which was duly recorded among the Land Record of Queen Anne's County aforesaid in Liber W. A. G. H. No. 1 folios 167 and 168, as by reference thereto will fully appear, the said William Scott Roberts and Eliza J. Roberts, his wife among other property did grant and convey the hereinafter described Real Estate unto the said John B. Brown and Edwin H. Brown and to the Survivor of them in fee simple upon the trust terms and conditions in said deed fully expressed, who in pursuance of the same and in the execution thereof did on the twenty first day of November of said Eighteen hundred and Seventy four sell the said hereinafter described Real Estate to one Finley Roberts at and for the aggregate Sums of Fourteen hundred and Sixty three dollars, and which said sale has been duly reported to the Circuit Court for Queen Anne's County in Equity in a cause therein now entitled "In the matter of the Trust Estate of W. Scott Roberts," the same was by the said Court in pursuance to its conditional order on the fourteenth day of April in the year Eighteen hundred and Seventy Six finally ratified and confirmed as by reference to the proceedings in said cause will fully appear; and whereas the said Finley Roberts has fully paid purchase money and is now entitled to a deed of Conveyance therefor. Now therefore in consideration of the foregoing premises and the Sum of ten dollars we the said John B. Brown and Edwin H. Brown, Trustees do hereby grant and convey, in fee simple unto the said Finley Roberts, his heirs and assigns; all the right, title, interest and estate of the said William Roberts and Eliza J. Roberts, his wife, and of all the parties to the foregoing Deed of Trust and unto the aforesaid entitled cause and of us, or either of us as Trustees as aforesaid of, in and to the following described Real Estate being the same purchased by the said Finley Roberts as aforesaid, to wit: All that part of the Home Farm of the late Lemuel Roberts, known as The "Mill Field" situate, lying and being in the Second Election district of said County on the west side of the Public Road leading from Dudley's Chapel to Roberts' Mill and contained within the metes and bounds, courses and distances, to wit: Beginning at a Stone or opposite the same planted at the north east corner of same on the aforesaid public road and running thence South eighty two degrees west seven perches and seven tenths of a perch, thence South eight degrees west eight perches, thence south fifteen degrees East ten perches, thence south twenty three degrees East five perches, thence South forty seven degrees East four perches, thence South eleven degrees west twelve perches, thence South three degrees East Six perches, thence south forty three degrees west six perches, thence South seventy eight degrees west three perches, thence north Sixty eight degrees west four perches, thence South eighteen degrees East two perches, thence south two degrees west fourteen perches, thence South thirty Seven degrees west Six perches, thence South forty three degrees west ten perches, thence South Thirty degrees west seven perches, thence South Sixty seven degrees East one hundred and ten perches and Seven tenths of a perch and thence north thirty degrees west one hundred and fifty three perches, to the place of beginning aforesaid, containing thirty acres of land more or less: and also all that other Lot or parcel of land being part of the aforesaid Home Farm, situated on the east side of the road to the said Mill, and contained within the metes and bounds courses and distances following, to wit: Beginning at the South point at a Stone No. 1 and running thence north one hundred and twelve perches and four tenths of a perches to a Stone No. 2,

thence west Sixty six perches to the road and thence with the said road South thirty degrees East one hundred and thirty perches to the Beginning aforesaid, containing twenty three acres and twenty nine perches of land, more or less, the aforesaid Lots or parcels of land being those fully described in the two Plats and Certificates respectively marked "Plat F, Lot No. 3" and "Plat G, Lot No. 3" referred to in the amended return of the Commissioners and filed among the proceedings in the Circuit Court for Queen Anne's County to value and divide the Real Estate of the late Lemuel Roberts, deceased, as by reference thereto will fully and at large appear.

Witness our hands and seals.

Test:

R. Goldsborough

)  
)  
)  
)  
)  
)

JOHN B. BROWN (SEAL)

EDWIN H. BROWN (SEAL)  
TRUSTEES

State of Maryland, Queen Anne's County, to wit: I hereby certify that on this twenty nine day of July in the year Eighteen hundred and Seventy eight before in the Subscriber a Justice of the Peace of the State of Maryland, in and for Queen Anne's County, personally appeared John B. Brown and Edwin H. Brown, Trustees and did each jointly and severally acknowledge the foregoing Deed to be their 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 J. W. No. 8, folios 328, 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 27th. day of November, in the year nineteen hundred and fifty.

NELLIE B. WHITELEY  
Clerk

Filed November 27, 1950

PETITIONERS' EXHIBIT D"  
Filed November 27, 1950

I, Arra S. Roberts of Queen Anne's County, in the State of Maryland, being of a sound and disposing mind, memory and understanding do hereby make, publish and declare this to be my last will and testament in manner and form following, to wit:-

I hereby direct my executors hereinafter named to pay all of my just debts in the order of their legal priority.

I hereby give and bequeath unto my daughter Ella and my son Scott all of my personal property, except my household and kitchen furniture, to be theirs equally and absolutely.

I hereby give and bequeath unto my two daughters, Ella and Hilda, and my son Scott, all of my household and kitchen furniture to be equally divided between them.

I hereby give and bequeath, grant and devise, unto my five children, J. Lemuel, Ella, Austin F. Hilda and Scott, any and all real estate of which I may die seized and possessed; said real estate to be divided equally between the aforesaid five children; and I hereby specifically charge against any real estate that I may die seized and possessed of any mortgage or other lien that may rest thereon at the time of my death.

I hereby nominate, constitute and appoint my son J. Lemuel Roberts and my daughter Ella Roberts to be the executors of this will; I further desire that the aforesaid son and daughter be permitted to serve as such executors without giving bond.

In testimony whereof I have hereunto set my hand and affixed my seal this date here day of June, in the year nineteen hundred and seven-

Sign Here Arra S. Roberts (Seal)

Whitness

Ellen H. Price

Raymond R. Price

Signed, sealed, published and declared by the above named testatrix, Arra S. Roberts, to be her last Will and Testament, in our presence, who at her request, in her presence in the presence of each other have signed our names as witnesses hereto.

Witness sign here.

\_\_\_\_\_  
 \_\_\_\_\_

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

On the 5th day of December A.D., 1933, came J. Lemuel Roberts, Custodian of the within and foregoing instrument of writing, purporting to be the last Will and Testament of Arra S. Roberts, 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 the day of June A.D., 1917.

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 12th day of December 1933, came Raymond R. Prince, one of the subscribing witness to the foregoing last Will and Testament of Arra S. Roberts, 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, 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 his apprehension, of sound and disposing mind, memory and understanding; and that he together with Ellen H. Price subscribed his name, as witness; 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 of  
 Queen Anne's County, Md.

State of Maryland

Queen Anne's County, Sct:

On this 11th day of December in the year nineteen hundred thirty-three came Grace B. Holton of Queen Anne's County, and made oath in due form of law that he is well acquainted with Ellen H. Price whose name appears as subscribing witnesses to the last will and Testament of Arra S. Roberts that the said Ellen H. Price is non-resident of the State of Maryland, being resident of the State of Ohio is not within the jurisdiction of this Court; that the names appearing on said paper writing is in the true and genuine handwriting of the said Ellen H. Price and is the signature of the said Ellen H. Price

Sworn in Open Court,

Test:

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

STATE OF MARYLAND, SCT:

In the Orphans' Court

For Queen Anne's County:

The foregoing Instrument of Writing, Propoing to be the last Will and Testament of Arra S. Roberts 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 asto its validity, orders and decrees, this 12th day of Decmeber, A.D. 1933, that the same be admitted in this Court as the true and genuine last Will and Testament of the said Arra S. Roberts deceased.

W. Hopper Gibson

Clayton T. Cann.

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 of Queen Anne's County, Maryland, does hereby certify that the within and foregoing is a true copy of of the last Will and Testament of ARRA S. ROBERTS, late of Queen Anne's County, deceased, as filed and passed in this office on December 12th, 1933 and recorded in Liber W.T.B. No.3 Folio 457 in Record Book of WILLS in 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 27th day of November 1950.

EDWARD E. COURSEY  
Register of Wills for Queen Anne's  
County, Maryland

Filed November 27, 1950

"PETITIONERS' EXHIBIT E"  
Filed November 27, 1950

.....

#16,990. QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Twelfth day of March, in the year nineteen hundred and thirty-five, the following Deed was brought to be recorded, to wit:-

One-Two Dollar Int. Rev. Stamp.  
Endorsed J.L.R. by H.B.W. atty.  
3/12/34

THIS DEED, made this 5th day of March in the year nineteen hundred and thirty five, by J. Lemuel Roberts and Martha E. Roberts, his wife, of Queen Anne's County, State of Maryland, but being temporarily in the City of Washington, in the District of Columbia, and Austin F. Roberts and May Roe Roberts, his wife, of Queen Anne's County, State of Maryland.

WITNESSETH: That for and in consideration of one thousand, six hundred dollars (\$800.00) paid to J. Lemuel Roberts and Martha E. Roberts, his wife, and Austin F. Roberts and May Roe Roberts, his wife, do hereby grant and convey unto Ella Roberts, of Queen Anne's County, State of Maryland, her heirs and assigns, in fee simple, and undivided two fifths (2/5) interest and estate (being the undivided one fifth (1/5) interest of said J. Lemuel Roberts and the undivided one fifth (1/5) interest of said Austin F. Roberts) in and to all that tract, those tracts, parts of tracts and/or parcels of land situate, lying and being in the First Election District of Queen Anne's County aforesaid, being chiefly or commonly known as "The Home Farm of the late Lemuel Roberts", on the East side of the public road leading from Dudley's Church or meeting house to McFadden's or Roberts' Mill, and which said farm is bounded on the North by a public road, on the East by the lands of Edwin M. George, known as the Clements farm on the South by the lands of Edwin M. George aforesaid and the land of Joseph M. George and on the East by the aforesaid public road, and containing two hundred and ten acres of land, more or less, and the land hereby conveyed comprises the land allotted to Finley Roberts in the division of the real estate of Lemuel Roberts, late of Queen Anne's County, deceased, and the land purchased of J.B. and E. H. Brown, Trustees to sell the real estate of W. Scott Roberts, excepting, however, from the said land the Mill Pond Field, which has been theretofore sold, which said land upon the death of said Finley Roberts intestate and after the death of his wife, Arra S. Roberts, who survived him, devolved upon his five children, the said J. Lemuel Roberts and Austin F. Roberts, W. Scott Roberts, the said Ella Roberts and Hilda Roberts, his next of kin and only heirs at law.

TOgether with the buildings and improvements thereon and the rights, roads, ways, waters, privileges, appurtenances and advantages thereto belonging or in any wise appertaining.

AND the said J. Lemuel Roberts and Austin F. Roberts covenant that they will warrant specially the property hereby conveyed and that they will execute such further assurances of said land as may be requisite.

Witness our hands and seals.

✓ Witness as to J. Lemuel  
Roberts and Martha E.  
Roberts, his wife:

WALTER A. BROWN

J. LEMUEL ROBERTS (SEAL)  
MARTHA E. ROBERTS (SEAL)  
AUSTIN F. ROBERTS (SEAL)  
MAY ROE ROBERTS (SEAL)

Clayton T. Cann.

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

In the Orphans' Court for Queen Anne's County, Maryland, Set:

The Register of Wills of Queen Anne's County, Maryland, does hereby certify that the within and foregoing is a true copy of of the last Will and Testament of ARRA S. ROBERTS, late of Queen Anne's County, deceased, as filed and passed in this office on December 12th, 1933 and recorded in Liber W.T.B. No.3 Folio 457 in Record Book of WILLS in 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 27th day of November 1950.

EDWARD E. COURSEY  
Register of Wills for Queen Anne's  
County, Maryland

Filed November 27, 1950

"PETITIONERS' EXHIBIT E"  
Filed November 27, 1950

.....  
#16,990.

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

One-Two Dollar Int. Rev. Stamp.  
Endorsed J.L.R. by H.B.W. atty.  
3/12/34

THIS DEED, made this 5th day of March in the year nineteen hundred and thirty five, by J. Lemuel Roberts and Martha E. Roberts, his wife, of Queen Anne's County, State of Maryland, but being temporarily in the City of Washington, in the District of Columbia, and Austin F. Roberts and May Roe Roberts, his wife, of Queen Anne's County, State of Maryland.

WITNESSETH: That for and in consideration of one thousand, six hundred dollars (\$800.00) paid to J. Lemuel Roberts and Martha E. Roberts, his wife, and Austin F. Roberts and May Roe Roberts, his wife, do hereby grant and convey unto Ella Roberts, of Queen Anne's County, State of Maryland, her heirs and assigns, in fee simple, and undivided two fifths (2/5 interest and estate (being the undivided one fifth (1/5) interest of said J. Lemuel Roberts and the undivided one fifth (1/5) interest of said Austin F. Roberts) in and to all that tract, those tracts, parts of tracts and/or parcels of land situate, lying and being in the First Election District of Queen Anne's County aforesaid, being chiefly or commonly known as "The Home Farm of the late Lemuel Roberts", on the East side of the public road leading from Dudley's Church or meeting house to McFadden's or Roberts' Mill, and which said farm is bounded on the North by a public road, on the East by the lands of Edwin M. George, known as the Clements farm on the South by the lands of Edwin M. George aforesaid and the land of Joseph M. George and on the East by the aforesaid public road, and containing two hundred and ten acres of land, more or less, and the land hereby conveyed comprises the land allotted to Finley Roberts in the division of the real estate of Lemuel Roberts, late of Queen Anne's County, deceased, and the land purchased of J.B. and E. H. Brown, Trustees to sell the real estate of W. Scott Roberts, excepting, however, from the said land the Mill Pond Field, which has been theretofore sold, which said land upon the death of said Finley Roberts intestate and after the death of his wife, Arra S. Roberts, who survived him, devolved upon his five children, the said J. Lemuel Roberts and Austin F. Roberts, W. Scott Roberts, the said Ella Roberts and Hilda Roberts, his next of kin and only heirs at law.

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

AND the said J. Lemuel Roberts and Austin F. Roberts covenant that they will warrant specially the property hereby conveyed and that they will execute such further assurances of said land as may be requisite.

Witness our hands and seals.

✓ Witness as to J. Lemuel  
Roberts and Martha E.  
Roberts, his wife:

WALTER A. BROWN

J. LEMUEL ROBERTS (SEAL)

MARTHA E. ROBERTS (SEAL)

AUSTIN F. ROBERTS (SEAL)

MAY ROE ROBERTS (SEAL)



Witness as to Austin F. Roberts and May Roe Roberts, his wife:

JOHN F. STOKES

District of Columbia, City of Washington, to wit:

I hereby certify that on this 5th day of March in the year nineteen hundred and thirty five, before me, the subscriber, a Notary Public of the District of Columbia, in and for the City of Washington, personally appeared J. Lemuel Roberts and Martha E. Roberts, his wife, and each acknowledged the within and foregoing deed to be their respective act.

IN TESTIMONY WHEREOF I hereunto subscribe my name and notarial seal affix the day and year herein last above written.

WALTER A. BROWN
NOTARY PUBLIC

Notary Public Seal.

I hereby certify that on this 12th day of March in the year nineteen hundred and thirty five, before me, the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, personally appeared Austin F. Roberts and May Roe Roberts, his wife, and did each acknowledge the within and foregoing deed to be their respective act.

IN TESTIMONY WHEREOF I hereunto subscribe my name and notarial seal affix the day and year herein last above written.

JOHN F. STOKES
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 W.H.C. No. 1A, folios 94, 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 27th day of November, in the year nineteen hundred and fifty.

NELLIE B. WHITELEY
Clerk

Filed November 27, 1950

"PETITIONERS' EXHIBIT F"
Filed November 27, 1950

QUEEN ANNE'S COUNTY, TO WIT:
#17,050. Be it remembered that on the Thirteenth day of April, in the year nineteen hundred and thirty five, the following Deed was brought to be recorded, to wit:-

THIS DEED, made this 13th, day of April, in the year nineteen hundred and thirty five, by W. Scott Roberts, Ella Roberts and Hilda Roberts, of Queen Anne's County, State of Maryland (all unmarried)

WITNESSETH: That for in consideration of one dollar and other good and valuable consideration, the full payment thereof being hereby acknowledged, the said W. Scott Roberts, Ella Roberts and Hilda Roberts do hereby grant and convey unto Marie Shortall, of Queen Anne's County, State of Maryland, her heirs and assigns, in fee simple,

all that tract, those tracts, parts of tracts and/or parcels of land (consisting of an undivided two tenths (2/10) interest of said W. Scott Roberts an undivided six tenths (6/10) interest of said Ella Roberts and an undivided two tenths (2/10) interest of said Hilda Roberts Therein) situate, lying and being chiefly or commonly known as "The Home Farm of the late Lemuel Roberts", on the East side of the Public road leading from Dudley's Church or Meeting House to McFadden's or Roberts' Mill, and which said farm is bounded on the North by a public road, on the East by the lands of M. Edwin George, known as the Clements Farm, on the South by the lands of M. Edwin George aforesaid and the land of Joseph M. George, and on the west by the aforesaid public road, and containing two hundred and ten acres of land, more ore less, and the land hereby conveyed comprises the land allotted to Finley Roberts in the Division of the real estate of Lemuel Roberts, late of Queen Anne's County, deceased, and the land purchased of J. B. and E. H. Brown, Trustees to sell the real estate of W. Scott Roberts,

Witness as to Austin F. Roberts and May Roe Roberts, his wife:

JOHN F. STOKES

District of Columbia, City of Washington, to wit:

I hereby certify that on this 5th day of March in the year nineteen hundred and thirty five, before me, the subscriber, a Notary Public of the District of Columbia, in and for the City of Washington, personally appeared J. Lemuel Roberts and Martha E. Roberts, his wife, and each acknowledged the within and foregoing deed to be their respective act.

IN TESTIMONY WHEREOF I hereunto subscribe my name and notarial seal affix the day and year herein last above written.

WALTER A. BROWN
NOTARY PUBLIC

Notary Public Seal.

I hereby certify that on this 12th day of March in the year nineteen hundred and thirty five, before me, the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, personally appeared Austin F. Roberts and May Roe Roberts, his wife, and did each acknowledge the within and foregoing deed to be their respective act.

IN TESTIMONY WHEREOF I hereunto subscribe my name and notarial seal affix the day and year herein last above written.

JOHN F. STOKES
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 W.H.C. No. 1A, folios 94, 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 27th day of November, in the year nineteen hundred and fifty.

NELLIE B. WHITELEY
Clerk

Filed November 27, 1950

"PETITIONERS' EXHIBIT F"
Filed November 27, 1950

.....
#17,050. QUEEN ANNE'S COUNTY, TO WIT:
Be it remembered that on the Thirteenth day of April, in the year nineteen hundred and thirty five, the following Deed was brought to be recorded, to wit:-

THIS DEED, made this 13th, day of April, in the year nineteen hundred and thirty five, by W. Scott Roberts, Ella Roberts and Hilda Roberts, of Queen Anne's County, State of Maryland (all unmarried)

WITNESSETH: That for in consideration of one dollar and other good and valuable consideration, the full payment thereof being hereby acknowledged, the said W. Scott Roberts, Ella Roberts and Hilda Roberts do hereby grant and convey unto Marie Shortall, of Queen Anne's County, State of Maryland, her heirs and assigns, in fee simple,

all that tract, those tracts, parts of tracts and/or parcels of land (consisting of an undivided two tenths (2/10) interest of said W. Scott Roberts an undivided six tenths (6/10) interest of said Ella Roberts and an undivided two tenths (2/10) interest of said Hilda Roberts Therein) situate, lying and being chiefly or commonly known as "The Home Farm of the late Lemuel Roberts", on the East side of the Public road leading from Dudley's Church or Meeting House to McFadden's or Roberts' Mill, and which said farm is bounded on the North by a public road, on the East by the lands of M. Edwin George, known as the Clements Farm, on the South by the lands of M. Edwin George aforesaid and the land of Joseph M. George, and on the west by the aforesaid public road, and containing two hundred and ten acres of land, more ore less, and the land hereby conveyed comprises the land allotted to Finley Roberts in the Division of the real estate of Lemuel Roberts, late of Queen Anne's County, deceased, and the land purchased of J. B. and E. H. Brown, Trustees to sell the real estate of W. Scott Roberts,

excepting, however, from the said land the Mill Pond Field, which has been heretofore sold, and being the same land described in a deed of undivided interest therein from J. Lemuel Roberts and wife and Austin F. Roberts and wife to Ella Roberts dated the fifth day of March, nineteen hundred and thirty five, and recorded in liber W. H.C. No. 1A, a land record book for Queen Anne's County, folios 94 and 95.

TOGETHER WITH the buildings and improvements thereon and the rights roads, ways, waters, privileges, appurtenances and advantages thereto belonging or in any wise appertaining.

AND the said W. Scott Roberts, Ella Roberts and Hilda Roberts covenant that they will warrant specially the property hereby conveyed and that they will execute such further assurances of said land as may be requisite.

Witness our hands and seals.

	W. SCOTT ROBERTS	(SEAL)
Witness;	ELLA ROBERTS	(SEAL)
GEORGE T. HOBBY	HILDA ROBERTS	(SEAL)

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

I hereby certify that on this thirteenth day of April, in the year nineteen hundred and thirty five, before me, the subscriber, a Justice of the Peace of the State of Maryland, in and for Queen Anne's County, personally appeared W. Scott Roberts, Ella Roberts and Hilda Roberts and each acknowledged the within and foregoing deed to be their respective act.

GEORGE T. HOBBY

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.H.C. No. 1-A, folios 192, 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 27th day of November, in the year nineteen hundred and fifty.

NELLIE B. WHITELEY

Clerk

Filed November 27, 1950

"PETITIONERS' EXHIBIT G"  
Filed November 27, 1950

.....  
# 17,051.

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

THIS DEED, made this 13th. day of April, in the year nineteen hundred and thirty five, by Marie Shortall, of Queen Anne's County, State of Maryland (an Unmarried woman)

WITNESSETH: That for and in consideration of one dollar and other good and valuable consideration, the full payment thereof being hereby acknowledged, the said Marie Shortall does hereby grant and convey unto W. Scott Roberts, Ella Roberts and Hilda Roberts, all of Queen Anne's County, State of Maryland, their respective heirs and assigns, in fee simple, all of the hereinafter described real estate in the following undivided proportions thereof, that is to say:

Unto W. Scott Roberts an undivided one tenth (1/10) interest and estate, unto Ella Roberts an undivided three tenths (3/10) interest and estate, and unto Hilda Roberts an undivided six tenths (6/10) interest and estate and to all that tract, those tracts parts of tracts and/or parcels of land situate, lying and being in the First Election District of Queen Anne's County aforesaid, being chiefly or commonly known as "The Home Farm of the late Lemuel Roberts", on the East side of the public road leading from Dudley's Church or Meeting House to McFadden's or Roberts' Mill, and which said farm is bounded on the North by a public road, on the East by the land of M. Edwin George, known as the Clements Farm; on the South by the lands of M. Edwin George aforesaid and the land of Joseph M. George and on the west by the aforesaid public road and containing two hundred and ten acres of land, more or less, and the land hereby conveyed comprises the land allotted to Finley Roberts in the division of the real estate of Lemuel Roberts, late of Queen Anne's County, deceased, and the land purchased of J. B. and E. H. Brown, Trustees to sell the real estate of W. Scott Roberts, excepting, however, from the said land the Mill Pond Field, which has been heretofore, sold, and being the same land described in a deed thereof from said W. Scott Roberts, Ella Roberts and Hilda Roberts to said Marie Shortall, said deed bearing even date herewith and to be recorded among the land records of Queen Anne's County immediately preceding the recording of this deed.

TOGETHER with the buildings and improvements thereon and the rights, roads, ways, waters, privileges, appurtenances and advantages thereto belonging or in any wise appertaining.

AND the said Marie Shortall covenants that she will warrant specially the property hereby conveyed and that she will execute such further assurances of said land as may be requisite.

Witness my hand and seal.

WITNESS:-

MARIE SHORTALL

(SEAL)

GEORGE T. HOBBY

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

I hereby certify that on this 13th day of April in the year nineteen hundred and thirty five, before me, the subscriber, a Justice of the Peace of the State of Maryland, in and for Queen Anne's County, personally appeared Marie Shortall and acknowledged the within and foregoing deed to be her act.

GEORGE T. HOBBY  
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.H.C. No. 1-A, folios 193, 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 27th. day of November, in the year nineteen hundred and fifty.

NELLIE B. WHITELEY  
Clerk

Filed November 27, 1950

"PETITIONERS' EXHIBIT H"  
Filed November 27, 1950

.....  
#27,370. QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Twenty Eighth day of January, in the year nineteen hundred and forty nine, the following Deed was brought to be recorded, to wit:-

Three-One Dollar, One-Twenty Cent and One-Ten Cent Int. Rev. Stamps. Endorsed 1/28/49 TJK Jr.

One-Two Dollar Twenty Cent and One-One Dollar Ten Cent Recordation Tax Stamps. Endorsed 1/28/49 TJK Jr.

THIS DEED, made this 23rd day of December in the year nineteen hundred and forty-eight by J. LEMUEL ROBERTS and MARTHA E. ROBERTS, his wife, MARTHA G. WALMSLEY and EDWARD L. WALMSLEY, her husband, WILLIAM S. ROBERTS AND ELIZABETH M. ROBERTS, his wife, and ANNA AUSTIN ROBERTS, single, all of Queen Anne's County, Maryland, and HELEN R. ROBERTS, single, of Baltimore City, Maryland;

WHEREAS, Hilda Roberts late of Queen Anne's County, Maryland, deceased, departed this life on or about the third day of January, 1948, siezed and possessed of an undivided six-tenths (6/10) interest in the real estate hereinafter described and leaving surviving her, as her only heirs at law, J. Lemuel Roberts, a brother, Ella Roberts, a sister, W. Scott Roberts, a Brother, and Martha G. Walmsley, William S. Roberts, Anna Austin Roberts and Helen R. Roberts, nieces and nephew, being children of Austin F. Roberts, a deceased brother of the said Hilda Roberts;

AND, WHEREAS, the Grantors herein have sold their respective rights, titles, interest and estates in the hereinafter described real estate unto the said Ella Roberts and W. Scott Roberts (the same being a 3/20ths interest of J. Lemuel Roberts and a 3/80ths interest of each of the children of Austin F. Roberts, deceased) and desire to convey the same unto them in equal proportions, that is to say: a three-twentieths (3/20) undivided interest unto the said Ella Roberts and a three-twentieths (3/20) undivided interest of the said W. Scott Roberts;

NOW, THEREFORE, in consideration of the premises and the sum of THREE THOUSAND DOLLARS (\$3,000.00), receipt of which is hereby acknowledged, the said J. Lemuel Roberts and Martha E. Roberts, his wife, Martha G. Walmsley and Edward L. Walmsley, her husband, William S. Roberts and Elizabeth M. Roberts, his wife, Anna Austin Roberts, and Helen R. Roberts do grant and convey unto Ella Roberts and W. Scott Roberts, as tenants in common, in equal shares, all of our respective rights, titles, interests and estates in and to the following described real estate, to wit:

ALL that tract, those tracts, parts of tracts and/or parcels of land situate lying and being in the First Election District of Queen Anne's County, aforesaid, being chiefly or commonly known as "The Home Farm of the late Lemuel Roberts", on the east side of the public road leading from Dudley's Church or Meeting House to McFadden's or Roberts' Mill, and which said farm is bounded on the North by a public road; on the East by the land of M. Edwin George, known as "The Clements Farm"; on the South by the lands of M. Edwin George, aforesaid, and the land of Joseph M. George; and on the West by the aforesaid public road (from Dudley's Church to the Mill), and containing TWO HUNDRED AND TEN (210) ACRES of land, more or less; being the same land described in a Deed from Marie Shortall to W. Scott Roberts, Ella Roberts and Hilda Roberts, dated April 13, 1935, and recorded in Liber WHC #1A, folio 193, etc., a Land Record Book for Queen Anne's County;

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

TO HAVE AND TO HOLD the above described land and premises and the undivided interest therein hereby conveyed unto, and to, the said Ella Roberts and W. Scott Roberts, their heirs and assigns, in fee simple, as tenants in common.

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

TEST (as to J. Lemuel Roberts and Martha E. Roberts, his wife):

J. LEMUEL ROBERTS (SEAL)  
(J. Lemuel Roberts)

J. CARL STARKEY  
J. Carl Starkey

MARTHA E. ROBERTS (SEAL)  
(Martha E. Roberts)

Test (As to Martha G. Walmsley and Edward L. Walmsley, her husband):

MARTHA G. WALMSLEY (SEAL)  
(Martha G. Walmsley)

J WILBUR STAFFORD  
J. Wilbur Stafford

EDWARD L. WALMSLEY (SEAL)  
(Edward L. Walmsley)

TEST (as to William S. Roberts and Elizabeth M. Roberts, his wife):

WILLIAM S. ROBERTS (SEAL)  
(William S. Roberts)

J. WILBUR STAFFORD  
J. Wilbur Stafford

ELIZABETH M. ROBERTS (SEAL)  
(Elizabeth M. Roberts)

TEST (as to Anna Austin Roberts):

ANNA AUSTIN ROBERTS (SEAL)  
(Anna Austin Roberts)

J. WILBUR STAFFORD  
J. Wilbur Stafford

HELEN R. ROBERTS (SEAL)  
(Helen R. Roberts)

TEST (as to Helen R. Roberts):

ELSIE L. MECOUCH N. P.  
Elsie L. Mecouch N.P.

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

THIS IS TO CERTIFY that on this 28th day of January 1948, before the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, personally appeared J. Lemuel Roberts, and Martha E. Roberts, his wife, and did each acknowledge the within and foregoing Deed to be their respective 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.

J. CARL STARKEY  
NOTARY PUBLIC  
J. Carl Starkey

STATE OF MARYLAND, ( )  
 )  
QUEEN ANNE'S COUNTY, ( ) to wit:  
 )

THIS IS TO CERTIFY THAT ON THIS 3rd day of Jany. 1948, before the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, personally appeared Martha G. Walmsley and Edward L. Walmsley and Edward L. Walmsley, her husband, William S. Roberts and Elizabeth M. Roberts, his wife, and Anna Austin Roberts, and did each acknowledge the within and foregoing Deed to be their respective 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.

J. WILBUR STAFFORD  
NOTARY PUBLIC  
J. Wilbur Stafford

STATE OF MARYLAND, (
City of Baltimore ( to wit:

THIS IS TO CERTIFY, that on this 23rd day of December 1948, before the subscriber, a Notary Public of the State of Maryland, in and for City of Baltimore personally appeared Helen R. Roberts and did acknowledge the within and foregoing Deed to be her act and deed;

IN TESTIMONY WHEREOF, I hereunto set my hand and Notarial Seal Affix the day and year herein last above written.

ELSIE L. MECOUCH
NOTARY PUBLIC
Elsie L. Mecouch

Notary
Public
Seal.

STATE OF MARYLAND
QUEEN ANNE'S COUNTY, to wit:

I HEREBY CERTIFY that the above and foregoing is truly taken and copied from Liber N.B. W. No. 2, folio 417, 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 Twenty Seventh day of November, in the year nineteen hundred and fifty.

NELLIE B. WHITELEY
Clerk

Filed November 27, 1950

SUMMONS IN CASE
Filed November 27, 1950

(Writ of Summons)

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

TO THE SHERIFF OF QUEEN ANN'S COUNTY, GREETING:

You are hereby commanded to summon Thomas J. Keating Jr. (Now Thomas J. Keating Sr.), of Centreville, Maryland, of Queen Anne's County, to the Circuit Court for Queen Anne's County on the first Monday of December next to answer Petition of Ella Roberts and W. Scott Roberts and have you then and there this writ.

WITNESS, the Honorable Wm. R. Horney, Chief Judge of the Second Judicial Circuit of Maryland, the 6th. day of November 1950.

Issued the 27th day of November 1950.

TO THE PERSON(S) SUMMONED:

Personal attendance in court on the day named in the summons is not required; you have fifteen days from the day to answer or make your defense.

PETITIONER'S
Attorney

Name Clayton C. Carter

Address Centreville, Maryland

NELLIE B. WHITELEY
Clerk

And on the back of the foregoing summons is the following endorsement, to wit:
"To lie in office"

A N S W E R
Filed December 1, 1950

IN THE MATTER OF THE
INSOLVENCY OF
FINLEY ROBERTS

:
:
:
:
:

IN THE CIRCUIT COURT
FOR QUEEN ANNE'S COUNTY
INSOLVENCY #45

A N S W E R

To the Honorable, the Judges of said Court:

The Answer of Thomas J. Keating, Sr. (Formerly called Thomas J. Keating, Jr. in these proceedings) to the Petition of Ella Roberts and W. Scott Roberts, heretofore filed in this Cause, respectfully sets forth:

(1) That your Respondent admits the allegations of Paragraph One of said Petition and further answering same, says that a clerk's notation filed among the proceedings in this Cause indicates that the original papers were lost or mislaid by Olin Bryan, auditor, and could never be found;

(2) That your Respondent admits the allegations of Paragraph Two of said Petition;

(3) That your Respondent admits the allegations of Paragraph Three to the Petition;

(4) That your Respondent neither admits or denies the allegation of Paragraph Four of the Petition because, owing to the great lapse of time since the institution of these proceedings, your Respondent has no certain recollection of the matters therein alleged;

(5) That your Respondent neither admits nor denies the allegation of Paragraph Five of the Petition because of his lack of knowledge or remembrance of the exact identity or description of the real estate involved in these proceedings, although your Respondent does admit that he filed an approved bond as preliminary trustee and also as permanent trustee and that some real estate became vested in him;

(6) That your Respondent neither admits nor denies the allegation of Paragraph Six of the Petition because of his lack of recollection of the matters therein alleged;

(7) That your Respondent admits the allegations of Paragraph Seven of the Petition so far as they allege that the land record indices fail to show that a Deed was executed but your Respondent avers that such records do not necessarily show that a Deed was not executed and delivered to the purchaser, who may have failed to have such Deed, if delivered, recorded; and your Respondent further avers that as the Docket entry and second audit in the case indicate that your Respondent as trustee received payment of the purchase money for certain real estate, it is most likely that a Deed was executed to the Purchaser, whoever the purchaser was, at the time such purchaser paid over the purchase money. However, your Respondent has no personal recollection of the settlement for said property whatsoever;

(8) That your Respondent neither admits nor denies the allegations of Paragraph Eight of the Petition as he has no personal knowledge thereof;

(9) That your Respondent neither admits nor denies the allegation of Paragraph Nine of the Petition;

(10) Answering the Paragraph Ten of said Petition, your Respondent admits that by reason of his age and physical condition, he is unable to personally take part in these proceedings and is unable to write, except with extreme difficulty and because of his lack of certain knowledge and recollection of the essential allegations of the Petition, he is unable to say whether or not the Petitioners are entitled to have the real estate mentioned in the Petition conveyed unto them;

(11) Further answering said Petition, your Respondent avers that he is content to have the allegations of the Petition submitted to this Honorable Court for proof and determination, and is further willing to have a substituted trustee appointed for the purpose of carrying out such order or decree as may be passed by this Honorable Court in the premises;

And having answered the allegations of said Petition, your Respondent prays to be dismissed hence.

Respectfully submitted,

Thomas J. Keating, Jr.  
Attorney for Respondent

This is to certify that I served a copy of the foregoing Answer upon Clayton C. Carter, Attorney for the Petitioners, by leaving same with him at his office in Centreville, Maryland on the 15th day of December, 1950.

THOMAS J. KEATING, JR.  
Attorney for Respondent

Filed December 1, 1950

✓  
PETITION TO TAKE TESTIMONY  
Filed December 2, 1950

IN THE MATTER OF  
THE INSOLVENCY OF  
FINLEY ROBERTS

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:  
:

IN THE CIRCUIT COURT FOR  
QUEEN ANNE'S COUNTY  
Insolvency No. 45

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TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Ella Roberts and W. Scott Roberts, by Clayton C. Carter, their solicitor, respectfully represent that they desire to take testimony to substantiate the allegations set forth in their Petition heretofore filed in this cause on the 27th day of November, 1951, and pray that leave be granted them to do so before one of the standing examiners of this Court in accordance with the provisions of Article 16, Section 293 of the Annotated Code of Maryland, and in the mode prescribed by this Court.

Respectfully submitted:

CLAYTON C. CARTER  
Solicitor for Petitioners

Filed December 2, 1950

ORDER OF COURT

Upon the foregoing Petition, and it appearing that an Answer has been filed to the Petition filed in this cause on the 27th day of November, 1950, it is ORDERED this 4th day of December, 1950, by the Circuit Court for Queen Anne's County, that leave be granted to the above-named Petitioners and the parties in said cause to take testimony, as prayed, before any one of the standing examiners of this Court; and the manner of proceeding shall be the same as taking testimony in an equity case before one of the standing examiners of this Court.

WM R. HORNEY  
Judge

Filed December 4, 1950

IN THE MATTER OF  
THE INSOLVENCY OF  
FINLEY ROBERTS

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\*  
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IN THE CIRCUIT COURT  
FOR  
QUEEN ANNE'S COUNTY  
Insolvency No. 45

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I, Thomas J. Keating, Jr., attorney for Thomas J. Keating, Sr., did hereby waive notice of taking of depositions in the above entitled case, and I further agree that the Court shall pass whatever decree it may deem advisable without further notice to me.

THOMAS J. KEATING, JR.  
Attorney for Thomas J.  
Keating, Sr.

Filed December 22, 1950

REPORT OF EXAMINER AND DEPOSITIONS  
Filed December 12, 1950

In the Matter of  
the Insolvency of  
Finley Roberts.

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#  
#

In the Circuit Court for  
Queen Anne's County.  
Insolvency No. 45

Report of Examiner and Depositions.

The undersigned, examiner, at the request of Clayton C. Carter, Attorney for Petitioners, went to the office of the said attorney on Monday, December 11th., 1950, at 2 o'clock P.M. and after swearing said witnesses took the attached depositions.

RICHARD T. EARLE  
One of the Standing Examiners.

Filed December 12, 1950



First witness called by petitioner, having been duly sworn deposes and states:

Questions asked by Mr. Carter:

- Q . Pleasd state your name.  
 A. Ella Roberts  
 Q. Did you know Arra S. Roberts? I so, what relationship are you to her?  
 A. Yes. I am her daughter.  
 Q. Is she living or dead? If she is dead, when did she die?  
 A. She died November 19, 1933.  
 Q. Where was she living at the time of her death?  
 A. She was living on the farm 3 miles from Sudlersville in the First Election District of Queen Anne's County, Maryland, between Dudley's Corner and Pondtown, second farm on the right.  
 Q . To whom did this farm belong at the time of your mother's death?  
 A. It was supposed to be hers.  
 Q. Would you state how and when she acquired the farm?  
 A. She acquired it by buying it, I suppose, in about 1896.  
 Q. Do you know from whom she purchased the farm?  
 A. She purchased it from the trustee of her father's insolvent estate at public sale.  
 Q. Did your mother claim this farm until the day of her death?  
 A. She claimed it ever since it happened.  
 Q. Did your mother live on this farm from 1896 until her death?  
 A. She lived there from 1876, until her death, except for 4 years from 1896 to 1900.  
 Q. Who was in possession of the farm from 1896 to 1900.  
 A. Mr. George I. Buss, who was a tenant of my mother.  
 Mr. John R. Cacy preceded George I. Buss as a tenant of my mother.  
 Q. Did you ever hear your mother make any statements regarding the ownership of this farm? If so, state what they were.  
 A. She had sold her farm known as the Dudley Farm, and taken that money and put on this present farm.  
 Q. Do you know whether or not your mother paid the taxes on this farm from 1896 until her death?  
 A. Yes, she paid them because the tax bills always came to her.  
 Q. Can you identify the land described in Exhibits "B" and "C" and if so, is that the same land which your mother claimed to have purchased at the trustee's sale of your father, which Exhibits I now hand you?  
 A. Yes.  
 Q. I now hand you Exhibit "B" which is the Last Will and Testament of Arra S. Roberts, Is the land devised therein the same land which your mother purchased at the trustee's sale?  
 A. Yes.  
 Q. I now hand you 4 deeds marked Exhibits "E" "F" "G" and "H". Are they deeds to the farm of which your mother died siezed and possessed?  
 A. Yes.  
 Q. Is your sister, Hilda, living or dead? If she is dead, when she die and did she leave a Last Will and Testament?  
 A. She is dead. She died January 3, 1948. Yes, she left a Last Will and Testament but it was not admitted to probate.  
 Q. What interest, if any, did your sister Hilda have in this property at the time of her death?  
 A. She had a 6/10ths interest.  
 Q. Do you know whether or not there were any mortgages against this farm at the time your mother purchased it in 1886? If so, to whom were they given?  
 A. Edward Redstrake, Joseph E. George  
 Q. Have these mortgages been paid off? If so, by whom?  
 A. Yes, by Hilda Roberts.  
 Q. Do you know whether or not your mother ever had a deed to this property from Thomas J. Keating, Jr., Trustee?  
 A. I don't know, because we all supposed she did have.  
 Q. When did you first learn that your mother did not have a deed to the property?  
 A. When Mr Harry Mitchell prepared the deed from my brothers Lemuel and Austin in 1935 for this farm he told me he could not find a deed to my mother.

Examiners Special.

A. No.

ELLA ROBERTS

Second witness called by petitioner, having been duly sworn deposes and states:

Questions asked by Mr. Carter:

- Q. Please state your name.  
 A. J. Lemuel Roberts  
 Q. Please state your age.  
 A. 74 years old  
 Q. Did you know Arra S. Roberts? If so, what relationship are you to her?  
 A. Son  
 Q. Is she living or dead? If she is dead, when did she die?  
 A. November 19, 1933, she died.  
 Q. Did she die siezed and possessed of any real estate to your knowledge? If so, plesase describe what real estate she had.  
 A. Yes. 3 miles west of Sudlersville on right hand side of the public road from Dudley's Corner to Pondtown in the First Election District of Queen Anne's County, Maryland. It contained about 210 acres of land.  
 Q. Would you state how and when she acquired the 210 acres?  
 A. Acquired through sale by a trustee. I didn't know who was trustee. It was about 1896.

- Q. Did your mother claim this farm until the day of her death?  
 A. Yes.  
 Q. Did she occupy or enjoy this farm from 1896?  
 A. She didn't live there. She lived here in Centreville 4 years and then went back to the farm and remained there until the day of her death.  
 Q. Do you know what year she went back to the farm to live?  
 A. In 1900.  
 Q. Who occupied the farm while she was living in Centreville after 1896?  
 A. John R. Cacy and George I. Buss, who were tenants of my mother.  
 Q. Did you ever hear your mother or father make any statements regarding the ownership of this farm after 1896?  
 A. Yes.  
 Q. Can you state what they were, if any?  
 A. My mother often said she was the owner of the farm and I often heard my father say that my mother was the owner of the farm.  
 Q. Do you know whether or not your mother paid the taxes on this farm 1896 until her death?  
 A. Yes. The tax bills were issued in her name and mailed to her.  
 Q. I now hand you Exhibits "B" and "C". Is this the same land which your mother is supposed to have purchased at the Trustee's sale?  
 A. Yes.  
 Q. Did your father, Finley Roberts own any other real estate in Queen Anne's County to your knowledge in 1896 except the land described in exhibits "B" and "C"?  
 A. No.  
 Q. I now hand you Exhibit "D". Would you please state what it is and whether the real estate mentioned therein is the same land described in Exhibits "B" and "C".  
 A. This is the last Will and testament of Arra S. Roberts and it conveys the farm that she owned in the First Election District of Queen Anne's County.  
 Q. Were the 5 children named in said last will and testament living at the time of your mother's death?  
 A. Yes.  
 Q. Can you state what was done with the interest of yourself, your brother Austin after your mother's death in this real estate?  
 A. Deeded to Ella Roberts  
 Q. Do you know what has happened to the interest of your sister Hilda in this real Estate?  
 If so, state what.  
 A. Yes. Deeded to Ella Roberts and Scott Roberts.  
 Q. By whom was it deeded?  
 A. Myself and wife and the children of my brother Austin.  
 Q. What interest did you and the children of your brother Austin have at the time of this deed?  
 A. One fourth each.  
 Q. How was this interest obtained?  
 A. The interest was acquired by the death of my sister who died intestate, leaving as heirs, her sister Ella Roberts, brother W. Scott Roberts, and the children of Austin F. Roberts, a deceased brother who were William S. Roberts, Martha G. Wamsley, Helen R. Roberts and Anna A. Roberts, and lastly, myself, a brother.  
 Q. I now hand you Exhibit "H". Would you state what that is.  
 A. That is the deed to Ella Roberts and Scott Roberts being my interest and the interest of the heirs of Austin F. Roberts in this farm owned by my sister Hilda at her death.  
 Q. Do you know with whose funds your mother purchased this farm?  
 A. I don't know, but I heard my mother say that she sold her farm known as Dudley Farm in the 7th District of Queen Anne's County, Maryland, on the left hand side of the public road leading from Dudley's Corner to Pondtown and took the money and purchased the Finley Roberts Farm. I know she owned the Dudley Farm just prior to the purchase of the Finley Roberts farm and I know she sold it about the same time that she purchased this farm.  
 Q. Do you know whether or not your mother ever had a deed to this property from the trustee?  
 A. I do not.  
 Q. Examiner's special.  
 A. No.

J. LEMUEL ROBERTS

Third Witness called by petitioner having been duly sworn deposes and says:

Questions asked by Mr. Carter:

- Q. Please state your name and age.  
 A. W. Scott Roberts. 62.  
 Q. Did you know Arra S. Roberts? If so, what relationship are you to her?  
 A. Yes. Son  
 Q. Is she living or dead? If she is dead, when did she die?  
 A. She died November 19, 1933.  
 Q. Did she dies siezed and possessed of any real estate to your knowledge? If so, please describe what real estate she had.  
 A. Farm 3 miles northwest of Sudlersville on the Public road from Dudley's Corner to Pondtown.  
 Q. Did you live on this farm with your mother? If so, can you state approximately what period of time that was?  
 A. All my life I lived on this farm except for 4 years in Centreville.  
 Q. Did your mother ever assert ownership to this farm? If so, in what manner?  
 A. She did. She rented the farm to me after my father died in 1911.  
 Q. Did your mother pay the taxes on this farm?  
 A. She did. The tax bills came to her.  
 Q. Do you know how your mother acquired this farm?  
 A. No, but I heard my mother say she sold the Dudley Farm and took the money and bought this farm.

Q. Who are the present owners of this farm?  
 A. Ella Roberts and myself.  
 Q. What interest do you own?  
 A. a 4/10th interest.

Examiner's special.  
 A. No.

The Petitioners not desiring to take further depositions, at their request I am herewith making my report.  
 The witness besides petitioners, waive expenses and fee  
 Richard T. Earle, Examiner-----\$8.00 Paid.

Respectfully submitted,

RICHARD T. EARLE

One of the Standing Examiners

Filed December 12, 1950

DECREE  
 Filed December 23, 1950

IN THE MATTER OF  
 THE INSOLVENCY OF  
 FINLEY ROBERTS

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IN THE CIRCUIT COURT  
 FOR  
 QUEEN ANNE'S COUNTY  
 Insolvency No. 45

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D E C R E E

It appearing to the satisfaction of this Court that the Trustee in this cause, Thomas J. Keating Sr., known in this cause as Thomas J. Keating, Jr., having been duly summoned and answered and this cause having been submitted and the proceedings herein having been read and considered, it is thereupon this 23rd day of December, 1950, by the Circuit Court for Queen Anne's County ADJUDGED, ORDERED AND DECREED that Thomas J. Keating, Sr., Trustee as aforesaid, be and he is hereby discharged from the further execution of said Trust and Clayton C. Carter be and he is hereby appointed Substitute Trustee in this cause in the place and stead of the said Thomas J. Keating, Sr., without the necessity of giving bond; and he is hereby authorized, empowered and directed to convey unto the Petitioners, Ella Roberts, to the extent of an undivided three-fifths (3/5) interest, and unto W. Scott Roberts, to the extent of an undivided two-fifths (2/5) interest, as tenants in common, in fee simple, the real estate more fully described in the petition filed in this case by the aforesaid petitioners.

WM. R. HORNEY  
 Judge

Filed December 23, 1950

## CHANCERY No. 3610

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Third day of March, in the year nineteen hundred and forty nine, the following Bill of Complaint was filed for record, to wit:-

Joseph A. Jackson,  
Centreville, Queen Anne's County  
Complainant

Vs.

James H. Morgan, (deceased)  
Late of Centreville, Queen Anne's County  
AND OTHER UNKNOWN OWNERS OF PROPERTY DESCRIBED  
AS;

All that lot or parcel of land located on the Starr-Ruthsburg Road, in the Sixth Election District of Queen Anne's County, adjoining the lands of Joseph Richardson, assessed value \$400.00, and containing 20 acres of land, more or less; HIS AND THEIR HEIRS, DEVISEES, and PERSONAL REPRESENTATIVES AND THEIR OR ANY OF THEIR HEIRS, DEVISEES, EXECUTORS, ADMINISTRATORS, GRANTEEES, ASSIGNS, OR SUCCESSORS IN RIGHT, TITLE AND INTEREST,

Defendants

IN THE CIRCUIT COURT  
FOR QUEEN ANNE'S  
COUNTY

IN EQUITY,

CHANCERY NO. 3610

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TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Orator, complaining says:

FIRST: That on the 20th day of May, 1947, he attended the sale of the Treasurer of Queen Anne's County of property in said County on which taxes were in arrears and that being then and there the highest bidder for the hereinafter described parcel of land, said Treasurer issued a Certificate of sale to your orator, as will more fully appear by an examination of Complainant's Exhibit "A" filed herewith and prayed to be taken as a part hereof.

SECOND: That the description of said property in substantially the form as the description appearing on the Collector's tax roll is as follows:

ALL that lot or parcel of land located on the Starr-Ruthsburg Road, in the Sixth Election District of Queen Anne's County, State of Maryland, adjoining the lands of Joseph Richardson, assessed value \$400.00, consisting of lot, containing 20 acres of land, more or less.

THIRD: That said parcel of land was assessed to James H. Morgan and that search of the records of this court, of the Land Records of Queen Anne's County revealed that said lot or parcel of land was conveyed to a James H. Morgan by Harvey J. Ivens and Emma R. Ivens, his wife by deed of conveyance in the year 1899 and recorded among the land records of said county, in Liber W.H.C. No. 10 at folios 9, etc.

FOURTH: That said property has not been redeemed by an party in interest, although more than one year from the date of said sale has expired.

FIFTH: That \$230.00 with interest at six per cent per annum from May 20, 1947, is the amount necessary for the redemption.

TO THE END THEREFORE:

1. That this Honorable Court may pass a final decree foreclosing all rights of redemption of the defendants in and to the hereinbefore mentioned and described property.

2. That your Orator may have such other and further relief as his case may require.

MAY IT PLEASE your honors to grant unto your Orators the Order of Publication giving notice to all defendants known and unknown of the object and substance of this Bill, warning them to be and appear in this Court in person or by solicitor on or before some certain day to be named therein, to answer this bill or to redeem the property and abide by and perform such decree as may be passed therein.

AND as in duty bound, etc.

TURNER & TURNER

By: TURNER & TURNER  
Solicitors for Complainant.

STATE OF MARYLAND, COUNTY OF QUEEN ANNE'S, to wit:

EDWARD TURNER, being first duly sworn, deposes and says:

1. That he is the attorney for Joseph A. Jackson, the purchaser of the following parcel of land assessed to James H. Morgan (deceased) and sold by the Collector of Taxes of Queen Anne's County on the 20th day of May, 1947;

ALL that lot or parcel of land located on the STARR-RUTHSBURG Road, in the Sixth Election District of Queen Anne's County, adjoining the lands of Joseph Richardson, assessed value \$400.00, and containing 20 acres of land more or less;

2. That he has made careful and diligent search for a period of more than forty years immediately prior to the institution of this suit of the Land Records of Queen Anne's County which disclosed that the property which is the object of this suit was deeded to James H. Morgan (deceased) by Harvey J. Ivens and wife in 1899, said deed being recorded in Liber W. H. C. No. 10 at folio 9, etc; that a careful and diligent search was also made of the records of the Register of Wills of said County, and of the records of the Circuit Court for Queen Anne's County and that said records fail to reveal the names of James H. Morgan (deceased) heirs and that said records, except as hereinabove set forth, fail to show the names of the present owners of said property.

EDWARD TURNER  
Edward Turner

SUBSCRIBED and sworn to before me,  
a Notary Public of the State of  
Maryland, in and for Queen Anne's  
County aforesaid this third day of  
March, 1949.

KATHERINE C. O'NEAL  
Notary Public.

Filed March 3, 1949

I, T. Sorden Pippin, Treasurer and Collector of taxes for the State of Maryland and the County of Queen Anne's, hereby certify that on May 20th, 1947, I sold to Joseph A. Jackson at public auction for the sum of Two Hundred - thirty Dollars and No Cents, of which Two Hundred - Thirty Dollars has been paid, the property in the sixth Election District of Queen Anne's County, Maryland, and described as All that lot or parcel of land located on Starr-Ruthsburg Road, adjoining the lands of Joseph Richardson, assessed value \$400.00, consisting of lot and assessed to James H. Morgan

The property described herein is subject to redemption. Upon redemption the holder of this certificate will be refunded the sums paid on account of the purchase price together with interest thereon at the rate of six per cent per annum from the date of payment to the date of redemption, together with all other amounts specified by Chapter 761 of the Acts of 1943, and acts amendatory thereof. The balance due on account of the purchase price and all taxes together with interest and penalties thereon, accruing subsequent to the date of sale, must be paid to the Collector before a deed can be delivered to the purchaser. After May 23rd, 1948, a proceeding can be brought to foreclose all rights of redemption in the property. This certificate will be void unless such a proceeding is brought within two years from the date of this certificate.

Witness my hand and seal, this 20th day of May, 1947.

T. SORDEN PIPPIN  
Treasurer and collector

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

I HEREBY CERTIFY, that on this 20th day of May, 1947, before the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County personally appeared T. Sorden Pippin, Treasurer and Collector of taxes for the State of Maryland and the County of Queen Anne's and acknowledge the foregoing Certificate of Sale to be his act.

Witness my hand and notarial seal.

ROBERT T. NEWELL  
Notary Public

My Commission Expires: 5/2/49

Filed March 3, 1949

ORDER OF PUBLICATION  
Filed March 4, 1949

ORDER OF PUBLICATION

Joseph A. Jackson  
Centreville, Queen Anne's County  
Complainant

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||  
||  
||

IN THE CIRCUIT COURT  
FOR QUEEN ANNE'S COUNTY  
IN EQUITY,  
CHANCERY NO. 3610

Vs.

James H. Morgan, (deceased)  
Late of Centreville, Queen Anne's County,  
AND OTHER UNKNOWN OWNERS OF PROPERTY  
DESCRIBED AS;

All that lot or parcel of land located  
on the Starr-Ruthsburg Road, in the Sixth  
Election District of Queen Anne's County,  
adjoining the lands of Joseph Richardson,  
assessed value \$400.00, and containing 20  
acres of land, more or less; HIS AND THEIR  
HEIRS, DEVISEES, AND PERSONAL REPRESENTATIVES  
AND THEIR OR ANY OF THEIR HEIRS, DEVISEES,  
EXECUTORS, ADMINISTRATORS, GRANTEES, ASSIGNS,  
OR SUCCESSORS IN RIGHT, TITLE AND INTEREST,  
Defendants

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The object of this proceeding is to secure the foreclosure  
of all rights of redemption in the following property assessed to James H. Morgan  
(deceased) in the Sixth Election District of Queen Anne's County, sold by the Coll-  
ector of taxes for Queen Anne's County and the State of Maryland to the plaintiff in  
this proceeding:

All that lot or parcel of land located on the Starr-Ruths-  
burg road, in the Sixth Election District of Queen Anne's County, adjoining the  
lands of Joseph Richardson, assessed value of \$400.00 and containing twenty (20) acres  
of land, more or less;

The bill states, among other things, that the amounts necessary for  
redemption have not been paid, although more than a year and day from the date of sale  
has expired.

IT IS THEREUPON this 4th day of March 1949, by the Circuit  
Court for Queen Anne's County, in equity, ORDERED, that notice be given by the inser-  
tion of a copy of this Order in some newspaper having a general circulation in Queen  
Anne's County once a week for four successive weeks warning all persons interested in  
said property to be and appear in this Court by the 12th day of May, 1949, and redeem  
the property assessed to James H. Morgan, (deceased) and answer the bill or thereafter  
a final decree will be rendered foreclosing all rights of redemption on the property,  
and vesting in the plaintiff a title free and clear of all incumbrances.

WM R. HORNEY  
Judge

Filed March 4, 1949

ORDER OF PUBLICATION  
Filed May 13, 1949

Joseph A, Jackson  
Centreville, Queen Anne's County  
Complainant

IN THE CIRCUIT COURT  
FOR

Vs.

QUEEN ANNE'S COUNTY  
IN EQUITY,

James H. Morgan, (deceased)  
Late of Centreville, Queen Anne's County, AND UNKNOWN  
OWNERS OF PROPERTY;

CHANCERY NO. 3610

All that lot or parcel of land located on the Starr-  
Ruthsburg Rd., in the Sixth Election District of Queen  
Anne's County, adjoining the lands of Joseph Richardson  
assessed value of \$400.00, and containing 20 acres of  
land, more or less; HIS AND THEIR heirs, DEVISEES, AND  
PERSONAL REPRESENTATIVES AND THEIR OR ANY OF THEIR HEIRS,  
DEVISEES, EXECUTORS, ADMINISTRATORS, GRANTEES, ASSIGNS,  
OR SUCCESSORS IN RIGHT, TITLE AND INTEREST,  
Defendants

The object of this proceeding is to secure the foreclosure of all rights of redem-  
ption in the following property assessed to James H. Morgan (deceased) in the Sixth  
Election District of Queen Anne's County, sold by the collector of taxes for Queen  
Anne's County and the State of Maryland to the plaintiff in this proceeding:

ALL that lot or parcel of land located on the Starr-Ruthsburg road, Queen Anne's  
County, adjoining the lands of Joseph Richardson, assessed in the Sixth Election  
District of value of \$400.00 and containing twenty (20) acres of land, more or less;

The bill states, among other things, that the amounts necessary for redemption have  
not been paid, although more than a year and a day from the date of sale has expired.

IT IS THEREUPON this 4th day of March 1949, by the Circuit Court for Queen Anne's  
County, in equity, ORDERED, that Notice be given by the insertion of a copy of this

Order in some newspaper having a general circulation in Queen Anne's County once a week for four successive weeks, warning all persons interested in the said property to be and appear in this Court by the 12th day of May, 1949, and redeem the property assessed to James H. Morgan, (deceased) and answer the bill or thereafter a final decree will be rendered foreclosing all rights of redemption in the property, and vesting in the plaintiff a title free and clear of all incumbrances.

WM. R. HORNEY  
Judge

Filed March 4, 1949  
True Copy  
Test: Nellie B. Whiteley, Clerk

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. May 12, 1949

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Order of Publication in the case/estate of Joseph A. Jackson vs. James H. Morgan, dec. 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 the 12th day of May 1949, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER WAS on the 10th day of March 1949 and the last insertion on the 31st day of March 1949.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

By BARBARA L. BINEBRINK

Filed May 13, 1949

DECREE  
Filed May 28, 1949

Joseph A. Jackson,  
Centreville, Queen Anne's County  
Complainant.

VS.

James H. Morgan, (deceased)  
et al.

Defendants.

In The Circuit Court For  
Queen Anne's County,

In Equity.

Chancery No. 3610.

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DECREE

It appearing that the defendants and all persons claiming through or under them having been duly notified by Order of Publication to appear and answer the Bill of Complaint filed in this Cause on or before the 12th day of May, 1949, and it further appearing that no such person has appeared and answered, and this cause having been submitted and the proceedings herein having been read and considered, IT IS THEREUPON this 28th day of May, 1949, by the Circuit Court for Queen Anne's County, in Equity, ORDERED AND DECREED that an absolute and indefensible title, in fee simple, free and clear of all alienations and descents of property occurring prior to this said 28th day of May, 1949, and free and clear of all encumbrances thereon, except taxes accruing subsequent to the date of sale, and such public easements, if any, to which the said property is subject in and to all that lot or parcel of land described in these proceedings, is vested in the Complainant, Joseph A. Jackson.

AND IT IS FURTHER ORDERED by the Circuit Court for Queen Anne's County, In Equity, that the Treasurer of Queen Anne's County aforesaid, as a collector of taxes for the State of Maryland, and said Queen Anne's County, execute a deed to Joseph A. Jackson, in fee simple, in and to all that said lot or parcel of land described in these proceedings, upon payment to the Collector of the balance of the purchase price due on account of the purchase price of the said property, together with all taxes and interest and penalties thereon accruing subsequent to the date of sale.

WM. R. HORNEY

JUDGE.

Filed May 28, 1949

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Fourth day of April, in the year nineteen hundred and forty nine, the following Bill of Complaint was filed for record, to wit:-

J. CLAWSON JONES, Chestertown,  
Kent County, State of Maryland,

COMPLAINANT,

vs.

CLYDE ELLINGSWORTH and MARGARET  
ELLINGSWORTH, his wife, Kennedyville,  
Kent County, State of Maryland;  
CLYDE ELLINGSWORTH, Administrator of  
the personal Estate of MILLIARD  
ELLINGSWORTH, DECEASED;  
MARGARET ELLINGSWORTH AND MILLIARD  
ELLINGSWORTH, Infant, Dover R.R. #2,  
State of Delaware;  
MRS. LEROY LINNINBAUGH and LEROY  
LINNINBAUGH, her husband, 156 S. Gay  
St., Perkersburg, State of Pennsylvania;  
ALL that lot or parcel of land on the  
Church Hill-Sudlersville Road, adjoining  
the lands of C. Jones, Assessed to Milliard  
Ellingsworth at and assessed value of  
\$170.00.

DEFENDANTS.

# IN THE  
#  
# CIRCUIT COURT  
#  
# FOR  
#  
# QUEEN ANNE'S  
#  
# COUNTY,  
#  
# IN EQUITY.  
#  
# Cause No. 3615  
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TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Orator complaining, says:

1. For that your Orator became the purchaser of the hereinafter described real estate at a Tax Sale on May 20th, 1947, at and for the sum of \$27.00, which amount was fully paid on day of sale, sold by T. Sorden Pippin, then treasurer for Queen Anne's County, and by virtue of said Office Collector of State and County Taxes for Queen Anne's County, the same being assessed to MILLIARD ELLINGSWORTH., and sold on account of default in payment of taxes, as set forth in a certificate of redemption attached hereto and made a part hereof.

2. That in accordance with the terms of said sale, any one in interest had a right to redeem the same within a year and a day from the date of sale, but the property has not been so redeemed.

3. That a search of the Records in the Clerk's and Register of Wills Offices for Queen Anne's County, Maryland, for over 40 years disclose that the aforesaid was granted and conveyed to the said Milliard Ellingsworth and Emma Ellingsworth, his then wife, as tenants by the entirety, by deed dated March 17th, 1927 by John F. Mallalieu et al, said deed being recorded in Liber B.H.T. #6, folio 407, a land record book for Queen Anne's County, wherein the said real estate is described as follows, to wit: ALL that lot of land in the Second Election District of Queen Anne's County, Maryland, on the South side of the public road from Sudlersville to Church Hill; BEGINNING for the same in the fifth line of the Coppage Woodland at a large stone, a corner for the Gillespie Land, thence with the Gillespie Land North 26½ degrees East, 50 perches to the Coppage Land, thence with the Coppage Land South 64 degrees East, 54½ perches to a stone a corner for the Coppage Land; thence with the Coppage Land South 26½ degrees West, 50 perches to a stone, a corner for the Coppage Land; thence North 64 degrees West, 54½ perches to the beginning, containing 17 acres of land, more or less.

4. That upon the death of the said Emma Ellingsworth, the said Milliard Ellingsworth became solely seized and possessed of the aforesaid real estate and being so seized and possessed died intestate in the year 1941, leaving surviving him as his only heirs-at-law, his widow, the Defendant, Margaret Ellingsworth and the following children, Clyde Ellingsworth, Milliard Ellingsworth, Infant, and Edith Elizabeth Ellingsworth, now Mrs. Leroy Linninbaugh, the Defendants, with their respective wife and husband, herein named also defendants, subject to the debt of the deceased; that letters of administration have been granted to the said Clyde Ellingsworth, who has filed an approved administration account in which it is shown that the personal estate of the said Milliard Ellingsworth was in sufficient to pay his debts.

TO THE END, THEREFORE,

1. That this Honorable Court may pass a final decree foreclosing all rights of redemption of the Defendants in and to the real estate herein described.

2. That your Orator may have such other and further relief as may be right and proper in the premises.

May it please your Honors to grant unto your Orator the writ of subpoena directed to the Sheriff of Kent County, Maryland, commanding him to summon the said Clyde Ellingsworth, both in his individual capacity and as Administrator of the personal estate of Milliard Ellingsworth, deceased, and Margaret Ellingsworth, his wife, of Kennedyville, Kent County, Maryland, commanding them to be and appear in this Court, either in person or by solicitor, on a day certain to be named therein, to



answer this Bill of Complaint, or redeem the property in accordance with the law, made and provided, and abide by and perform such decree or order as may be passed herein.

And may it please your Honors to grant unto your Orator the Order of Publication giving notice to the said Margaret Ellingsworth and Milliard Ellingsworth, Infant, non residents of the State of Maryland, and residents of the State of Delaware, and to Mrs. Leroy Linninbaugh and Leroy Linninbaugh, her husband, non residents of the State of Maryland, and residents of the State of Pennsylvania and all parties claiming any interest in the aforesaid real estate, of the object and substance of this Bill, and warning them to be and appear in this Court, in person or by solicitor, on or before a day certain to be named therein, to answer this Bill, or redeem the property in accordance with the law made and provided, and abide by and perform such decree or order as may be passed herein.

AND as in duty bound, etc.,

HARRY C. BUTLER  
Harry C. Butler  
Attorney for Complainant.

Filed April 4, 1949

CERTIFICATE AS TO TITLE  
Filed April 4, 1949

THIS IS TO CERTIFY that I have searched the Records in the Office of the Clerk of the Court for Queen Anne's County and the Records in the Office of the Register of Wills for said County, for over 40 years, and from said search find that Milliard Ellingsworth upon the death of his former wife, Emma Ellingsworth, became solely seized and possessed of the real estate, the subject of this suit, under a deed from John F. Mallalieu et al, and being so seized and possessed died intestate, leaving a widow, Margaret Ellingsworth, and three children, to wit: Clyde Ellingsworth, Milliard Ellingsworth, Infant, and Edith Elizabeth Ellingsworth, herein described as Mrs. Leroy Linninbaugh as his only heirs at law; that Letters of Administration were granted on the personal estate of the said Milliard Ellingsworth, who died in 1941, to Clyde Ellingsworth, and that a final administration account has been passed in said estate showing that the personal property was insufficient to pay the debts of the deceased.

HARRY C. BUTLER  
Harry C. Butler, Attorney  
for Complainant.

Subscribed and sworn to before me this 28th day of March, 1949.

FRANCES JANE BLAKSLEE  
Frances Jane Blakslee  
Notary Public.

Commission Expires: 2 May 1949.

Filed April 4, 1949.

MILITARY AFFIDAVIT.  
Filed April 4, 1949

J. CLAWSON JONES,	#	IN THE CIRCUIT COURT
Plaintiff,	#	FOR
vs.	#	QUEEN ANNE'S COUNTY,
CLYDE ELLINGSWORTH et al.	#	IN EQUITY.
Defendants.	#	Cause #3615
	#	

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MILITARY AFFIDAVIT

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

I HEREBY CERTIFY that on this 28th day of March, in the year nineteen hundred and forty-nine, before me, the subscriber, a Notary Public of the State of Maryland in and for Queen Anne's County, personally appeared Harry C. Butler, attorney for the Plaintiff, and made oath in due form of law that after diligent inquiry, he is advised that neither Clyde Ellingsworth, nor his wife, Margaret Ellingsworth, Margaget Ellingsworth, widow of Milliard Ellingsworth, Jr., Infant, Mrs. Leroy C.

Linninbaugh and Leroy C. Linninbaugh, her husband, nor and one, are engaged in the military service, or any branch thereof, of the United State of America, nor in the Military branches of any of the Allies of the United States, nor have been so engaged within three months prior to the making of this affidavit.

FRANCES JANE BLAKSLEE  
Frances Jane Blakslee  
Notary Public.

My Commission Expires: 2 May 1949.

Filed April 4, 1949

ORDER OF PUBLICATION  
Filed April 6, 1949

J. CLAWSON JONES, Chestertown,  
Kent County, State of Maryland,

COMPLAINANT;

vs.

CLYDE ELLINGSWORTH AND MARGARET  
ELLINGSWORTH, his wife, Kennedyville,  
Kent County, State of Maryland,  
CLYDE ELLINGSWORTH, Administrator of  
the personal estate of MILLIARD  
ELLINGSWORTH, deceased;  
MARGARET ELLINGSWORTH and MILLIARD  
ELLINGSWORTH, Infant, Dover, R.R. #2,  
State of Delaware;  
MRS. LEROY LINNINBAUGH AND LEROY  
LINNINBAUGH, her husband, 156 S. Gay  
St., Parkersburg, State of Pennsylvania;  
ALL that lot or parcel of land on the  
Church-Hill-Sudlersville Road, adjoining  
the lands of C. Jones, assessed to Milliard  
Ellingsworth at a value of \$170.00.

DEFENDANTS.

# IN THE CIRCUIT  
# COURT  
# FOR  
# QUEEN ANNE'S  
# COUNTY,  
# IN EQUITY.  
# Cause # 3615.  
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ORDER OF PUBLICATION

The object of this suit is to foreclose all rights of redemption in 17 acres of land, more or less, lying on the South side of the Sudlersville-Church Hill road, in the Second Election District of Queen Anne's County, State of Maryland, adjoining the lands of C. Jones, assessed to Milliard Ellingsworth at \$170.00.

The Bill states that the said land was sold in default of taxes on May 29th, 1947, by the then Treasurer for Queen Anne's County, Maryland, T. Sorden Pippin, to J. Clawson Jones for \$27.00 which was then paid, and that no one has redeemed said land; that Milliard Ellingsworth being seized and possessed of same died intestate in 1941, leaving surviving him as his only heirs at law, a widow, Margaret Ellingsworth and the following children, to wit: Clyde Ellingsworth, Milliard Ellingsworth, Infant, and Edith Elizabeth Ellingsworth, described in said Bill as Mrs. Leroy Linninbaugh; that letters of administration on the personal Estate of Milliard Ellingsworth were granted to the said Clyde Ellingsworth, who has filed an approved Administration Account showing that said personal estate was insufficient to pay the debts of the deceased. That Margaret Ellingsworth and Milliard Ellingsworth, Infant, are residents of the State of Delaware; and that Mrs. Leroy Linninbaugh and Leroy Linninbaugh, her husband, are residents of the State of Pennsylvania, and that no one in interest has redeemed said property.

IT IS THEREUPON THIS 6th DAY OF April, 1949, by the Circuit Court for Queen Anne's County, in Equity, and by the authority thereof, ORDERED, that notice be given by the insertion of this Order in some newspaper printed and published in Queen Anne's County, once a week for four successive weeks, warning all persons interested in said property, to be and appear in this Court on or before 8th day of June, 1949, and redeem the property so assessed to the said Milliard Ellingsworth and answer the Bill of Complaint or thereafter a final decree will be rendered foreclosing all rights of redemption in the said property and vesting in the Complainant, a title thereto free and clear of all encumbrances.

Filed April 6, 1949

WM R. HORNEY  
Judge

SUBPOENA  
Filed April 11, 1949

(Equity Subpoena)

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY,

TO WIT:

TO

Clyde Ellingsworth, Administrator of the Personal Estate  
of Milliard Ellingsworth, deceased, Kennedyville, Kent  
County, Maryland,

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of May next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of J. Clawson Jones, Chestertown, Kent County, State of Maryland, against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable WM . R. Horney, Chief Judge of the Second Judicial Circuit of Maryland, the 7th day of March, 1949.

Issued the 4th day of April, 1949.

TO THE DEFENDANT (S):

You are required to file your answer or other defense in the Clerk's Office within fifteen days after the return day named in the above subpoena. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, Complaint(s) may obtain a decree pro confesso against you which upon proper proff may be converted to a final decree for the relief demanded.

Solicitor for Complainant (s)

Name Harry C. ButlerAddress Centreville, MarylandNELLIE B. WHITELEY, Clerk

And on the back of the foregoing subpoena is the following endorsement, to wit.

Subpoena for respondent to answer.

Received April 7-1949 and forthwith delivered to the Sheriff of Kent Co., Md. for services:

Test:

W. HENRY GSELL, Clerk

Summoned this 8th day of April 1949 and a copy of Summons and a copy of declaration left with Clyde Ellingsworth.

Bastus O. Vickers  
Sheriff Kent County

Filed April 11, 1949

ORDER OF PUBLICATION  
Filed June, 22, 1949

## ORDER OF PUBLICATION

J. Clawson Jones, Chestertown,  
Kent County, State of Maryland

COMPLAINANT

vs.

Clyde Ellingsworth and Margaret Ellingsworth, his wife, Kennedyville, Kent County, State of Maryland, Clyde Ellingsworth, Administrator of the Personal Estate of Milliard Ellingsworth deceased; Margaret Ellingsworth and Milliard Ellingsworth, Infant, Dover R.R. No. 2, State of Delaware; Mrs. Leroy Linninbaugh ware; Mrs. Leroy Linninbaugh husband, 156 S. Gay St., Parkersburg, State of Pennsylvania; All that lot or parcel of land on the Church Hill-Sudlersville Road, adjoining the lands of C. Jones, assessed to Milliard Ellingsworth at a value of \$170.00

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

Cause No. 3615

The object of this suit is to foreclose all rights of redemption in 17 acres of land, more or less, lying on the South side of the Sudlersville-Church Hill Road, in the Second Election District of Queen Anne's County, State of Maryland, adjoining the lands of C. Jones, assessed to Milliard Ellingsworth at \$170.00.

The Bill states that the said land was sold in default of taxes on May 29th, 1947, by the then Treasurer for Queen Anne's County, Maryland T. Sorden Pippin, to J. Clawson Jones for \$27.00 which was then paid, and that no one has redeemed said land; that Milliard Ellingsworth being seized and possessed of same died intestate in 1941, leaving surviving him as his only heirs at law, a widow, Margaret Ellingsworth and the following children, to wit: Clyde Ellingsworth, described in said Bill as Mrs. Leroy Linninbaugh; that letters of administration on the personal Estate of Milliard Ellingsworth were granted to the said Clyde Ellingsworth, who has filed an approved Administration Account showing

that said personal estate was insufficient to pay the debts of the deceased. That Margaret Ellingsworth and Milliard Ellingsworth, Infant, are residents of the State of Delaware; that Mrs. Leroy Linninbaugh and Leroy Linninbaugh, her husband, are residents of the State of Pennsylvania, that no one in interest has redeemed said property.

IT IS THEREUPON THIS 6th day of April 1949, by the Circuit Court for Queen Anne's County, In Equity, and by the authority thereof, ORDERED, that notice be given by the insertion of this Order in some newspaper printed and published in Queen Anne's County, once a week for four successive weeks, warning all persons interested in said property, to be and appear in this Court on or before 8th day of June, 1949 and redeem the property so assessed to the said Milliard Ellingsworth and answer the Bill of Complaint or thereafter a final decree will be rendered foreclosing all rights of redemption in the said property and vesting in the Complainant, a title thereto free and clear of all encumbrances.

WILLIAM R. HORNEY

Judge.

True Copy:

Test: NELLIE B. WHITELEY  
Clerk

Filed April 6, 1949

THE QUEENSTOWN NEWS

Queenstown, Md. June 10, 1949

THE QUEENSTOWN NEWS, trading as a co-partnership between Michael W. Aker and George Steinfeld, do hereby certify that the Order of Publication in the case of J. Clawson Jones, Chestertown, Kent County, Md., Vs., Clyde Ellingsworth and Margaret Ellingsworth, His Wife, Et al. Cause No. 3615 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 8 day of June 1949, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 15th day of April 1949.

THE QUEENSTOWN NEWS

By GEORGE STEINFELT

Filed June 22, 1949

SUBPOENA

Filed April 11, 1949

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

TO

Clyde Ellingsworth and Margaret Ellingsworth, his wife, Kennedyville, Kent County, State of Maryland,

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of May next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of J. Clawson Jones, Chestertown, Kent County, State of Maryland, against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable Wm. R. Horney, Chief Judge of the Second Judicial Circuit of Maryland, the 7th day of March, 1949.

Issued the 4th day of April, 1949.

TO THE DEFENDANT (S):

You are required to file your answer or other defense in the Clerk's Office within fifteen days after the return day named in the above subpoena. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, Complainants may obtain a decree pro confess against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor For Complainant (S)

Name Harry c. Butler

Address Cantreville, Maryland

NELLIE B. WHITELEY

Clerk

And on the back of the foregoing subpoena is the following endorsement, to wit:

Subpoena for respondents to answer.

Received April 7-1949 and forthwith delivered to the Sheriff of Kent Co., Md. for services

Test:

W. Henry Gsell, Clerk

Summoned this 8th day of April 1949 and a copy of Summons and a copy of declaration left with each Clyde Ellingsworth and Margaret Ellingsworth, his wife.

Bartus O. Vickers  
Sheriff Kent County

Filed April 11, 1949

SUBPOENA  
Filed April 25, 1949

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

TO

Clyde Ellingsworth and Margaret Ellingsworth, his wife, Kennedyville,  
Kent County, Maryland,

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of May next and ending June 8, 1949 thereafter cause your answer or other defense to be filed to the complaint of J. Clawson Jones, Chestertown Kent County, Maryland, against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable Wm. R. Horney, Chief Judge of the Second Judicial Circuit of Maryland, the 7th day of March, 1949.

Issued the 18th day of April, 1949

TO THE DEFENDANT (S):

You are required to file your answer to the bill of complaint in the Clerk's Office of Queen Anne's County on or before the 8th day of June, 1949, or redeem the property described in said bill of complaint on or before said day. In case of your failure to do so, a final decree will be rendered foreclosing your right of redemption in the property.

Solicitor for Complainant (s)

Name Harry C. Butler

Address Centreville, Maryland

NELLIE B. WHITELEY  
Clerk

And on the back of the foregoing subpoena is the following endorsements, to wit:

Subpoena for respondents to answer.

Received April 20, 1949 and forthwith delivered to the Sheriff of Kent Co., Md. for service.

Test:

W. HENRY GSELL, Clerk

Summoned this 21st day of April 1949 Clyde Ellingsworth, and Margaret Ellingsworth and a copy of Declaration and a copy of Summons left with each.

Bartus O. Vickers  
Sheriff

Filed April 25, 1949

SUBPOENA  
Filed April 25, 1949

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

TO

Clyde Ellingsworth, Administrator of the personal estate of Milliard Ellingsworth, deceased, Kennedyville, Maryland,

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of May next and ending June 8, 1949 thereafter cause your answer or other defense to be filed to the complaint of J. Clawson Jones, Chestertown, Kent County, Maryland, against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable Wm. R. Horney, Chief Judge of the Second Judicial Circuit of Maryland the 7th day of March, 1949.

Issued the 18th day of April, 1949.

TO THE DEFENDANT (S) :

You are required to file your answer to the bill of complaint in the Clerk's Office of Queen Anne's County on or before the 8th day of June, 1949, or redeem the property described in said bill of complaint on or before said day. In case of your failure to do so, a final decree will be rendered foreclosing your right of redemption in the property.

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Name Harry C. Butler

Address Centreville, Maryland

NELLIE B. WHITELEY  
clerk

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Subpoena for respondent to answer.

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W. HENRY GSELL  
Clerk

Summoned this 21st day of April 1949 Clyde Ellingsworth and a copy of Declaration and a copy of Summons left with him.

Bartus O. Vickers  
Sheriff

Filed April 25, 1949

FINAL DECREE		IN THE
Filed June 29, 1949	#	CIRCUIT COURT
	#	FOR
J. CLAWSON JONES, Chestertown, Kent County, State of Maryland.	#	QUEEN ANNE'S
COMPLAINANT.	#	COUNTY,
vs.	#	IN EQUITY.
CLYDE ELLINGSWORTH and MARGARET ELLINGSWORTH, his wife, Kennedyville, Kent County, State of Maryland;	#	Cause No. 3615.
CLYFE ELLINGSWORTH, Administration of the Personal Estate of Milliard Ellingsworth, deceased;	#	
MARGARET ELLINGSWORTH and MILLIARD Ellingsworth, Infant, RR. #2, Dover, Delaware;	#	
MRS. LEROY LINNINBAUGH AND LEROY LINNINBAUGH, her husband, 156 S. Gay St., Perkersburg, State of Pennsylvania;	#	
ALL that lot or parcel of land on the Church Hill-Sudlersville Road, adjoining the lands of C. Jones, assessed to Milliard Ellingsworth at and assesed value of \$170.00.	#	

DEFENDANTS. #####

FINAL DECREE

IT APPEARING that the Defendants and all persons claiming by through or under them and all persons claiming any right, title, interest or estate in and to the lot of Land in question, having been duly summoned or notified by an ORDER OF PUBLICATION to appear and answer the Bill of Complaint filed in this Cause and it further appearing that no one has appeared and answered same, and this Cause having been submitted and the proceedings having been read and considered:

IT IS THEREUPON THIS 29th day of JUNE, 1949, by the Circuit Court for Queen Anne's County, in Equity ADJUDGED, ORDERED and DECREED that an absolute and indefeasible title, in fee simple, free and clear of all alienation and descents of property occurring prior to this date, and free and clear of all liens and encumbrances, except taxes accruing subsequent to the day of sale herein reported, and such public easements, if any, to which said property is subject, in and to all that lot or parcel of land, described in these proceedings, be and the same is hereby vested in J. Clawson Jones.

AND IT IS FURTHER ORDERED that the present Treasurer of Queen Anne's County, C. Percy Arrington, Collector of County and State Taxes for this County, execute a Deed conveying a fee simple title to the said J. Clawson Jones at the expense of the said J. Clawson Jones, in and to all that said lot or parcel of land, upon the payment of

the balance of the purchase money, if any, and all taxes and penalties thereon accruing subsequent to the day of sale herein referred to.

WM R. HORNEY  
JUDGE.

Filed June 29, 1949

CERTIFICATE OF REDEMPTION  
Filed Nov. 9, 1953

I, T. Sorden Pippin, Treasurer and Collector of taxes for the State of Maryland and the County of Queen Anne's, hereby certify that on May 20th, 1947, I sold to J. Clawson Jones at public auction for the sum of (\$27) Twenty-seven Dollars and No Cents, of which Twenty-seven Dollars has been paid, the property in the Second Election District of Queen Anne's County, Maryland, and described as All that lot or parcel of land Located on the Church Hill-Sudlersville Road, adjoining the lands of C. Jones, assessed value \$170.00, consisting of of land and assessed to Millard Ellingsworth.

The property described herein is subject to redemption. Upon redemption the holder of this certificate will be refunded the sums paid on account of the purchase price together with interest thereon at the rate of six per cent per annum from the date of payment to the date of redemption, together with all other amounts specified by Chapter 761 of the Acts of 1943, and acts amendatory thereof. The balance due on account of the purchase price and all taxes, together with interest and penalties thereon, accruing subsequent to the date of sale, must be paid to the Collector before a deed can be delivered to the purchaser. After May 23rd, 1948, a proceeding can be brought to foreclose all rights of redemption in the property. This certificate will be void unless such a proceeding is brought within two years from the date of this certificate.

Witness my hand and seal, this 20th day of May, 1947.

T. SORDEN PIPPIN  
Treasurer and Collector

Filed Nov. 9, 1953.

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

I HEREBY CERTIFY, that on this 20th day of May, 1947, before the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, Personally appeared T. Sorden Pippin, Treasurer and Collector of Taxes for the State of Maryland and the County of Queen Anne's and acknowledged the foregoing Certificate of sale to be his act.

Witness my hand and notarial seal.

ROBERT T. NEWELL  
Notary Public      Notary  
Public  
Seal.

My Commission Expires: 5/2/49

Filed Nov. 9, 1953

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the twenty fifth day of April, in the year nineteen hundred and forty nine, the following Bill of Complaint was filed for record, to wit:-

LULU BELLE KIBLER, widow, : IN THE CIRCUIT COURT  
and FRANCIS H. KIBLER, JR. : FOR QUEEN ANNE'S COUNTY  
by LULU BELLE KIBLER, his mother : IN EQUITY  
and next friend. :

NO. 3619 CHY.

vs.

ROBERT F. KIBLER and  
NORMA I. KIBLER, his wife  
and CHARLOTTE T. ROCHE and  
JOSEPH H. ROCHE, her husband

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your orators, complaining say:

FIRST: That Frank H. Kibler, late of Carlone County, Maryland deceased, was, in his lifetime and at the time of his death, seized and possessed, in fee simple, of the following described real estate located in Queen Anne's County, Maryland, to wit:

ALL AND SINGULAR that lot, piece or parcel of land, SITUATE in the town of Queen Anne, Queen Anne's County, Maryland, and described as follows, that is to say:

BEGINNING at a spike driven in the westerly face of an electric power transmission line pole standing on the southeasterly side-line of Right-of Way of the Oxford Branch, Delmarva Division, Pennsylvania Railroad, where the same is intersected by the Westerly side-line of Broad Street, said point being thirty-three feet Southeastwardly from the center line of the main track of the said Railroad toward the center of a curve along which the said track is laid; thence (1) with the Westerly line of Broad Street, South thirty degrees, five minutes East, one hundred twenty feet to an iron pipe and the northerly line of a lot belonging now or formerly to George C. Moore, Jr.; thence (2) with the said Moore's lot, South fifty-nine degrees, fifty-five minutes West, one hundred fifty feet to an iron pipe and the easterly line of lands belonging now or formerly to the heirs of Joseph Brown; thence (3) with the said Brown's land, North six degrees, fifty-eight minutes West, eighty-four feet to an iron pipe and the southeasterly side-line of the Right-of-Way of the Railroad hereinbefore mentioned; thence (4) with the said Right-of-Way and on a curve to the North-east, the cord of which bears, North thirty-nine degrees, fifty-one minutes East, one hundred twenty-four and fifty-eight one hundredths feet to the place of beginning, according to Survey made by Kastenhuber and Anderson, Civil Surveyors, of Easton, Md., Dated 14th day of November, A. D. 1933.

BEING the same premises that were conveyed by Abbotts Dairies, Incorporated, to Frank H. Kibler by deed dated the 15th day of December, A. D. 1936, and recorded in Liber W. H. C. No. 4A. Folio 145, one of the Land Record Books for Queen Anne's County, Maryland; said deed being filed herewith and prayed to be taken as a part hereof, marked "Complainants' Exhibit A".

SECOND: Being so seized and possessed of the aforesaid real estate the said Frank H. Kibler departed this life on the 4th day of March, 1949, leaving a Last Will and Testament devising, inter alia, the aforesaid real estate equally to his four children, Charlotte T. Roche, Robert F. Kibler, Francis H. Kibler, Jr., and Mary Kibler; a certified copy of said Will being filed herewith and prayed to be taken as a part hereof, marked "Complainants' Exhibit B".

THIRD: That the said Frank H. Kibler, Deceased, left to survive him as his sole heirs-at-law and next-of-kin, his widow, Lulu Belle Kibler, who resides in Caroline County, Maryland, Robert F. Kibler, a son, who has intermarried with Norma I. Kibler, his wife, who reside in Queen Anne's County, Maryland, Charlotte T. Roche, a daughter who has intermarried with Joseph H. Roche, her husband, who reside at 59 Ordmont Drive, Penn's Grove, New Jersey, and Francis H. Kibler, Jr., a son who resides in Caroline County, Maryland; that all of said heirs-at-law are of full legal age except the said Francis H. Kibler, Jr., who is 18 years of age.

FOURTH: That the aforesaid Mary Kibler, mentioned as a child of the said Frank H. Kibler, Deceased, in his last Will and Testament, departed this life in the year 1937, being but three years of age; that the said Lulu Belle Kibler has renounced the said Last Will and Testament of Frank H. Kibler, Deceased, and elected to take her legal share of his real estate as his widow, a certified copy of such renunciation being filed herewith and prayed to be taken as a part hereof; marked "Complainants' Exhibit C".

FIFTH: That the aforementioned parties are the only persons entitled at law to any interest in the said real estate.

SIXTH: That letters of administration have been taken out in the Orphans' Court for Caroline County, Maryland, on the personal estate of the said Frank H. Kibler by Joseph B. Kibler, Executor, who has heretofore filed his bond and duly qualified and entered upon his duties as said Executor; that the personal estate of the said Frank H. Kibler amounts to several thousand dollars, is entirely solvent, and the only known debts of said estate consist of current business expenses, funeral expenses and cost of said personal estate.

SEVENTH: That a partition of said property among the various parties entitled thereto, according to their several interests therein, cannot be made without material loss and injury to them and each of them, and it would be to the benefit and advantages of all parties concerned that the said real estate be sold and the proceeds arising therefrom distributed among the parties entitled, according to their respective 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 among the parties thereto as their respective rights and interests may appear.
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 directed unto the said Robert F. Kibler and Norma I. Kibler, his wife, of Queen Anne's County, State of Maryland, commanding them and each of them to be and appear in this court on some certain day to be named therein, and answer the premises and abide by and perform such decree as may be passed therein, and to grant unto your orators the order of publication directed to the said Charlotte T. Roche and Joseph H. Roche, her husband, of 59 Ordmont Drive, Penn's Grove, New Jersey, said defendants being non-residents of the State of Maryland and not residing therein, 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.

JAMES A WISE  
James A. Wise  
Solicitor for Complainants

Mr. Clerk:

Please indorse the writ of subpoena in the above case "To lie in office", and withhold issuance of the order of publication against Charlotte T. Roche and Joseph H. Roche, her husband, none-resident defendants, until further notice.

JAMES A. WISE  
James A. Wise  
Solicitor for Complainants

Filed April 25, 1949

I hereby consent to the use of my name as next friend of Francis H. Kibler, Jr., my son.

LULU BELLE KIBLER  
Lulu Belle Kibler

DEED  
Complainants' Exhibit A."  
Filed April 25, 1949

THIS INDENTURE Made the 15th day of December in the year of our Lord one Thousand and thirty-six (1936) BETWEEN ABBOTTS DAIRIES, INCORPORATED, a Corporation of the State of Maryland,

\_\_\_\_\_ (hereinafter called the Grantor ), of the one part, and FRANK H. KIBLER, of Queen Anne, Maryland,

\_\_\_\_\_ (hereinafter called the Grantee ), of the other part: WITNESSETH, That said Grantor for and in consideration of the sum of Fifteen hundred Dollars lawful money of the United States of America, unto it well and truly paid by the said Grantee at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, enfeoff, release and confirm unto the said Grantee his heirs and Assigns,

ALL AND SIGULAR that lot, piece or parcel of land, SITUATE, in the town of Queen Anne, Queen Anne's County, Maryland, and described as follows, that is to say:

BEGINNING at a spike driven in the westerly face of an electric power transmission line pole standing on the southeasterly side-line of Right-of-Way of the Oxford Branch, Delmarva Division, Pennsylvania Railroad, where the same is intersected by the Westerly side-line of Broad Street, said point being thirty-three feet South eastwardly from the center line of the main track of the said Railroad toward the center of a curve along which the said track is laid; thence (1) with the Westerly line of Broad Street, South thirty degrees, five minutes East, one hundred twenty feet to an iron pipe and the northerly line of a lot belonging now or formerly to George C. Moore, Jr; thence (2) with the said Moore's Lot, South Fifty-nine degrees, fifty-five minutes West, one hundred fifty feet to an iron pipe and the easterly line of lands belonging now or formerly to the heirs of Joseph Brown; thence (3) with the said Brown's Land, North six degrees, fifty-eight minutes West, eighty-four feet to an iron pipe and the southeasterly side-line of the Right-of-way of the Railroad hereinafoe mentioned; thence (4) with the said Right-of-Way and on a curve to the Northeast, the cord of which bears, North Thirty-nine degrees, fifty-one minutes East, one hundred twenty-four and fifty-eight one-hundredths feet to the place of beginning,

according to a Survey made by Kastenhuber and Anderson, Civil Surveyors, of Easton, Md. dated 14th day of November, A.D. 1933.

BEING the same premises which Dolfinger's Dairies, Incorporated, by a Deed dated the 2nd day of September A. D. 1927 and recorded in Liber B. H. T. No. 7 Folio 286 &c., granted and conveyed unto the said Grantor, in fee.

AND

TOGETHER with all and singular the buildings, improvements, ways streets, alleys, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances whatsoever therunto belonging, or in any wise appertaining, and the reversions and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, property, claim and demand whatsoever of the said Grantor, in law, equity, or otherwise howsoever, of, in, and to the same and every part thereof.

TO HAVE AND TO HOLD the said lot or piece of ground above described with the buildings thereon erected, hereditaments and premises hereby granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee his heirs and Assigns to and for the only proper use and behoof of the said Grantee his heirs and Assigns forever, Under and Subject to the express conditions and restrictions, that the premises hereinbefore described, or any part of parcel thereof, or any buildings or improvements thereon erected, or which may hereafter be erected, shall not be used, and/or maintained for the purpose and/or business of manufacturing, making preparing, churning, pasteurizing, purifying, certifying, selling, and/or distributing of milk, milk products and/or relating dairy products.

AND the said Grantor, for itself, its Successors does by these presents covenant, grant and agree, to and with the said Grantee his heirs and Assigns, that it the said Grantor, and its Successors, all and singular the hereditaments and premises herein described and granted, or mentioned and intended to be, with the appurtenances, unto the said Grantee his heirs and Assigns, against it the said Grantor. and its Successors, and against all and every other Person and Persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under it, them or any of them, Shall and Will Subject as aforesaid WARRANT and forever DEFEND.

IN WITNESS WHEREOF, the said Grantor, has hereunto caused to be attached its Common or Corporate Seal, duly attested. Dated the day and year first above written.

SEALED AND DELIVERED )  
 in the presence of us: )  
 )  
 K. FLICK )

ABBOTTS DAIRIES, INCORPORATED  
 By: WM B. GRISCOM  
 VICE-PRESIDENT

ATTEST: W. L. MOORE  
 SECRETARY

RECEIVED on the day of the date of the above Indenture of the above-named Grantee the consideration for the within described premises.  
 Witness at Signing:

W. L. MOORE  
 SECRETARY

ON THE \_\_\_\_\_ day of \_\_\_\_\_ Anno Domini 193\_\_\_\_, before me, the subscriber, a Notary Public of the State of Pennsylvania personally appeared, W.L. Moore who being duly affirmed according to law, says that he was personally present at the execution of the within Indenture and saw the common or corporate seal of the Corporation duly affixed thereto; that the seal so affixed is the common or corporate seal of the said Corporation; that the said Indenture was duly sealed and delivered by Wm. B. Griscom Vice President of the said Corporation as and for the act and deed of the said Corporation for the uses and purposes therein mentioned, and that the names of this W. L. Moore as Secretary and of Wm. B. Griscom as Vice-President of the said Corporation subscribed to the within Indenture in attestation of its due execution and delivery, are in their and each of their respective handwritings:

Affirmed to and subscribed before me, the day and year aforesaid.  
 Witness my hand and notarial seal.

KATHERINE FLICK  
 NOTARY PUBLIC  
 Commission Expires March 26, 1939

W. L. MOORE  
 SECRETARY

The residence of the within-named Grantee is \_\_\_\_\_

On behalf of said Grantee \_\_\_\_\_

IN THE COURTS OF COMMON PLEAS OF PHILADELPHIA COUNTY

STATE OF PENNSYLVANIA )  
 County of Philadelphia, ss. ) 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 author-  
 ) ized 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 KATHERINE FLICK 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 acknowledgments 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 TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court, this 30th day of November in the year of our Lord one thousand nine hundred thirty-six (1936)

JOHN M. SCOTT, Prothonotary.  
Principal

By MEREDITH HANNA  
Deputy Prothonotary.  
Durante Absentia, Secundum Legem.

And on the back of the foregoing Deed is the following endorsement, to wit:

STATE OF MARYLAND

QUEEN ANNE'S COUNTY, SCT.

I HEREBY CERTIFY THAT this DEED was received for record this 15th day of December, 1936., and recorded in Liber W. H. C. NO 4 A. folio 145, a Land Record Book for Queen Anne's County. Examined and Delivered.

William H. Carter  
Clerk

COMPLAINANTS' EXHIBIT "B"  
Filed April 25, 1949

STATE OF MARYLAND )  
CAROLINE COUNTY ) SS.  
)  
)

I, Carlton V. West Register of Wills for Caroline County, an ex-officio Clerk of the Orphans' Court of said County, and as such, the keeper of the records of said Office, do hereby certify that the within and foregoing is a true and faithful Certified copy of Last Will and Testament of Frank H. Kibler, deceased Recorded in Wills Record, Liber C.V.W. No. 15 Folio 107 now on file and of record, in my office.

In testimony Whereof, I have set my hand and affixed the seal of my said Office this 22nd day of April in the year of our Lord, One Thousand, Nine Hundred and forty-nine

CARLTON V. WEST  
Register of Wills for Caroline  
County aforesaid.

I, FRANK H. KIBLER, of the City of Ridgely, County of Caroline State of Maryland being of sound mind, make this my last will and testament.

After the payment of my just debts and funeral charges, I devise and bequeath as follow:

1st: To My wife and mine children Francis and mary the home and furniture until they are of age.

The Ice factory not to be sold until spring or summer.

2nd: All the rest of my property and estate to be divided equally between my four children Charollete Robert Francis and mary.

I hereby nominate Joseph B. Kibler to be executor of this my last will and request that he shall be exempt from giving a surety or sureties on his official bond.

In witness whereof I have hereunto set my hand this eleventh day of February 1935.

(signed) Frank H. Kibler

Signed and published as his last will by the said Frank H. Kibler in the presence of us, who in his presence and in the presence of each other have hereto subscribed our name as witnesses.

(Signed) John D. Davis  
(Signed) Norman D. Wilson

STATE OF MARYLAND, CAROLINE COUNTY, SS:

The 12th day of March, 1949: Then came Lulu Belle Kibler, custodian, with the foregoing paper writing purporting to be the last Will and Testament of Frank H. Kibler, late of Caroline County, deceased, and made oath in due form of law that the said instrument of writing is the true and whole last Will and Testament of said Frank H. Kibler, deceased, that has come to her hands or possession; and that she does not know of any other Will, or of any Codicil to the said Will of said deceased, of a later date; and that the same was delivered to her by Frank H. Kibler and has remained in her keeping until deposited with the Register of Wills for Caroline County for probate.

Sworn to before

Carlton V. West  
Register of Wills for Caroline County

CAROLINE COUNTY, SS:

The 12th day of March 1949: Then came Norman D. Wilson one of the subscribing witness to the foregoing instrument of writing, purporting to be the last Will and Testament of Frank H. Kibler late of Caroline County, deceased, and made oath in due form of law that he did see the said decedent sign and seal the said Will; that he heard him publish, pronounce and declare the same to be his last Will and Testament; that at the time of his so doing he was to the best of his knowledge and apprehension of sound and disposing mind, memory and understanding and capable of executing a valid deed or contract; and that he and John D. Davis now deceased, subscribed their names as witnesses to the said Will in the presence of the said Testator at his request, and in the presence of each other.

Sworn to before

Carlton V. West  
Register of Wills for Caroline County

CAROLINE COUNTY SS:

The 12th day of March 1949: Then came I. Robert Fleetwood, of the Denton National Bank, a credible witness, who is familiar with the signature of Frank H. Kibler, the testator in the foregoing instrument of writing and made oath in due form of law that the signature of Frank H. Kibler, to his last Will and Testament is a true and genuine signature to the best of his knowledge and belief.

Certified by: Carlton V. West  
Register of Wills for Caroline County

Signed: I. Robert. Fleetwood

CAROLINE COUNTY SS:

The 12th day of March, 1949:

Then came R. Leo McGinney, who is a former employee of John D. Davis, a witness to the Last Will and Testament of Frank H. Kibler, deceased and made oath in due form of law that the signature of John D. Davis, to the last will and Testament of Frank H. Kibler, is the true and genuine signature of John D. Davis, now deceased, to the best of his knowledge and belief.

Certified by: Carlton V. West  
Register of Wills for Caroline County.

Signed: R. Leo McGinney

COMPLAINANTS' EXHIBIT "C"  
Filed April 25, 1949

R E N U N C I A T I O N of Lulu Belle Kibler, widow

I, Lulu Belle Kibler, widow of Frank H. Kibler, late of Caroline County, Maryland, deceased, do hereby renounce and quit all claim to any bequest or devise made to me by the last will and testament of my said husband exhibited and proved according to law; and I elect to take in lieu thereof my legal share both of the real and personal estate of my said husband.

WITNESS my hand and seal this 12th day of March, 1949.

Lulu Belle Kibler, (Seal)  
Lulu Belle Kibler, Widow of  
Frank H. Kibler, deceased.

Test: Ruth B. Johnson  
Marguerite E. Ward

STATE OF MARYLAND  
CAROLINE COUNTY SS:

Orphans'  
Court  
Seal.

I, Carlton V. West, Register of Wills for Caroline County, ex-officio Clerk of the Orphans' Court of said county, and as such, the keeper of the records of said office, do hereby certify that the within and foregoing is a true and faithful certified copy of Renunciation filed in estate of Frank H. Kibler, deceased, now on file and of record, in my office.

In testimony whereof, I have hereunto set my hand and affixed the seal of my said Office this 22nd day of April in the year of our Lord, One thousand, Nine Hundred and forty-nine.

CARLTON V. WEST  
Register of Wills for Caroline County

SUBPOENA  
Filed April 25, 1949

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's  
Place.

QUEEN ANNE'S COUNTY, TO WIT:

TO

Robert F. Kibler and Norman I. Kibler, of Queen Anne's County, State  
of Maryland,

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of May next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Lulu Belle Kibler, widow, and Francis H. Kibler, Jr., by Lulu Belle Kibler, his mother and next friend, against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable Wm. R. Horney, Chief Judge of the Second Judicial Circuit of Maryland, the 7th day of April, 1949.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office within fifteen days after the return day named in the above subpoena. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense with the time named, Complaint(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Name James A. Wise

Address Denton, Maryland.

NELLIE B. WHITELEY Clerk

And on the back of the foregoing subpoena is the following endorsement, to wit:  
"To lie in office"

ANSWER  
Filed May 14, 1949

LULU BELLE KIBLER, widow,  
and FRANCIS H. KIBLER, JR.;  
by LULU BELLE KIBLER, his  
mother and next friend

vs.

ROBERT F. KIBLER and  
NORMA I. KIBLER, his wife,  
and CHARLOTTE T. ROCHE and  
JOSEPH H. ROCHE, her husband

IN THE CIRCUIT COURT  
FOR QUEEN ANNE'S COUNTY  
IN EQUITY  
NO. 3619 CHY.

To the Honorable, the Judges of the said Court:

The Answer of Robert F. Kibler and Norma I. Kibler, his wife, to the Bill of Complaint against them exhibited in this cause, respectfully says:

That they neither admit nor deny the allegations set forth in said Bill of Complaint.

And as in duty bound, etc.

ROBERT F. KIBLER  
Robert F. Kibler

NORMA I. KIBLER  
Norma I. Kibler

Service of copy admitted this 12th day of May, 1949

JAMES A. WISE  
Solicitor for Complainants

Filed May 14, 1949

ANSWER  
Filed May 14, 1949

LULU BELLE KIBLER, widow, : IN THE CIRCUIT COURT  
 and FRANCIS H. KIBLER, JR. : FOR QUEEN ANNE'S COUNTY  
 by LULU BELLE KIBLER, his :  
 mother and next friend. :  
 : IN EQUITY  
 vs. : NO. 3619 CHY.  
 ROBERT F. KIBLER and :  
 NORMA I. KIBLER his wife, :  
 and CHARLOTTE T. ROCHE and :  
 JOSEPH H. ROCHE, her husband :  
 To the Honorable, the Judges of the said :  
 Court:

The Answer of Charlotte T. Roche and Joseph H. Roche, her husband, to the Bill of Complaint against them exhibited in this cause, respectfully says:

That they neither admit nor deny the allegations set forth in said Bill of Complaint.

And as in duty bound, etc.

CHARLOTTE T. ROCHE  
 Charlotte T. Roche

JOSEPH H. ROCHE  
 Joseph H. Roche

Service of copy admitted this 12th day of May, 1949.

JAMES A WISE  
 Solicitor for Complainants

Filed May 14, 1949.

DEPOSITIONS  
 Filed May 20, 1949

LULU BELLE KIBLER, : IN THE CIRCUIT COURT  
 ET AL. : FOR QUEEN ANNE'S COUNTY.  
 :  
 VS. : CHY. NO. 3619  
 :  
 ROBERT F. KIBLER, :  
 ET. AL. :

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Answers having been filed by all parties defendant, and at the request of James A. Wise, Esq., Solicitor for the Complainants, I, Harry C. Butler, Standing Examiner of this Honorable, Court, after having given due notice to the defendants, met the following witnesses at the Law Offices of Harry C. Butler in the Town of Centreville, Maryland, on Thursday, May 19th, 1949, at 4 o'clock. P.M., and proceeded to take the following depositions, to wit:

LULU BELLE KIBLER, one of the Complainants in the above entitled cause, having been duly sworn, deposes and says:-

EXAMINATION ----- JAMES A. WISE, ESQ.

- Q. Please state your name, age, residence and occupation.  
 A. Lulu Belle Kibler, Ridgely, Maryland, age 54, housewife.  
 Q. Your are one of the complainants in this case, are you not?  
 A. Yes.  
 Q. Were you related to Mr. Frank H. Kibler and, if so, how?  
 A. Yes, I was his wife.  
 Q. Did he own any real estate when he died?  
 A. Yes, we owned our house together and he also owned an ice Plant in Ridgely and one in Queen Anne, Maryland.  
 Q. Do you recognize this as to deed to the ice plant in Queen Anne? (Handing witness deed from Abbotts Dairies, Inc, to Frank H. Kibler recorded in Liber W.H.C. No. 4A Folio 145, one of the Land Record Books for Queen Anne's County, Maryland.)  
 A. Yes.

Deed from Abbotts Dairies, Inc. to Frank H. Kiber, recorded in Liber W.H.C. No. 4A Folio 145, one of the Land Record Books for Queen Anne's County, Maryland, filed with Examiner

and marked "Examiner's Exhibit No. 1".

- Q. When did Mr. Kibler die?  
 A. The 4th day of March, 1949.  
 Q. Did he leave any will?  
 A. Yes.  
 Q. Who is administering his estate?  
 A. Joseph B. Kibler.  
 Q. Do you know if there is sufficient personal estate to pay your husband's debts?  
 A. I understand that there is.  
 Q. Who were your husband's heirs-at-law when he died?  
 A. Charlotte T. Roche, a daughter, who is married to Joseph H. Roche, and they live in Penns Grove, New Jersey; Robert F. Kibler, a son who has intermarried with Norma I. Kibler, and they live in Queen Anne, Maryland; and Francis H. Kibler, Jr., a son, who lives with me. We had a daughter, Mary Elizabeth Kibler, but she died in 1937 when she was just three years old.  
 Q. Are all of them of full legal age?  
 A. Francis is not of age. He is only eighteen.  
 Q. Do you know whether there are any liens against the ice plant property?  
 A. No, there are no liens against it.  
 Q. State whether or not, in your opinion, this property could be divided amongst all of you without loss or injury?  
 A. I think everybody ought to have his share and the only way to do it would be to sell it and divide the money.  
 Q. Do you think it would be advantageous for the Court to sell it and divide the proceeds according to your respective interests in the property?  
 A. Yes.  
 Q. How much do you think the ice plant property in Queen Anne is worth, Mrs. Kibler?  
 A. I can't tell you.  
 Q. Examiner's question.  
 A. I don't know of anything else.

LULU BELLE KIBLER  
 Lulu Belle Kibler  
 Complainant

ROBERT F. KIBLER, one of the defendants in the above entitled cause, having been duly sworn, deposes and says:

EXAMINATION ----- JAMES A. WISE, ESQ.

- Q. Please state your name, age, residence and occupation.  
 A. Robert Francis Kibler, age 32, laborer, Queen Anne, Maryland.  
 Q. You were related to Mr. Frank H. Kibler, were you?  
 A. Yes, he was my father.  
 Q. You are married, are you not, Mr. Kibler?  
 A. Yes.  
 Q. You are also one of the defendants in this proceeding, are you not?  
 A. Yes.  
 Q. Mr. Kibler, who survived your father as his heirs-at-law besides yourself?  
 A. My mother, Lulu Belle Kibler, my sister, Charlotte T. Roche, and my brother, Francis H. Kibler, Jr. I had a sister, Mary Elizabeth Kibler, who died about 1937. Charlotte is married, as my mother said, to Joseph H. Roche, and Francis is a minor, only eighteen years old.  
 Q. Were you employed by your father in the operation of his ice plant?  
 A. Yes, sir.  
 Q. Do you know what properties he owned at the time of his death?  
 A. As far as I know he owned the ice plant at Ridgely and the iceplant at Queen Anne and his home in Ridgely.  
 Q. Did he leave a will?  
 A. Yes, sir.  
 Q. Who is administering on his estate?  
 A. Joseph B. Kibler.  
 Q. Do you know whether his personal estate is solvent?  
 A. As far as I know it is.  
 Q. What do you think is the value of the Queen Anne ice plant?  
 A. Not knowing the price of the machinery I would hardly know.  
 Q. Please state whether or not, in your opinion, this plant would be physically divided amongst those of you who are entitled to it?  
 A. Only by being run as an estate under the heirs' names. Otherwise, it would have to be sold and divided up.  
 Q. In other words, if the estate does not continue to operate it as a unit the only way it could be divided amongst you would be by selling it and dividing the proceeds?  
 A. That is right.  
 Q. Examiner's question.  
 A. I don't think of anything else.

ROBERT F. KIBLER  
 Robert F. Kibler  
 Defendant.

JOSEPH B. KIBLER, a witness of lawful age produced on behalf of the Complainants, having been duly sworn, deposes and says:-

EXAMINATION ----- JAMES A. WISE, ESQ.

- Q. Please state your name, age, where you live and what you do?

- A. Joseph B. Kibler, age 70, Greensboro, Maryland, farmer.  
 Q. Did you know Mr. Frank H. Kibler?  
 A. Yes, he was my brother.  
 Q. When did he die?  
 A. March 4th, 1949.  
 Q. Who did he leave as his heirs-at-law?  
 A. His wife, Lulu Belle Kibler, and three children.  
 Q. Did he leave a will?  
 A. Yes.  
 Q. Who is administering his estate?  
 A. I am.  
 Q. Do you recognize this as a copy of his will? (Handing witness certified copy of Last Will and Testament of Frank H. Kibler, deceased.)  
 A. Yes, it looks like it.  
 Certified copy of Last Will and Testament of Frank H. Kiber, deceased, filed with Edaminer and marked "Complainants' Exhibit No. 2".  
 Q. You have qualified as the Executor under that will, have you?  
 A. Yes, I have given my bond.  
 Q. The widow, Mrs. Kibler, has renounced the provisions of the will, hasnt she?  
 A. Yes.  
 Certified copy of renunciation of Lulu Belle Kibler, widow, filed with Examiner and marked "Complainants' Exhibit No. 3".  
 Q. Is the personal estate ample to pay off the creditors, Mr. Kibler?  
 A. As far as I know now I think it will be because I haven't seen many bills and they are small.  
 Q. Do you know what real estate your brother left when he died?  
 A. Two ice plants and his house at Ridgely.  
 Q. Do you know whether the ice plant at Queen Anne had any liens on it?  
 A. No, I don't know.  
 Q. Do you think the ice plant at Queen Anne could be divided amongst his heirs without any material damage to it?  
 A. I don't think they could do that.  
 Q. Do you feel that it would be better if the plant were sold and the proceeds divided amongst his heirs-at-law?  
 A. That would be better I would think.  
 Q. How much is the Queen Anne ice plant worth?  
 A. I don't know. It is appraised in the Orphans' Court for \$8,000.00.  
 Q. Examiner's question.  
 A. No, not that I know of.

JOSEPH B. KIBLER  
 Joseph B. Kibler

There being no further witnesses produced at the request of James A. Wise, Solicitor for the Complainants, I herewith close this commission and return the same to the Circuit Court for Queen Anne's County this \_\_\_\_\_ day of May, 1949.

HARRY C. BUTLER  
 Harry C. Butler  
 Examiner.

COSTS OF COMMISSION

Harry C. Butler, Examiner, 1 day-----\$8.00  
 Mildred C. Butler, Clerk to Examiner, 1 day----- 5.00

Filed May 20, 1949

NOTICE TO CREDITORS  
 Filed June 6, 1949

NOTICE TO CREDITORS

This is to give notice that the subscriber of Caroline County, has obtained from The Orphans' Court for Caroline County, in Maryland, letters Testamentary on the personal estate of FRANK H. KIBLER late of Caroline County, deceased, All persons having claims against the said deceased are wardned to exhibit the same to the subscriber with the vouchers thereof legally authenticated, on or before the 19th day of September, 1949, or they may otherwise by law, be excluded from all benefit of said estate. All persons owing this estate are required to make prompt settlement.

Given under my hand this 12th day of March 1949.

JOSEPH B. KIBLER, Executor

True Copy - Test:  
 Carlton V. West, Register of Wills

Ridgely, Md.,  
 Juen 2, 1949

WE HEREBY CERTIFY: That the annexed advertisement of NOTICE TO CREDITORS was published in THE CAROLINE SUN, a newspaper printed and published in Caroline County, Maryland, once in each of three successive weeks before the 19th day of Sept. 1949. And that the first insertion of said advertisement in the said CAROLINE SUN was on the 19th day of March 1949 and the last insertion on the 2nd day of April 1949 HENRY W. WILKISON & SON, Publisher of the Caroline Sun

Per B.M.W.



IN THE MATTER OF THE ESTATE OF : IN THE ORPHANS' COURT  
 FRANK H. KIBLER, DECEASED : FOR CAROLINE COUNTY  
 :

THIS CERTIFIES that the amount of claims on the Claim Docket as of June 2, 1949, is \$1002.12, in the above estate.

ALSO that the inventory of the personal estate of Frank H. Kibler, filed on March 15, 1949, shows the personal estate amonts to \$2411.45

IT THEREFORE appears that the personal estate will be adequate to discharge in full the claims against said estate, as well as taxes and costs.

CARLTON V. WEST  
 Carlton V. West, Register of  
 Wills for Caroline County

Orphans'  
 Court  
 Seal.

Filed June 6, 1949

Lulu Belle Kibler et al  
 vs.  
 Robert F. Kibler et al

IN THE CIRCUIT COURT  
 FOR QUEEN ANNE'S COUNTY  
 IN EQUITY  
 NO. 3619 CHY.

The above cause standing ready for hearing and being submitted without argument, and the proceedings being read and considered-

It is thereupon this 2nd day of June in the year nineteen hundred and forty-nine by the Circuit Court for Queen Anne's County, in Equity, and by the authority thereof ADJUDGED, ORDERED and DECREED: That the property mentioned in the proceedings be sold, for the purposes of partition, and that James A. Wise 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 Eight Thousand Dollars, if a corporate bond be giben, or double that amont if a personal bond be given conditional 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 notice by advertisement, inserted in some newspaper or newspapers published in Caroline County, and such other notice as he shall think proper, of the time, place, manner, and terms of sale, which shall be one-third of the purchase price in cash on day of sale, balance upon final ratification of sale, or all cash on the day of sale, at the option of the purchaser, taxes to be adjusted as of the day of sale, title papers and documentary stamps at the expense of the purchaser, 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 his proceedings relative to such sale, withan 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 suffcient 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, plaintiffs 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 commission to the said Trustees 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.

WM. R. HORNEY  
FLOYD J. KINTNER  
 Judges

Filed June 6, 1949

CERTIFIED COPY OF BOND  
 Filed June 6, 1949.

QUEEN ANNE'S COUNTY, to wit: Be it remembered that on this Sixth day of June, in the year nineteen hundred and forty nine, the following BOND was filed for record, to wit:

KNOW ALL MEN BY THESE PRESENTS,

That we James A. Wise of Caroline County, State of Maryland, as Principal, and the 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 Eight Thousand Dollars, to be paid to the said State or its certain Attorney, to which payment well and truly to be made, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents-sealed without seals and dated this 2nd day of June in the year of our Lord nineteen hundred and forty-nine

Whereas, the above bounden James A. Wise by virtue of a decree of the Circuit Court for Queen Anne's County, in Equity, has been appointed trustee to sell for the purposes of partition the property mentioned in the proceedings in the case of Lulu Belle Kibler, et al vs. Robert F. Kibler, et al now pending in said Court., being No. 3619 chy.

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH

That if the above bounden James A. Wise 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 to be void; otherwise to be and remain in full force and virtue in law.

Signed Sealed and Delivered in the presence of.

AUDREY M. MCCREADY

JAMES A WISE (SEAL)

FIDELITY & DEPOSIT CO. OF MD.

AUDREY M. MCCREADY

By: JAMES A. WISE (SEAL)  
Attorney-in-fact

Corporate Seal Place.

STATE OF MARYLAND, CAROLINE COUNTY, TO WIT:

I hereby certify that if the foregoing Bond were offered in the Circuit Court for Caroline County, the same would be accepted and approved.

Seal  
Place.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 2nd day of June, A.D. 1949.

D. RALPH HORSEY CLERK

Power of Attorney is attached to the foregoing Bond.

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

Security approved and Bond filed June 6, 1949.

NELLIE B. WHITELEY,  
Clerk

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. 1, folio 109, 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 Sixth day of June, in the year nineteen hundred and forty nine.

Orphans'  
Court  
Seal.

NELLIE B. WHITELEY  
Clerk

REPORT OF SALE  
Filed August 30, 1949

LULU BELLE KIBLER  
et al.

vs.

ROBERT F. KIBLER,  
et al.

IN THE CIRCUIT COURT  
FOR QUEEN ANNE COUNTY  
IN EQUITY  
No. 3619 CHY.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of James A. Wise, Trustee, in the above entitled cause, respectfully shows:

First: That by a decree of this Honorable Court, passed in the above entitled cause on the 2nd day of June, 1949, he was duly appointed Trustee, to sell the property decreed to be sold in said cause.

Second: That, after having given bond as required by law and said decree, with surety approved by the Clerk of the Circuit Court for Queen Anne's County, and after having given more than three weeks' notice of the time, place, manner and terms of sale of advertisement inserted in The Record-Observer, a newspaper printed and published in Queen Anne's County, Maryland, as will appear by a printer's certificate of said advertisement filed herewith, your Trustee did attend at public sale, on the premises, in the town of Queen Anne, Maryland, on July 5, 1949, at 2:00 P.M., D.S.T., and did then and there offer and expose all the right, title, interest and estate at law and in equity, of all the parties to the aforesaid cause, of, in and to the property therein mentioned to the highest bidder, said property being described as follows:

ALL AND SINGULAR that lot, piece or parcel of land, SITUATE in the town of Queen Anne, Queen Anne's County, Maryland, and described as follows, that is to say:

BEGINNING at a spike driven in the westerly face of an electric power transmission pole standing on the southeasterly side-line of Right-of-Way of the Oxford Branch Delmarva Division, Pennsylvania Railroad, where the same is intersected by the Westerly side-line of Broad Street, said point being thirty-three feet southeasterly from the center line of the main track of the said Railroad toward the center of a curve along the said track is laid; thence (1) with the Westerly line of Broad Street, South thirty degrees, five minutes East, one hundred twenty feet to an iron pipe and the northerly line of a lot belonging now or formerly to George C. Moore, Jr.; thence (2) with the said Moore lot, South fifty-nine degrees, fifty-five minutes West, one hundred fifty feet to an iron pipe and the easterly line of lands belonging now or formerly to the heirs of Joseph Brown; thence (3) with the said Brown's land, North six degrees, fifty-eight minutes West eighty-four feet to an iron pipe and the southeasterly side-line of the Right-of-Way of the Railroad hereinbefore mentioned; thence (4) with the said Right-of-Way and on a curve to the North-east, the cord of which bears North thirty-nine degrees, fifty-one minutes East, one hundred twenty-four and fifty-eight one hundredths feet to the place of beginning, according to Survey made by Kastenhuber and Anderson, Civil Surveyors, of Easton, Md., dated 14th day of November, A.D. 1933.

BEING the same premises that were conveyed by Abbots Dairies, Incorporated, to Frank H. Kibler by deed dated the 15th day of December, A.D. 1936, and recorded in Liber W.H. C. No. 4A, Folio 145, one of the Land Record Books for Queen Anne's County Maryland.

Third: That no higher bid being made for the said property than One Thousand Dollars (\$1,000.00), and the same being considered inadequate by the said Trustee no sale thereof was made.

Fourth: That the aforesaid property consists of a lot of ground improved by an ice-making plant containing appropriate machinery; that, according to the informed opinion that business, as verified by the fruitless efforts of your Trustee, the retail ice business is on the wane due to the evolution of home refrigeration; that such plants as the one in these proceedings are no longer financially profitable nor good investments; that as a result potential buyers are very few and uninterested.

Fifth: That your Trustee has made exhaustive and extensive efforts to seek out prospective buyers, both for the plant as a whole and for the real estate and machinery separately; that he has secured the maximum offer for them together, the amount thereof being Fourteen Hundred Dollars (\$1,400.00).

Sixth: That your Trustee has therefore sold the said property at private sale to Horace M. Morgan for the aforesaid sum, the same being the highest offer he was able to obtain therefor, and the said purchaser has satisfactorily complied with the terms of sale.

Respectfully submitted,

JAMES A. WISE  
Trustee

STATE OF MARYLAND, CAROLINE COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 29th day of August, 1949, before me, the subscriber, a Notary Public of the State of Maryland, in and for Caroline County aforesaid, personally appeared James A. Wise, Trustee, and made oath in due form of law that the matters and things stated in the foregoing Report of Sale are correct and true as therein stated, to the best of his knowledge and belief and that the sale there in reported was fairly made.

WITNESS my hand and Notarial Seal.

Notary  
Public  
Seal.

ELINOR T. PRUETT  
Notary Public

Filed August 30, 1949

LULU BELLE KIBLER,  
et al.

Vs.

ROBERT F. KIBLER,  
et. al.

) FOR QUEEN ANNE'S COUNTY  
) IN EQUITY, No. 3619 Chy.

ORDERED, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, that the sale of the property mentioned in these

proceedings, made and reported by James A. Wise Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the day of \_\_\_\_\_ next; provided a copy of this ORDER be inserted in some newspaper printed and published in Caroline County, once in each of four successive weeks, before the \_\_\_\_\_ day of \_\_\_\_\_ next.

The Report states the amount of sales to be \$1,400.00

\_\_\_\_\_, Clerk

CERTIFICATE OF PUBLICATION OF SALE  
Filed August 30, 1949

TRUSTEE'S SALE

of Valuable

Real Estate

Under and by virtue of a decree passed by the Circuit Court for Queen Anne's County, in Equity, on the 2nd day of June, 1949, in a cause wherein Lulu Belle Kibler et al, are Complainants and Robert F. Kibler et al. are defendants, being Chancery No. 3619, the undersigned as Trustees named in said decree, will offer and expose at public sale to the highest bidder on the premises in the town of Queen Anne, Maryland, on, TUESDAY, JULY 5, 1949 1948, at 2:00 o'clock P.M., Daylight Saving Time, the following described real estate:

ALL AND SINGULAR that lot, piece or parcel of land, SITUATE in the town of Queen Anne, Queen Anne's County, Maryland, and described as follows, that is to say:

BEGINNING at a spike driven in the westerly face of an electric power transmission pole standing on the southeasterly side-line of Right-of-Way of the Oxford Branch, Delmarva Division, Pennsylvania Railroad, where the same is intersected by the Westerly side-line of Broad Street, said point being thirty-three feet Southeastwardly from the center line of the main track of the said Railroad toward the center of a curve along the said track is laid; thence (1) with the Westerly line of Broad Street, South Thirty degrees, five minutes East, one hundred twenty feet to an iron pipe and the northerly line of a lot belonging now or formerly to George C. Moore, Jr., thence (2) with the said Moore's lot, South fifty-nine degrees, fifty-five minutes West, one hundred fifty feet to an iron pipe and the easterly line of lands belonging now or formerly to the heirs of Joseph Brown; thence (3) with the said Brown's land, North six degrees, fifty eight minutes West, eighty-four feet to an iron pipe and the southeasterly side-line of the Right-of-Way of the Railroad hereinbefore mentioned; thence (4) with the said Right-of-Way and on a curve to the North-east, the cord of which bears North thirty-nine degrees fifty one minutes East, one hundred twenty-four and fifty-eight one hundredths feet to the place of beginning., according to Survey made by Kastenhuber and Anderson Civil Surveyors, of Easton, Md., dated 14th day of November, A.D. 1933.

BEING the same premises that were conveyed by Abbotts Dairies, Incorporated, to Frank H. Kibler by deed dated the 15th day of December, A.D. 1936, and recorded in Liber W.H.C. No. 4A, Folio 145, one of the Land Record Books for Queen Anne's County, Maryland.

IMPROVEMENTS

Improvements on this property consist of a completely-equipped and modern ice factory and ice storage plant. The plant has a daily production capacity of seven tons and a storage capacity for ten tons. It is powered by electricity and has a seven-by-seven compressor. This plant has for several years past been used as an auxiliary factory during the summer months and was so operated last year. It has not been put into operation this season but is equipped to commence immediately. Inspection of this plant may be arranged through the undersigned Trustee.

TERMS OF SALE

The terms of sale prescribed by said decree are one-third of the purchase money cash on day of sale, the balance to be paid upon ratification of sale or all cash at the option of the purchaser or purchasers; deferred payment, if any, to be secured to the satisfaction of said Trustee. Title papers and documentary stamps at expense of purchaser.

JAMES A. WISE  
Trustee

William E. Andrew, Auctioneer.

NOTE - Sale of a similar plant at Ridgely, Maryland will be made by the above Trustee at the premises at three o'clock the same date, after which the vehicles used in the business and several extra electric motors will be sold.

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. August 30, 1949

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Trustee's Sale in the case/estate of Lula Belle Kibler et al vs. Robert F. Kibler et al. Chancery #3619 a true copy of which is annexed hereto, was published in the QUEEN ANNE'S RECORD-OBSERVER, a weekly newspaper and published at Centreville, in Queen Anne's County, Maryland, once a week for 4 successive weeks before the 5th day of July 1949, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 16th day of June 1949, and the last insertion on the 30th day of June 1949.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

By BARBARA. L. BINEBRINK

Filed August 30, 1949

ORDER NISI  
Filed August 30, 1949

N I S I

Lulu Belle Kibler, et al.,	)	IN THE CIRCUIT COURT
	)	FOR QUEEN ANNE'S COUNTY
VS.	)	IN EQUITY
	)	
Robert F. Kibler, et al.	)	
	)	CHANCERY NO. <u>3619</u>

ORDERED, This 30th day of August A.D., 1949, that the sale of real estate made and reported in this cause by James A. Wise, Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 1st. 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 1st. day of October next.

The Report states the amount of sales to be \$1,400.00.

NELLIE B. WHITELEY Clerk

Filed August 30, 1949.

NISI  
Filed November 9, 1949

Lulu Belle Kibler, et al,	:	IN THE CIRCUIT COURT
	:	FOR QUEEN ANNE'S COUNTY
vs	:	IN EQUITY
	:	
Robert Kibler, et al.	:	Chancery No. 3619

ORDERED, This 30th day of August A.D., that the sale or real estate made and reported in this cause by James A. Wise, Trustee, be ratified and confirmed, unless cause to be the contrary thereof be shown on or before the 1st 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 1st day of October next.

The Report states the amount of sales to be \$1,400.00.

NELLIE B. WHITELEY, Clerk

Filed: August 30, 1949  
True Copy  
Test: Nellie B. Whitelcy, Clerk

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. November 8, 1949

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Order Nisi in the case/estate of Lulu Belle Kibler, et al vs Robert Kibler 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 1st day of October, 1949 and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 1st day of September 1949, and the last insertion on the 22nd day of September 1949.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

By CHARLOTTE M. MEARS

Filed November 9, 1949

FINAL ORDER RATIFICATION OF SALE  
Filed November 9, 1949

LULU BELLE KIBLER, : IN THE CIRCUIT COURT  
 et al. :  
 Vs. : FOR QUEEN ANNE'S COUNTY  
 Robert F. Kibler, : IN EQUITY, No. 3619 CHY.  
 et. al. :  
 :

ORDERED, This 9th day of November, 1949, by the Circuit Court for Caro-  
 line County, in Equity, that the sale of the property mentioned in these proceedings by  
 James A. Wise, Trustee, 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 previous Order of this Court; and the Trustee is allowed the usual com-  
 missions and all expenses, not personal, for which he shall produce vouchers to the  
 Auditor.

WM. R. HORNEY  
 Judge

Filed November 9, 1949

A U D I T  
 Filed December 20, 1949

Lulu Belle Kibler, et al., } In the Circuit Court for  
 vs. } Queen Anne's County  
 Robert F. Kibler, et al. } in Equity.  
 Cause No. 3619

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Howard Wood, 3rd, your Auditor, unto your Honors, respect-  
 fully shows:

1. That this account is stated at the request of James A. Wise, the trustee appointed by this Court's decree of June 2, 1949 (Paper No. 11).
2. That in the within account, said trustee is charged with the gross proceeds of sale of the land sold in these proceedings at private sale; and is the allowed his commissions, per rule of Court, the Court costs, bond premims, costs of advertising the attempted public sale, and the several orders nisi of the cause, the auctioneer's fee, the auditor's fee and 1949 taxes to August 25, 1949, the date of said private, sale, (per letter of said trustee to the Clerk of Court).
3. That the balance of said proceeds is then distributed among the joint owners of the land sold, being the widow and devisees of Frank H. Kibler, deceased former owner; the share of Francis H. Kibler, Jr., infant, to remain subject to the future order of this Court as to the payment thereof.

Respectfully submitted,

HOWARD WOOD, 3rd.  
 Auditor

December 20, 1949.

Cause No. 3619

The proceeds of the sale of the Real Estate sold in this cause, in account, with James A. Wise, the Trustee appointed by the decree passed in said cause to sell said Real Estate.

Cr.

1949  
 August 29 By amount of the gross sale of the land sold by said Trustee, per Report of Sale filed, to wit:  
 the sum of..... \$1,400.00

Dr.

1949  
 August 29 To James A. Wise, Trustee, for his commissions per rule of Court, for making the sale mentioned, to wit: the sum of..... \$91.50  
 To do., for the Court Costs of this Cause, per statement of Clerk of Court, exhibited to the Auditor, to wit: the sum of 61.25  
 To do., for the cost of his bond as Trustee, filed in this cause with corporate surety thereon, per account for same exhibited to the Auditor, to wit: the sum of..... 32.00  
 To do., for the cost of advertising the public sale attempted to be made by

said Trustee, per receipted bill of the Queen Anne's Record-Observers exhibited to wit: the sum of.....	69.75	
To do., for the cost of advertising the order nisi passed on Report on Sale, per receipted bill of the Queen Anne's Record-Observers exhibited, the sum.....	7.50	
To do., for the fee of William E. Andres, the auctioneer who called the public sale aforesaid, per account exhibited, the sum of.....	10.00	
To do., for 1949 taxes on said land to the date of the private sale thereof, August 25, 1949, per bill of C. Percy Arrington, Treasurer of Queen Anne's County exhibited, the sum of.....	40.32	
To do., for the cost of advertising the order nisi to be passed as to this audit in the Queen Anne's Record-Observers, the sum of..	5.00	
To Howard Wood, 3rd, Auditor, for stating this account, the sum of.....	13.50	
	<u>\$330.82</u>	
To balance carried to next page.....	1,069.18	
		<u>\$1,400.00</u>

Cr.

By Balance brought over.....	1,069.18
------------------------------	----------

Dr.

DISTRIBUTION AMONG JOINT OWNERS, THE WIDOW AND DEVISEES  
OF FRANK H. KIBLER, DECEASED.

To Lulu Belle Kibler, his widow, the following shares of said balance, to wit: (1) as said widow, by virtue of her renunciation of the provisions of the will of said decedent: 1/3 of said balance, to wit:.....	\$356.39	
(2) as heir at law of Mary Kibler, deceased devisee: 1/6 of said balance, to wit:.....	178.20	534.59
To Charlotte T. Roche, one of said devisees, 1/6 of said balance, to wit:.....		178.20
To Robert F. Kibler, one of said devisees, 1/6 of said balance, to wit:.....		178.20
To Francis H. Kibler, Jr., infant, one of said devisees, subject to the future order of this court as to the payment thereof, 1/6 of said balance, to wit:		<u>178.20</u>
		<u>\$1,060.18</u>

HOWARD WOOD 3RD  
Auditor

December 20, 1949

Filed December 20, 1949

NISI RATIFICATION OF AUDIT  
Filed December 20, 1949

NISI RATIFICATION OF AUDIT

Lulu Belle Kibler, et al.,	)	IN THE CIRCUIT COURT
VS.	)	FOR QUEEN ANNE'S COUNTY
Robert F. Kibler, et al.	)	IN EQUITY
	)	Cause No. <u>3619</u>

ORDERED, This 20th day of December in the year nineteen hundred and forty nine that the Report and Account filed in these proceedings by Howard Wood, 3rd, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 13th day of January, 1950 provided a copy of this order be published once a week in each of two successive weeks before the 6th day of January 1950, in some newspaper printed and published in Queen Anne's County.

NELLIE B. WHITELEY Clerk

Filed December 20, 1949

NISI RATIFICATION OF AUDIT  
Filed January 18, 1950

Lulu Belle Kibler, et al.,  
VS.  
Robert F. Kibler, et al,

)  
)  
)  
)  
)  
)

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

Cause No. 3619

ORDERED, This 20th day of December in the year nineteen hundred and forty nine that the Report and Account filed in these proceedings by Howard Wood, 3Rd, Auditor be ratified and confirmed unless cause to the contrary thereof be shown on or before the 13th day of January, 1950, provided a copy of this order be published once a week in each of two successive weeks before the 6th day of January, 1950, in some newspaper printed and published in Queen Anne's County.

NELLIE B. WHITELEY, Clerk

Filed: December 20, 1949  
True Copy  
Test: Nellie B. Whiteley, Clerk.

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. Jan. 17, 1950

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 Lulu Belle Kibler, et al. vs. Robert F. Kibler, 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 6th day of January 1950, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 22nd day of December 1949, and the last insertion on the 29th day of December 1949.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

By: BARBARA L. BINEBRINK

Filed January 18, 1950

FINAL ORDER OF RATIFICATION OF AUDIT  
Filed January 18, 1950

LULU BELL KIBLER ET AL  
VS  
ROBERT F. KIBLER ET AL

: IN THE CIRCUIT COURT  
:  
: FOR QUEEN ANNE'S COUNTY  
:  
: IN EQUITY  
:  
: NO. 3619 CHY.

FINAL ORDER OF RATIFICATION OF AUDIT

ORDERED, this 17th day of January, 1950, by the Circuit Court for Queen Anne's County, in Equity, that the Report of the Auditor 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 previous Order of the Court, and the Trustee is directed to disburse in accordance therewith with a due proportion of interest as the same has been or may be received.

WM R. HORNEY  
Judge

Filed January 18, 1950



CAUSE NO. 3623

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Fifth day of May, in the year of nineteen hundred and forty-nine, the following Order to Docket Suit was filed for record, to wit:

B. Hackett Turner and Edward Turner, Assignees of Mortgage

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

VS.

Chancery No. 3623

Marion Lowman and Herman N. Trice, Individually and Marion Lowman and Herman N. Trice, a Co-Partnership, trading as Lowman & Trice, Mortgagors

\*\*\*\*\*

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 papers of said suit a certified copy of the mortgage of Marion Lowman and Herman Trice, a co-partnership, trading as Lowman & Trice to The Atlantic Refining Company, dated 31st July 1946 and recorded in Liber A. S. G. Jr. # 14 folio 450 etc., and all assignments thereof.

The suit, to be docketed as aforesaid, is 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 interest and principal due on the principal mortgage at the times therein provided for the payment thereof.

AMD AS IN DUTY BOUND, ETC.,

B. HACKETT TURNER, JR. EDWARD TURNER Assigners of Mortgage

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

This is to certify that on this 5th day of May 1949, before the subscriber, Clerk of the Circuit Court for Queen Anne's County, personally appeared B. Hackett Turner, Jr. one of the assignees of the mortgage, and made oath in due form of law that Marion Lowman and Herman N. Trice, the mortgagors named in the mortgage referred to in the foregoing order to docket suit, are not now, nor has either of them been within three months prior hereto, in the military service of the United States as defined in The Soldiers & Sailors Relief Act of 1940, to the best of his knowledge and belief, and that the said Marion Lowman is a resident of Queen Anne's County, Maryland and that the said Herman N. Trice lives in the State of Delaware.

NELLIE B. WHITELEY Clerk

Filed May 5, 1949 CERTIFIED COPY OF MORTGAGE Filed May 5, 1949

..... QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Thirty First day of July, in the year nineteen hundred and forty six, the following Mortgage and Plat were brought to be recorded, to wit:-

Two-Two Dollar Recordation Tax Stamps, Endorsed T.A.R. Co. 7/31/46

M O R T G A G E

THIS MORTGAGE, made this thirty-first day of July in the year 1946 by and between LOWMAN AND TRICE, a co-partnership consisting of Marion Lowman and Herman N. Trice, Mortgagor, of Templeville, in the State of Maryland, of the first part, and THE ATLANTIC REFINING, a Pennsylvania corporation duly registered to do business in the State of Maryland, with its principal offices in Philadelphia, Pennsylvania, Mortgagee, of the second part.

WHEREAS Mortgagor is justly indebted to the Mortgagee as evidenced by a Promissory Note of even date for the payment of Four Thousand Dollars (\$4,000.00), together with interest thereon at the rate of four per cent (4%) per annum, payable as follows: for a period of three (3) months after the date thereof said interest being payable monthly, and beginning with the fourth month after the date thereof said principal and interest being payable in monthly installments of Forty Dollars and Fifty Cents (\$40.50), said installments being applicable first to the payment of interest as aforesaid and any excess thereof to the reduction of the principal debt,

NOW, THEREFORE, THIS MORTGAGE WITNESSETH, that in consideration of the premises and the sum of One Dollar (\$1.00), the said Mortgagor does grant and convey unto said Mortgagee, its successors and assigns, in fee simple.

ALL THAT CERTAIN lot of land with the buildings and improvements thereon erected, SITUATE, lying and being in the Village of Templeville in the First Election District of Queen Anne's County in the State of Maryland on the north side of the State

Road leading from said Village of Templeville to Hartley in the State of Delaware, bounded on the south by said State Road, bounded on the east by the land of Knotts & Davis, formerly the land of Miss Bailey, bounded on the west by the land of Knotts & Davis formerly the land of Isaac Joslin, and bounded on the north by the land of Knotts & Davis, formerly the land of Miss Bailey; and contained within the following metes and bounds, courses and distances, according to a survey of the same, made the 15th day of June, 1946, by J. M. Bye, Registered Professional Land Surveyor, Maryland No. 1163 of S. G. Bye & Son, Surveyors, Denton, Maryland, for Marion Lowman and Herman Trice, copy of which is hereto attached to be recorded as a part hereof, to wit:

BEGINNING for the same on the north side of the State Road leading from Templeville in Queen Anne's County, Maryland, to Hartley in the State of Delaware at a stone set sixteen feet (16') from the center of said road at the beginning of a line between the property surveyed (to wit: that of Lowman and Trice) and the land of Knotts and Davis; and running thence by the line mentioned the three following courses; (1) North four degrees West (N. 4 W.) one hundred sixty-seven feet (167') to a stone; (2) South eighty-seven degrees fifteen minutes West (S. 87 15' W.) one hundred feet (100') to a stone (3) South four degrees fifteen minutes East (S. 4 15' E.) one hundred seventy-three feet (173') to a stone set on north side of the Before-mentioned road and sixteen feet (16') from the center of same; thence on by said north side of before-mentioned State road North eighty-three degrees East (N. 83 E.) one hundred feet (100') to the place of beginning.

CONTAINING seventeen thousand (17,000) square feet of land, more or less.

BEING the same premises which Paul T. Shelton and Clara Bell Shelton, his wife, by Deed dated March 30, 1946 and recorded in Liber A. S. G. No. 13, folio 319, a land record book of Queen Anne's County, granted and conveyed unto Lowman and Trice, a co-partnership consisting of Marion Lowman and Herman N. Trice, in fee simple.

TOGETHER WITH the buildings and improvements thereon and the rights roads, ways, waters, privileges, appurtenances and advantages, thereto belonging, or in anyway appertaining.

TO HAVE AND TO HOLD the aforesaid parcel of ground and premises unto and to the proper use and benefit of said Mortgagee, its successors and assigns, forever, in fee simple.

PROVIDED, HOWEVER, that if the said Mortgagor, their heirs, personal representatives, successors or assigns, shall well and truly pay or cause to be paid the aforesaid sum of Four Thousand Dollars (\$4,000.00), and all interest thereon accrued, when and as the same may be due and payable, as hereinbefore set forth, 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 shall possess the aforesaid property upon paying in the meantime, all taxes and assessments, public dues and charges of every kind, levied or assessed on said hereby mortgaged property, which taxes, assessments, public dues, charges, mortgage debt and interest; the said mortgagor, for themselves, their heirs, personal representatives, successors 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 the, 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 it shall be lawful for the said mortgagee, its successors or assigns, or 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 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 Queen Anne's County, and such other notice as by the said mortgagee, its successors or assigns, 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 fee of \$150.00 and a commission of 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; second, to the payment of all claims of the said mortgagee its successors and assigns under this mortgage, whether same shall have been matured or not, and the surplus (if any there be) shall be paid to the said mortgagor, their personal representatives, successors or assigns, or to whoever may be entitled to the same.

AND the said mortgagor, for themselves, their heirs, personal representatives, successors and assigns, does hereby covenant and agree that immediately upon the first insertion of the 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 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, for their heirs, personal representatives, successors and assigns, does hereby covenant to pay, and the said mortgagee, its successors or assigns, 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 costs, expenses and commissions.

AND the said mortgagor, for their personal representatives successors and assigns, does further covenant to insure, and pending the existence of this mortgage to keep insured in some good company satisfactory to the said mortgagee, its successors and assigns, the improvements on the hereby mortgaged land to the amount of at least

Four Thousand Dollars (\$4,000.00), and to cause the policy to be affected thereon, to be so framed or endorsed, as in case of fire, to inure to the benefit of the said mortgagee, its successors and assigns, to the extent of its lien or claim hereunder, and to deliver said policy or policies to the said mortgagee, its successors and assigns.

Witness the hands and seals of the said mortgagor.

Witnesses:

DELHA DANCY ROLPH  
Delha Dancy Rolph

DELHA DANCY ROLPH  
Delha Dancy Rolph

LOWMAN AND TRICE, a co-partnership consisting of Marion Lowman and Herman N. Trice,

MARION LOWMAN (SEAL)  
(Marion Lowman, co-partner)

HERMAN N. TRICE (SEAL)  
(Herman N. Trice, co-partner)

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I HEREBY CERTIFY that on this thirty-first day of July in the year nineteen hundred and forty six, before me, the subscriber, a Notary Public of the State of Maryland in and for Queen Anne's County aforesaid, personally appeared Marion Lowman and Herman N. Trice, being all of the partners forming the partnership of LOWMAN AND TRICE the Mortgagor named in the foregoing MORTGAGE to be their act and the act of said partnership.

IN WITNESS WHEREOF I do hereunto subscribe my name and affix my Seal Notarial the day and year above written.

Notary  
Public  
Seal.

DELHA DANCY ROLPH  
Delha Dancy Rolph - NOTARY PUBLIC

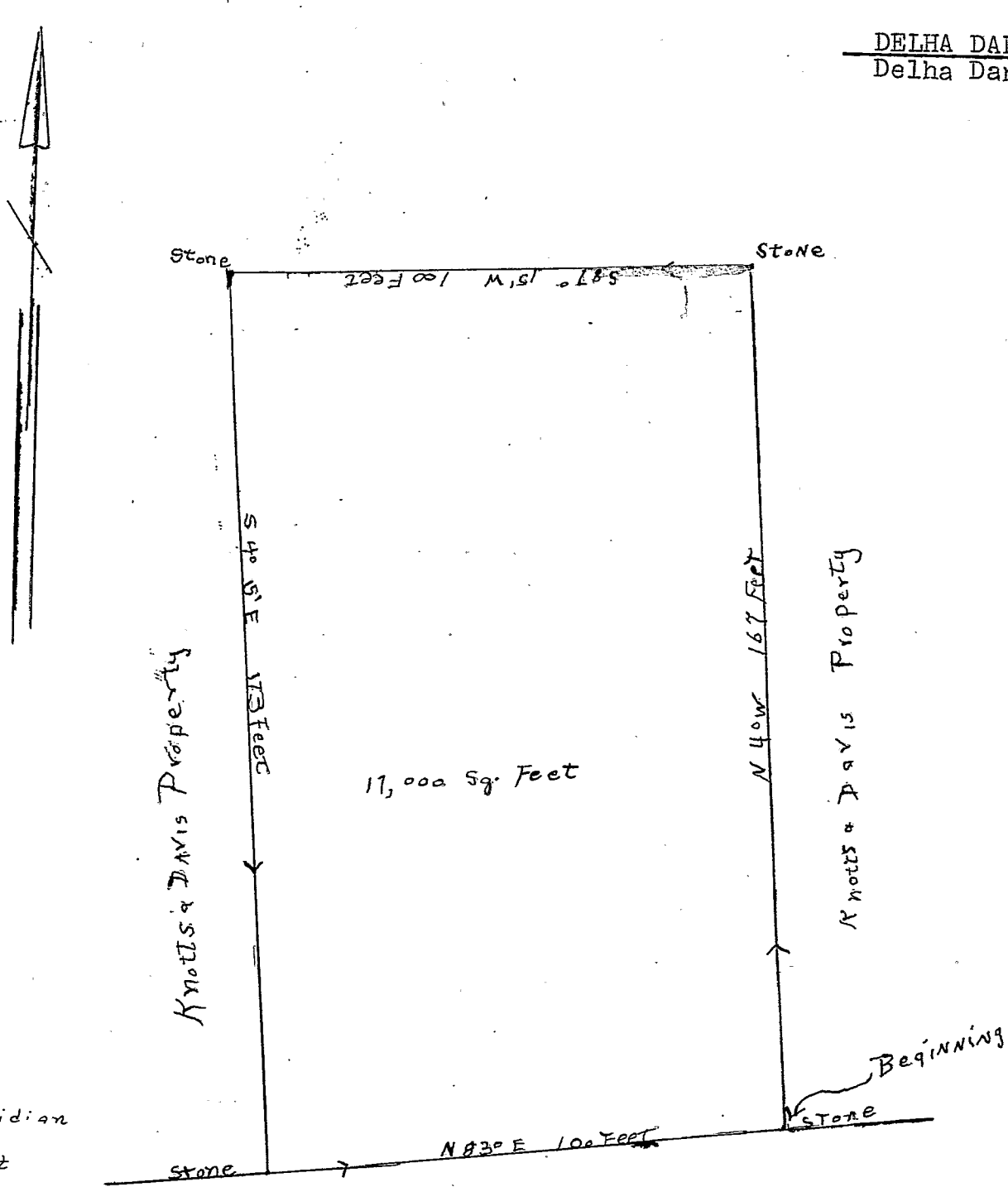
STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I HEREBY CERTIFY that on this thirty-first day of July in the year nineteen hundred and forty six, before me, the subscriber, a Notary Public of the State of Maryland in and for Queen Anne's County aforesaid, personally appeared J. E. Lofland, Agent of and for THE ATLANTIC REFINING COMPANY, the above named MORTGAGEE and he did make 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 that he is the duly authorized Agent of the said Mortgagee the said ATLANTIC REFINING COMPANY to make this affidavit for and on behalf of the said ATLANTIC REFINING COMPANY, MORTGAGEE.

IN WITNESS WHEREOF I do hereunto subscribe my name and affix my Seal Notarial the day and year above written.

Notary  
Public  
Seal.

DELHA DANCY ROLPH  
Delha Dancy Rolph - NOTARY PUBLIC



All courses true Meridian  
Scale: 1 inch = 30 Feet

S. S. Bye & Son  
J. M. Bye, Surveyor  
Maryland Reg. No. 1163  
Denton, Maryland  
June 15, 1946

Templeville - Hartley State Road

"MARVIN LOWMAN - HERMAN TRICE  
lot"  
Queen Anne Maryland

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Fifth day of May, in the year nineteen hundred and forty nine, the following Assignment was brought to be recorded, to wit:-

The Atlantic Refining Company, a Pennsylvania corporation, mortgagee named in the within mortgage, does hereby assign, transfer and set over said mortgage unto B. Hackett Turner and Edward Turner, attorneys, for collection or otherwise, for the account of said corporation, the mortgagee, herein.

In Testimony Whereof, said The Atlantice Refining Company has caused this assignment to be executed by affixing its corporate seal duly attested by its officers thereunto duly authorized this 28th day of April, 1949.

THE ATLANTIC REFINING COMPANY

By H. SUPPLEE JR.  
Vice President

Attest L. HEFFERN  
Assistant Secretary

Corporate  
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. 14, folios 450, 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 Fifth day of May, in the year nineteen hundred and forty nine.

Seal's  
Place.

NELLIE B. WHITELEY  
Clerk

CERTIFIED COPY OF BOND  
Filed May 5, 1949

QUEEN ANNE'S COUNTY, to wit: Be it remembered that on this Fifth day of May, in the year nineteen hundred and forty nine, 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, B. Hackett Turner, Jr., and Edward Turner both of Queen Anne's County, State of Maryland, as principals, and the UNITED STATES FIDELITY AND GUARANTY 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-FIVE-THOUSAND DOLLARS (\$5,000.00)-----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 Fifth day of May 1949;

WHEREAS a certain mortgage from Lowman & Trice, a co-partnership consisting of Marion Lowman & Herman Trice to The Atlantic Refining Company, a Pennsylvania Corporation, dated 31 July 1946 and recorded in Liber A. S. G. Jr. No. 14, folio 450 etc., a land record book for Queen Anne's County aforesaid, by assignment duly recorded, duly assigned unto B. Hackett Turner, Jr., and Edward Turner, which said assignment is recorded among the land records aforesaid at the foot of said mortgage:

AND WHEREAS, the above bounden B. Hackett Turner, Jr, and Edward Turner assignees of mortgage, are about to execute the power of sale contained in the above described mortgage by making sale of the property described in, granted and conveyed by the said mortgage, default having occurred in the terms, conditions and covenants of the said mortgage by reason of the non-payment of the principal mortgage debt named in said mortgage and by reason of the non-payment of the interest covenanted to be paid upon said principal mortgage debt by the terms of the said mortgage at the times therein provided for the payment thereof;

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH that if the above bounden B. Hackett Turner, Jr. and Edward Turner, 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

B. HACKETT TURNER, JR. (SEAL)  
B. Hackett Turner, Jr.

EDWARD TURNER (SEAL)  
Edward Turner

UNITED STATES FIDELITY AND  
GUARANTY COMPANY:

by B. HACKETT TURNER, JR.  
B. Hackett Turner, Jr.

ITS ATTORNEY-IN-FACT

Corporate Seal Place.

ATTEST:

BERNICE H. FREENY

And at the foot of the foregoing Bond is thus endorsed, to wit:

Security approved and Bond filed May 5, 1949.

NELLIE B. WHITELEY  
Clerk

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. 1, folio 96, 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 Fifth day of May, in the year nineteen hundred and forty nine.

Seal's Place.

NELLIE B. WHITELEY  
Clerk

REPORT OF SALE  
Filed May 14, 1949

B. Hackett Turner, Jr. and Edward Turner, Assignees of Mortgage

VS.

Marion Lowman and Herman N. Trice, a co-partnership trading as Lowman & Trice

In the Circuit Court for Queen Anne's County.

Chancery No. 3623



\*\*\*\*\*

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of B. Hackett Turner Jr. and Edward Turner, Assignees of the mortgage from Marion Lowman and Herman N. Trice, a co-partnership trading as Lowman & Trice to The Atlantic Refining Company, a Pennsylvania corporation, bearing date the 31st day of July 1946, and recorded in Liber A. S. G. Jr. #14 folio 450, etc., a land record book for Queen Anne's County, Maryland, respectfully shows:

1. That said mortgage was duly assigned unto the said B. Hackett Turner, Jr. and Edward Turner for the purpose of collection by foreclosure or otherwise, said assignment being recorded among the land records at the foot of said mortgage.

2. That default was made by the mortgagors by reason of the non-payment of the interest and principal due on the principal due on the principal mortgage debt thereon covenanted to be paid by the terms of said mortgage at the times therein provided for the payment thereof.

3. That after giving bond to the State with such security as the Clerk of this Court did approve conditioned to abide 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 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 Assignees did, pursuant to said notice, attend in front of the Court House Door in the Town of Centreville, Queen Anne's County, Maryland, on Tuesday, June 7th, 1949, beginning at the hour of 1:30 o'clock P.M. D.S.T. 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 offer the mortgaged property for sale in manner following, that is to say:

Said Assignees offered at public sale to the highest bidder the property granted and conveyed by said mortgage and described as follows, after first reading the advertisement of said sale as it appeared in The Queen Anne's Record-Observer, to wit:

ALL THAT CERTAIN lot of land with the buildings and improvements thereon erected, situate, lying and being in the village of Templeville in the First Election District of Queen Anne's County in the State of Maryland on the north side of the State Road leading from said village of Templeville to Hartley in the State of Delaware bounded on the south by said State Road, bounded on the east by the land of Knotts & Davis, formerly the land of Miss Bailey bounded on the west by the land of Knotts & Davis formerly the land of Isaac Joslin and bounded on the north by the land of Knotts

& Davis, formerly the land of Miss Bailey; and contained within the metes and bounds, courses and distances, according to a survey of the same, made the 15th day of June, 1946, by J. M. Bye, Registered Professional Land Surveyor, Maryland No. 1163 of S. G. Bye & Son, Surveyors, Denton, Maryland, for Marion Lowman and Herman Trice.

CONTAINING seventeen thousand (17,000) square feet of land, more or less.

BEING the same premises which Paul T. Shelton and Clara Bell Shelton, his wife, by Deed dated March 30, 1946 and recorded in Liber A. S. G. No. 13, folio 319, a land record book of Queen Anne's County, granted and conveyed unto Lowman and Trice, a co-partnership consisting of Marion Lowman and Herman N. Trice, in fee simple.

And said Assignees sold the above described property to The Atlantic Refining Company, a Pennsylvania Corporation having its office at 260 South Broad Street, Philadelphia 1, Pa., at and for the sum of Thirty Eight Hundred Dollars (\$3800.00) it being at that sum the highest bidder therefor, the terms of sale announced before said sale, (in addition to those advertised as will appear by reference to the certificate of advertisement of sale in said newspaper filed herewith as a part hereof).

A. That possession would be given as of day of sale.

B. That the premium on the fire insurance and taxes would be adjusted as of day of sale.

C. That the cost of all title papers and other expenses incident to the transfer of the mortgaged property to the purchaser including revenue and recordation stamps as well as notary fees and recording costs and charges would be payable by the purchaser.

4. That the said purchaser, being the equitable owner of the proceeds of said sale, has agreed to pay all costs and expenses incident to said sale and such taxes that may be due and in arrears, if any, upon demand by the said Assignee.

Respectfully submitted,

B. HACKETT TURNER, JR.

EDWARD TURNER

STATE OF MARYLAND,  
QUEEN ANNE'S COUNTY

)  
) TO WIT:  
)

I HEREBY CERTIFY that on this 14th day of June 1949, before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared B. Hackett Turner, Jr. one of Assignees of the mortgage mentioned and described in the foregoing Report of Sale, and mane oath, in due form of law, that the matters and things stated in the said aforesaid REPORT OF SALE are true, to the best of his knowledge and belief, and that the sale therein reported was fairly made.

NELLIE B. WHITELEY  
Clerk

Filed June 14, 1949

ORDER OF PUBLICATION  
Filed June 14, 1949

Assignees Sale of Valuable

Garage, Building and Filling Station Site

In Templeville

Default having occurred in the terms of the mortgage from Lowman & Trice, a co-partnership consisting of Marion Lowman and Herman Trice to the Atlantic Refining Company, a Pennsylvania corporation, dated July 31, 1946 and recorded in Liber A. S. G., Jr. NO 14, folio 450 etc., a land record book for Queen Annes County, Maryland, and assigned to B. Hackett Turner, Jr. and Edward Turner for the purpose of collection by foreclosure or otherwise, said assignment being dated April 28, 1949, and recorded at the foot of said mortgage, the undersigned, Assignees said mortgage as aforesaid by virtue of the power of sale contained in said mortgage, will sell at Public Sale to the highest bidder in front of the Court House Door in the Town of Centreville, Queen Annes County, Maryland on Tuesday, June 7, 1949 at 1:30 P.M. D. S. T. the following real estate conveyed by said mortgage and described as follows, to wit:

ALL THAT CERTAIN lot of land with the buildings and improvements thereon erected, situate, lying and being in the village of Templeville in the Fifth Election District of Queen Anne's County in the State of Maryland on the north side of the State Road leading from said village of Templeville to Hartley in the State of Delaware, bounded on the south by said State Road, bounded on the east by the land of Knotts & Davis, formerly the land of Miss Bailey, bounded on the west by the land of Knotts & Davis formerly the land of Usaac Joslin, and bounded on the north by the land of Knotts & Davis, formerly the land of Miss Bailey; and contained within the following metes and bounds, courses and distances, according to a survey of the same, made the 15th day of June, 1946, by J. M. Bye, Registered Professional Land Surveyor, Maryland No. 1163 of S. G. Bye & Son, Surveyors,

Denton, Maryland, for Marion Lowman and Herman Trice, copy of which is herto attached to be recorded as a part hereof, to wit:

BEGINNING for the same on the north side of the State Road leading from Templeville in Queen Anne's County, Maryland, to Hartley in the State of Delaware at a stone set sixteen feet (16') from the center of said road at the beginning of a line between the property surveyed (to wit: that of Lowman and Trice) and the land of Knotts and Davis. and running thence by the line mentioned the three following courses: (1) North four degrees West (N. 4 degrees W.) one hundred sixty seven feet (167) to a stone; (2) South eighty-seven degrees fifteen minutes West (S. 87 degrees 15' W.) one hundred feet (100') to a stone; (3) South four degrees fifteen minutes East (S. 4 degrees 15' E.) one hundred seventy-three feet (173') to a stone set on north side of the before-mentioned road and sixteen feet (16') from the center of same; thence on by said north side of before-mentioned State road North eighty-three degrees East (N. 83 degrees E.) one hundred Feet (100') to the place of beginning.

CONTAINING seventeen thousand (17,000) square feet of land, more or less.

BEING the same premises which Paul T. Shelton and Clara Bell Shelton, his wife, by Deed dated March 30, 1946 and recorded in Liber A.S.G. No. 13, folio 319, a land record book of Queen Anne's County, granted and conveyed unto Lowman and Trice, a co-partnership consisting of Marion Lowman and Herman N. Trice, in fee simple.

TERMS OF SALE: One third of purchase money on day of sale, balance within 60 days from day of sale, or all cash at option of purchaser, any unpaid balance of purchase money to bear interest from day of sale until paid. Cost of title papers, revenue stamps and recordation stamps and charges for sale to be paid by purchaser, Possession day of sale, All taxes and fire insurance premium to be adjusted as of day of sale.

B HACKETT TURNER, JR.  
EDWARD TURNER

Assignees of Mortgage.

J. Elmer Anthony, Auctioneer.

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. June 14, 1949

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Assignee's Sale in the case/estate of Marion Lowman and Herman Trice to the Atlantic Refining Company 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 the 7th day of June 1949, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 12th day of May 1949, and the last insertion on the 2nd day of June 1949.

THE QUEEN ANNE'S RECORD  
AND OBSERVER PUBLISHING  
COMPANY

By BARBARA L. BINEBRINK

Filed June 14, 1949

ORDER NISI

Filed June 14, 1949

N I S I

B. Hackett Turner, Jr. and  
Edward Turner,  
Assignees of Mortgage

VS.

Marion Lowman and Herman N.  
Trice, a co-partnership  
trading as Lowman & Trice

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

) CHANCERY NO. 3623

ORDERED, This 14th. day of June A.D., 1949, that the sale of real estate made and reported in this cause by B. Hackett Turner, Jr., and Edward Turner, Assignees, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 16th 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 16th day of July next.

The Report states the amount of sales to be #3800.00.

NELLIE B. WHITELEY Clerk.

\_\_\_\_\_  
Clerk.

Filed June 14, 1949.

STATEMENT OF MORTGAGE DEBT  
Filed August 18, 1949

TURNER AND TURNER, ASSIGNEES  
OF MORTGAGE OF  
  
ATLANTIC REFINING COMPANY  
  
VS.  
  
LOWMAN & TRICE

\*  
\*  
\*  
\*  
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\*

IN THE CIRCUIT COURT  
  
FOR  
  
QUEEN ANNE'S COUNTY.  
  
IN EQUITY  
  
Chancery No. 3623

---Statement of Mortgage Debt---

Principi balance due on mortgage as of April 19th.....	\$2512.32
Interest to and including April 19th.....	\$ 90.09
Interest from April 20th to June 7th, date of sale.....	\$ 18.72
State and County Taxes.....	27.32
Town taxes (Templeville).....	4.88
To amount allowed attorney exerciding power of sale under mortgage.....	150.00
Insurance Premiums Advanced for Account of Lowman & Trice.....	88.64
TOTAL.....	<u>\$3891. 97</u>

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

I HEREBY CERTIFY that on this 18th day of August, 1949 be-  
fore the subscriber, Clerk of the Circuit Court for Queen Anne's County, personally  
appeared B. Hackett Turner, one of the Assignees of Mortgage, and made oath in due  
form of law that the aforegoing Statement of Mortgage Debt is true and to the best  
of his knowledge and belief.

Filed August 18, 1949

NELLIE B. WHITELEY  
Clerk.

NISI  
Filed September 3, 1949

B. Hackett Turner, Jr.  
and Edward Turner,  
Assignees of Mortgage

VS.

Marion Lowman and Herman N.  
Trice, a co-partnership  
trading as Lowman and Trice

)  
) In the Circuit Court  
)  
) for Queen Anne's County  
)  
) in Equity  
)  
)  
) Chancery No. 3623

ORDERED, This 14th day of June A.D., 1949, that the sale of real estate  
made and reported in this cause by B. Hackett Turner, Jr. and Edward Turner, Assignees  
be ratified and confirmed, unless cause to the contrary thereof be shown on or before  
the 16th day of August next; provided a copy of this order be inserted in some news-  
paper printed and published in Queen Anne's County, Maryland, once in each of four suc-  
cessive weeks before the 16th day of July next.

The Report states the amount of sales to be \$3,800.00.

NELLIE B. WHITELEY  
Clerk

Filed: June 14, 1949  
True Copy  
Test: Nellie B. Whiteley, Clerk

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. August 31 1949

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby  
certify that the Nisi in the case/estate of B. Hackett Turner, Jr. and Edward Turner  
Assignees of Mortgage vs. Marion Lowman and Herman N. Trice, a co-partnership trading  
as Lowman & Trice 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 16th day  
of July 1949, and that the first insertion pf said advertisement in said QUEEN ANNE'S  
RECORD-OBSERVER was on the 16th day of June 1949 and the last insertion on the 7th  
day of July 1949.



By BARBARA L. BINEBRINK

September 3, 1949

B. Hackett Turner, Jr. and  
Edward Turner, Assignees of  
Mortgage for foreclosure

VS.

Marion Lowman and Herman N. Trice  
a co-partnership trading as  
Lowman & Trice

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

Chancery No. 3623

\*\*\*\*\*

ORDERED, this 3rd day of September, 1949, by the Circuit Court for Queen Anne's County, in Equity, that the sale made and reported by Turner & Turner Assignees for foreclosure, 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 Assignees are allowed the usual commissions and such proper expenses, not personal, as they shall produce vouchers for to the Auditor.

WM R. HORNEY  
Judge

Filed September 3, 1949

A U D I T  
Filed December 6, 1949

B. HACKETT TURNER and  
EDWARD TURNER, Assignees  
of Mortgage,

vs.

MARION LOWMAN AND HERMAN  
N. TRICE, Individually,  
and MARION LOWMAN and  
HERMAN N. TRICE, a Co-partnership,  
trading as Lowman & Trice, Mortgagors.

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

Cause No. 3623

\*\*\*\*\*

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Howard Wood, 3rd, your Auditor, unto your Honors,  
respectfully shows:

1. That this account is stated at the request of B. Hackett Turner and Edward Turner, Assignees of Mortgage (and vendors) in this foreclosure proceeding; and it appears that the net proceeds of the mortgage sale were insufficient for the payment of the mortgage debt and interest, taxes, attorney's fee and insurance premiums, constituting the mortgage indebtedness as of the day of sale in the sum of \$3,891.97, per statement thereof filed herein, that such deficiency amounts to the sum of \$467.94, and that such deficiency is due the Mortgagee from the Mortgagors with interest thereon from June 7, 1949;

2. That, in the within account, said Assignees are charged with the gross proceeds of the sale, made by them, per report of sale filed; and that they are then allowed thereout as follows: for their commissions in accordance with the terms of said mortgage, the court costs of this cause per receipt of Clerk, the fee of the auctioneer who cried this sale per receipted bill, the costs of advertising this sale and the several orders nisi of this cause, the cost of the premium on said Assignees' corporate surety bond per receipted bill, the amount of 1949 taxes payable by said vendors, per terms of sale and receipted bill, the auditor's fee, and finally the net proceeds of sale, in the sum of \$3,424.03, on account of the abovementioned mortgage indebtedness stated as aforesaid.

Respectfully submitted,

HOWARD WOOD, 3RD

Auditor

December 5, 1949.

Filed December 6, 1949

Cause No. 3623

The proceeds of the sale of land reported in this cause, in account with B. Hackett Turner and Edward Turner, Assignees of the Mortgage foreclosed in these proceedings (and vendors of said land).

1949  
June 7

By gross proceeds of the sale of said land, per report of said vendors, to wit:... \$3,800.00

Dr.

To B. Hackett Turner and Edward Turner, Assignees (and vendors) for their commission for making the sale, per terms of mortgage.....\$197.00

To Do., for an amount paid Nellie B. Whiteley, Clerk, for the court costs of this Cause, per receipt for same exhibited, to wit:..... 29.25

To do., for an amount paid J. Elmer Anthony, auctioneer, for crying said sale, per his receipt for same exhibited, to wit:.. 25.00

To do., for an amount paid The Queen Anne's Record and Observer Publishing Company, per receipt for same exhibited, to wit:  
For publishing advertisement of sale..... \$70.88

For publishing order nisi on sale..... 7.50 78.38

To do., for an amount paid B. Hackett Turner, Jr., Agent for United States Fidelity and Guaranty Company, for the premium on the corporate surety bond of said assignees, per receipt for same exhibited, to wit:..20.00

To do., for amounts paid C. Percy Arrington, Treasurer of Queen Anne's County, for 1949 taxes on said land, to the day of sale, per receipt for same exhibited, to wit: ..... 12.34

To do., for the cost of advertising the order nisi to be passed as to this audit in the Queen Anne's Record-Observer..... 5.00

To Howard Wood, 3rd, Auditor, for stating this audti..... 9.00

To B. Hackett Turner and Edward Turner, Assignees of Mortgage, for collection or otherwise, for the account of The Atlantic Refining Company, mortgagee, the net proceeds of this sale (on account of the Mortgage indebtedness of \$3,891.97, per statement the reof filed), to wit:.. \$ 3,224.03  
\$3,800.00 \$3,800.00

HOWARD WOOD 3RD  
Auditor

December 5, 1949

Filed December 6, 1949

NISI RATIFICATION OF AUDIT  
Filed December 6, 1949

NISI RATIFICATION OF AUDIT

B. Hackett Turner and Edward Turner, Assignees of Mortgage

VS.

Marion Lowman and Herman N. Trice Individually and Marion Lowman and Herman N. Trice, a Co-partnership, trading as Lowman & Trice, Mortgagors.

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

Cause No. 3623

ORDERED, this 6th day of December in the year nineteen hundred and forty nine, that the Report and Account filed in these proceedings by Howard Wood, 3rd, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 30th day of December, 1949; provided a copy of this order be published once a week in each of two successive weeks before the 23rd. day of December, 1949, in some newspaper printed and published in Queen Anne's County.

NELLIE B. WHITELEY Clerk

Filed December 6, 1949

NISI RATIFICATION OF AUDIT  
Filed February 15, 1950

B. Hackett Turner and Edward Turner, Assignees of Mortgage

VS.

Marion Lowman and Herman N. Trice )  
 Individually and Marion Lowman and )  
 Herman N. Trice, a Coppartnership )  
 trading as Lowman & Trice, )  
 Mortgagors. )

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

Cause No. 3623

ORDERED, This 6th day of December in the year nineteen hundred and forty nine, that the Report and Account filed in these proceedings by Howard Wood, 3rd, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 30th day of December, 1949; provided a copy of this order be published once a week in each of two successive weeks before the 23rd day of December, 1949, in some newspaper printed and published in Queen Anne's County.

NELLIE B. WHITELEY  
 Clerk

Filed December 6, 1949  
 True Copy  
 Test: Nellie B. Whiteley, Clerk

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. February 15, 1950

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 B. Hackett Turner and Edward Turner, Assignees of Mortgage VS Marion Lowman and and Herman N. Trice, Individually and Marion Lowman and Herman N. Trice, A Co-partnership trading as Lowman and Trice, Mortgagors 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 23rd day of December, 1949, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 8th day of December 1949 and the last insertion on the 15th day of December 1949.

THE QUEEN ANNE'S RECORD AND OBSERVER  
 PUBLISHING COMPANY

By CHARLOTTE M. MEARS

Filed February 15, 1950

FINAL ORDER OF RATIFICATION  
 Filed February 17, 1950

B. Hackett Turner, Jr. &  
 Edward Turner,  
 Assignees Vs. Lowman & Trice

Chancery No. 3623

FINAL ORDER OF RATIFICATION

IT IS ORDERED this 18th day of February, 1950, by the Circuit Court for Queen Anne's County, in Equity, that the within and foregoing Report and Account of Howard Wood III, Auditor, 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 shown by the Certificate of Publication of the Nisi Ratification of audit filed herewith.

WM. R. HORNEY  
 JUDGE

Filed February 17, 1950

Cause No. 3625

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Twentieth day of May, in the year of nineteen hundred and forty-nine, the following Bill of Complaint, was filed for record, to wit:

L EARL JONES,  
7907 Elmhurst Ave.,  
Baltimore, Maryland  
COMPLAINANT.

vs.

JOHN R. SPELLISSY  
1420 North Charles St.,  
Baltimore, Maryland and all un-  
known persons having an interest in  
said lots of land, known as Lot No.  
5 and 6 of Love Point Beach and  
Park Company's Development, at or  
near Love Point, assessed to John  
R. Spellissy.

DEFENDANTS.

IN THE CIRCUIT  
COURT FOR QUEEN ANNE'S  
COUNTY,  
IN EQUITY.  
Cause No. 3625

.....

Your Orator complaining, says:

1. That your Orator became the purchaser of the hereinafter described lots of land, sold at Tax Sale by T. Sorden Pippin, Treasurer for Queen Anne's County and by virtue of said Office, Collector of State and County, for Queen Anne's County, on May 20th, 1947 in Queen Anne's County, of Lots No. 5 and 6 of Love Point Beach and Park Company Subdivision, assessed to John R. Spellissy in the sum of One Hundred (\$100.00) Dollars, the same being sold in default of payment of State and County Taxes.
2. That the aforesaid Lots were sold under the General Tax Law of this State providing for the redemption thereof by any party having an interest therein, within a year and a day from date of sale, but that the same has not been redeemed, as per certificate of redemption attached hereto and made a part hereof.
3. That a search of the title to said lots for more than forty (40) years has been made and reveals that the said John R. Spellissy became seized and possessed of same by virtue of a deed from May P. Legg et al, dated July 18th, 1933 and recorded in Liber B.H.T. No. 16, folio 297, etc., a land record book for Queen Anne's County, in which deed said lots are described as follows, to wit:

ALL those certain lots, parcels or pieces of land, situate, lying and being in the Fourth Election District of Queen Anne's County, State of Maryland, on Kent Island at or near Love Point on said Island, and more particularly described on the Plat of Love Point Beach and Park Company Subdivision, the said Plat being recorded in Liber W. F. W. #5, folio 480, a land record book for Queen Anne's County, as Lots No. 5 and No. 6 on Worcester Avenue, Lot No. 5 having a frontage on said Worcester Avenue of 60 feet with a depth of 150 feet, with a width in the rear of 60 feet; Lot No. 6 having a frontage on Worcester Avenue of 50 feet, with a depth of 150 feet, with a width in rear of 50 feet and lie between Lots No. 4 and No. 7 on Worcester Avenue, a certified copy of which deed is filed herewith and made a part hereof.

4. That the said John R. Spellissy being so seized and possessed, who lives at 1420 North Charles Street, or has his business address there, defaulted in the payment of State and County Taxes for the year 1946.

TO THE END THAT:

1. That this Honorable Court may pass a final decrees foreclosing all rights of redemption of the defendants in and to the hereinbefore described real estate.
2. That Your Orator may have such other and further relief as may be right and property in the premises.

May it please your Honors to grant unto your Orator the writ of subpoena directed to the Sheriff of Baltimore City, commanding him to summons John R. Spellissy, whose address is 1420 North Charles Street, Baltimore, to appear either in person or by solicitor on a day certain to be named therein to answer this Bill of Complaint or redeem the property in accordance with the laws made and provided and abide by and perform such decree or order as may be passed herein.

May it please your Honors to grant unto your Orator the Order of Publication to all and every one claiming any interest in all those two lots of land, namely Lots No. 5 and No. 6, at or near Love Point Beach and Park Company's Subdivision, before some day certain to be named thereon, giving them and each of them notice of the object and substance of this Bill of Complaint and warning them to be and appear either by solicitor or in person to answer this Bill of Complaint or to redeem the property in accordance with the Law made and provided, and abide by and perform such decree or order as may be passed herein.

And as in duty bound etc.

HARRY C. BUTLER  
Harry C. Butler  
Attorney for Plaintiff

Filed May 20, 1949

CERTIFICATE OF TREASURER  
Filed May 20, 1949

I, T. Sorden Pippin, Treasurer and Collector of taxes for the State of Maryland and the County of Queen Anne's, hereby certify that on May 20th, 1947, I sold to L. Earl Jones at public auction for the sum of Fifty-three Dollars and No Cents, of which Fifty-three Dollars has been paid, the property in the Fourth Election District of Queen Anne's County, Maryland, and described as 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, assessed value \$100.00, consisting of 2 lots, 5 and 6 and assessed to John R. Spellissy.

The property described herein is subject to redemption. Upon redemption the holder of this certificate will be refunded the sums paid on account of the purchase price together with interest thereon at the rate of six per cent per annum from the date of payment to the date of redemption, together with all other amounts specified by Chapter 761 of the Acts of 1943, and acts amendatory thereof. The balance due on account of the purchase price and all taxes together with interest and penalties thereon, accruing subsequent to the date of sale, must be paid to the Collector before a deed can be delivered to the purchaser. After May 23rd, 1948, a proceeding can be brought to foreclose all rights of redemption in the property. This certificate will be void unless such a proceeding is brought within two years from the date of this certificate.

Witness my hand and seal, this 20- day of May, 1947.

T. SORDEN PIPPIN  
Treasurer and Collector

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

I HEREBY CERTIFY, that on this 20- day of May, 1947, before the subscriber, a Notary Public of the State of Maryland, in and for the County of Queen Anne's personally appeared T. Sorden Pippin, Treasurer and Collector of taxes for the State of Maryland and the County of Queen Anne's and acknowledged the foregoing Certificate of Sale to be his act.

Witness my hand and notarial seal.

KATHERINE C. O'NEAL  
Notary Public

Notary  
Public  
Seal

My Commission expires: 5/2/49

Filed May 20, 1949

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

THIS IS TO CERTIFY, that I, Harry C. Butler, Attorney for the Plaintiff, have searched the Land Records of Queen Anne's County and all other Records in the Clerk's Office and all Records in the Office of The Register of Wills for Queen Anne's County, for over a period of forty (40) years and find that the title to Lots No. 5 and No. 6 of Love Point Beach and Park Company Subdivision is vested in John R. Spellissy.

HARRY C. BUTLER  
Harry C. Butler.

Subscribed and sworn before me this 20th day of May, 1949.

Notary  
Public  
Seal.

JANE BLAKSLEE WRIGHT  
Jane Blakslee Wright,  
Notary Public.

My Commission Expires: 7 May 1951.

Filed May 20, 1949

MILITARY AFFIDAVIT  
Filed May 20, 1949

L. EARL JONES,  
 Complainant,  
 vs.  
 JOHN R. SPELLISSY, et al.  
 DEFENDANTS.

:  
 :  
 :  
 :  
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 :  
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IN THE CIRCUIT COURT  
 FOR  
 QUEEN ANNE'S COUNTY  
 IN EQUITY.  
 Cause No. 3625

STATE OF MARYLAND,  
 QUEEN ANNE'S COUNTY,

)  
 )  
 )

TO WIT:

I HEREBY CERTIFY that on this 20th day of May, 1949, before me, the subscriber, a Notary Public of the State of Maryland in and for Queen Anne's County personally appeared Harry C. Butler, Attorney for L. Earl Jones, the Complainant in this Cause, and made oath in due form of law that he knows and hereby makes oath to the fact that the said John R. Spellissy is now nor has not been three months prior to the making of this affidavit, engaged in the Military Forces of the United States, nor in that of the Allies of the United States.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal, the day and year firsts above written:

Notary  
 Public  
 Seal.

JANE BLAKSLEE WRIGHT  
 Jane Blakslee Wright  
 Notary Public.

My Commission Expires: 7 May 1951.

Filed May 20, 1949

PETITION TO FILED AMENDED BILL OF COMPLAINT  
 Filed May 21, 1949

L. EARL JONES,  
 Complainant,  
 VS.  
 JOHN R. SPELLISSY, et al.  
 Defendants.

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IN THE CIRCUIT COURT  
 FOR  
 QUEEN ANNE'S COUNTY,  
 IN EQUITY.  
 Cause No. 3625

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of L. Earl Jones by Harry C. Butler, his attorney, to your Honors, respectfully shows:

That he has heretofore filed a Bill of Complaint in this cause and that said Bill of Complaint is lacking in some essential averments and he desires to file an amended Bill of Complaint.

Wherefore your Petitioner prays this Honorable Court for leave to file an Amended Bill of Complaint.

Respectfully submitted.

HARRY C. BUTLER  
 Attorney for Petitioner.

Filed May 21, 1949.

ORDER OF COURT.  
 Filed May 21, 1949

ORDER OF COURT.

The foregoing Petition having been read and considered, IT IS THEREUPON this 21st day of May, 1949, ORDERED by the Circuit Court for Queen Anne's County, in Equity, that Earl L. Jones be and he is hereby granted leave to file an amended Bill of Complaint in this Cause.

WM R. HORNEY  
 Judge.

Filed May 21, 1949.

AMENDED BILL OF COMPLAINT  
 Filed May 21, 1949

L EARL JONES,  
 7907 Elmhurst Ave.,  
 Baltimore, Maryland,  
 Complainant,

IN THE CIRCUIT COURT  
 FOR

Vs.  
 JOHN R. SPELLISSY,  
 1420 North Charles St.,  
 Baltimore, Maryland,  
 And all persons having or  
 claiming to have an interest in  
 Lots No. 5 and 6 of the Love  
 Point Beach and Park Company's  
 Subdivision at or near Love  
 Point, Queen Anne's County, Maryland.  
 Defendants.

QUEEN ANNE'S COUNTY  
 IN EQUITY.  
 Cause No. 3625.

AMENDED BILL OF COMPLAINT.

To the Honorable, the judges of said court:

Your Orator complaining, says:

1. That your Orator became the purchaser of the hereinafter described real estate at a Tax sale made by T. Sorden Pippin, Treasurer for Queen Anne's County on May 21st, 1947, paying for same the sum of FIFTY THREE DOLLARS (\$53.00), the said property consisting of two lots, 5 and 6, lying and being in the Fourth Election District of Queen Anne's County, Maryland, located at Love Point, assessed to John R. Spellissy at a value of \$100.00, with the right of redemption set forth in said Certificate of Redemption attached hereto and made a part hereof.

2. That the aforesaid lots were sold under the General Tax Laws of this State providing for the redemption within a year and day upon the payment of the purchase money and interest thereon at 6%, by any party in interest; that the aforesaid lots have not been redeemed.

3. That a search of the title to said lots for more than forty years, as per certificate of search attached hereto has been made, and shows that the title to said lots is vested in John R. Spellissy, one of the Defendants, that he became seized and possessed of same by virtue of a deed bearing date of July 18th 1933, from May P. Legg et al, which deed is recorded in Liber B.H.T. No. 16, folio 297 & etc., a Land Record Book for Queen Anne's County, in which deed said land is described as follows, to wit:

ALL those certain lots, parcels or pieces of land, situate, lying and being in the Fourth Election District of Queen Anne's County, State of Maryland, on Kent Island at or near Love Point on said Island, and more particularly described on the Plat of Love Point Beach and Park Company Subdivision, the said plat being recorded in Liber W.F.W. No. 5, folio 480 & etc., a land record book for Queen Anne's County, as Lots No. 5 and No. 6 on Worcester Avenue, Lot No. 5 having a frontage on said Worcester Avenue of 60 feet with a depth of 150 feet, with a width in the rear of 60 feet; Lot No. 6 having a frontage on Worcester Avenue of 50 feet, with a depth of 150 feet with a width in the rear of 50 feet, the aforesaid lots lie between Lots No. 4 and 7 of said Subdivision and on Worcester Avenue, a certified copy of which deed is filed herewith and made a part hereof.

4. That the said John R. Spellissy being so seized and possessed defaulted in the payment of State and County Taxes for the year 1946, and that he has his place of business at 1420 North Charles Street, Baltimore, Maryland.

5. That the aforesaid lots have not been redeemed by the payment of the purchase price and interest thereon and that to now redeem the same it will cost the party of parties redeeming the same the purchase price of Fifty Three Dollars and interest from May 20th., 1947, at 6%, and costs of these proceedings.

TO THE END THEREFORE:

1st. That this Honorable Court may pass a final decree foreclosing all rights of redemption of the Defendants in and to the hereinbefore described real estate.

2nd. That your Orator 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 Orator the writ of subpoena directed to the Sheriff of Baltimore City commanding him to summon John R. Spellissy, whose address is 1420 North Charles Street, Baltimore, Maryland, to be and appear, either in person or by solicitor, in this Court, on a day certain to be named therein to answer this Amended Bill of Complaint or redeem the property by the payment of the purchase price, and interest thereon and the costs of these proceedings, and abide by and perform such decrees or orders as may be passed herein.

And may it please the Court to grant unto your Orator The Order of Publication against all persons having or claiming to have an interest in Lots No. 5 and 6 of the Love Point Beach and Park Company's Subdivision at or near Love Point, Queen Anne's County, Maryland, giving them and each of them notice of the object and substance of this Amended Bill of Complaint and warning them and each of them to be and appear, either in person or by solicitor, on or before some day certain to be named in said Order to Answer this Amended Bill of Complaint or to redeem the property in accordance with the law, and abide by and perform such decree or order as may be passed herein.

And as in duty bound & etc.,

HARRY C. BUTLER  
 Atty. for Complainant.

ORDER OF PUBLICATION  
Filed May 21, 1949

## ORDER OF PUBLICATION.

L. EARL JONES  
7907 Elmhurst Ave.,  
Baltimore, Maryland,  
Complainant,

VS.

JOHN R. SPELLISSY  
1420 North Charles St.,  
Baltimore, Maryland,  
And all other persons having or  
claiming to have an interest  
in Lots No. 5 and 6 of The Love  
Point Beach and Park Company's  
Subdivision at or near Love Point,  
Queen Anne's County, Maryland.  
Defendants.

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IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY

IN EQUITY.

Cause No. 3625.

The object of this proceeding is to foreclose all rights of redemption in Lots No. 5 and 6 of The Love Point Beach and Park Company's Subdivision at or near Love Point, in Queen Anne's County, Maryland, sold by T. Sorden Pippin, Treasurer of Queen Anne's County, to the Complainant at and for the sum of \$53.00, on account of default in the payment of State and County Taxes for the year of 1946.

The Amended Bill states that the amount necessary for redemption is the sum of Fifty Three Dollars (\$53.00) with interest thereon from May 20th., 1947, at 6% to date of redemption, and the costs of these proceedings, and that said property has not been redeemed.

IT IS THEREUPON this 21st day of May, 1949, by the Circuit Court for Queen Anne's County, in Equity, Ordered, That notice be given by the insertion of a copy of this Order in some newspaper printed and published in Queen Anne's County, once a week for four successive weeks, warning all persons interested in said property to be and appear in this Court by the 22nd day of July, 1949; and redeem the property or answer this Amended Bill of Complaint or thereafter a final decree will be rendered foreclosing all rights of redemption in the property and vesting in the Complainant a title, free and clear of all encumbrances.

WM. R. HORNEY  
Judge

Filed May 21st, 1949.

SUBPOENA  
Filed June 7, 1949

## THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

TO John R. Spellissy, 1420 North Charles Street, Baltimore, Maryland

Seal's  
Place.

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of June next and ending July 22, 1949 thereafter cause your answer or other defense to be filed to the complaint of L. Earl Jones, 7907 Elmhurst Avenue, Baltimore, Maryland against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable Wm. R. Horney, Chief Judge of the Second Judicial Circuit of Maryland, the 2nd. day of May, 1949.

Issue the 21st day of May, 1949.

TO THE DEFENDANT(S):

You are required to file your answer to the bill of complaint in the Clerk's Office of Queen Anne's County on or before the 22nd, day of July, 1949, or redeem the property described in said bill of complaint on or before said day. In case of your failure to do so, a final decree will be rendered foreclosing your right of redemption in the property.

Solicitor for Complainant(s)

Name Harry C. ButlerAddress Centreville, MarylandNELLIE B. WHITELEY

Clerk

And on the back of the foregoing mortgage is the following endorsement, to wit:

Non Est  
ContestJoseph C. Deegan  
Sheriff



ORDER TO RE-ISSUE SUBPOENA  
Filed June 8, 1949

L. EARL JONES  
7907 Elmhurst Avenue  
Baltimore, Maryland

IN THE CIRCUIT COURT

FOR

VS.

QUEEN ANNE'S COUNTY

JOHN R. SPELLISSY  
And all having any interest  
in Lots 5 & 6 Love Point  
Beach and Park Company

IN EQUITY.

Cause No. 3625

Mrs. Whiteley, Clerk

Issue Writ of Subpoena to the Sheriff of Baltimore City for John R. Spellissy  
1420 N. Charles St. or Mercrn & Belvu Ave., Baltimore, Maryland to testify for  
in the above entitled case. Attorney for Harry C. Butler, Complainant.

Filed 8th day of June, 1949.

NELLIE B. WHITELEY Clerk

SUBPOENA  
Filed June 29, 1949

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

TO

Seal's  
Place.

John R. Spellissy, 1420 North Charles Street or Mercrn & Belvu  
Ave., Baltimore, Maryland

GREETING:

We command and enjoin you that you do within the time limited by law, beginning  
on the first Monday of July next and ending July 22, 1949 thereafter cause your answer  
or other defense to be filed to the complaint of L. Earl Jones, 7907 Elmhurst Avenue,  
Baltimore, Maryland, against you exhibited in the Circuit Court for Queen Anne's County.  
Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable Wm. R. Horney, Chief Judge of the Second Judicial Cir-  
cuit of Maryland, the 2nd day of May, 1949.

Issued the 8th day of June, 1949.

TO THE DEFENDANTS :

You are required to file your answer to the bill of complaint in the Clerk's  
Office of Queen Anne's County on or before the 22nd. day fo July, 1949, or redeem the  
property described in said bill of complaint on or before said day. In case of your  
failure to do so, a final decree will be rendered coreclosing your right of redemption  
in the property.

Solicitor for Complainant(s)

Name Harry C. Butler

Address Centreville, Maryland

NELLIE B. WHITELEY, Clerk

FINAL DECREE  
Filed August 17, 1949

L. EARL JONES,  
7907 Elmhurst Ave.,  
Baltimore, Maryland,  
Complainant,

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VS.

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY,

JOHN R. SPELLISSY  
1420 North Charles St.,  
Baltimore, Maryland,  
And all persons having or  
claiming to have an interest  
in Lots 5 and 6 of The Love  
Point Beach and Park Company's  
Subdivision at or near Love  
Point, Queen Anne's County, Maryland,

IN EQUITY.

Cause No. 3625.

FINAL DECREE.

It appearing that the Defendants and all persons claiming by, through or under him, and all persons claiming any right, title, interest or estate in and to the lots of land in question, having either been duly summoned or notified by and ORDER OF PUBLICATION to appear and answer the Amended Bill of Complaint, and no one having appeared or answered same, and this Cause having been submitted and the preceding having been read and considered:

IT IS THEREUPON this 17th day of August, 1949, by the Circuit Court for Queen Anne's County, in Equity, ADJUDGED, ORDERED and DECREED that an absolute and index-feasible title, in fee simple, free and clear of all alienations and descents of said property occurring prior to this date, and free and clear of all liens and encumbrances, except taxes accruing subsequent to the day of sale herein reported, and such public easements, if any, to which said property is subjected, in and to all those lots or parcels of land described in these proceedings, be and the same hereby vested in L. Earl Jones.

AND IT IS FURTHER ORDERED that the present Treasurer of Queen Anne's County, C. Percy Arrington, Collector of County and State Taxes for Queen Anne's County, execute and deliver a deed conveying a fee simple title to the said L. Earl Jones, at the expense of the said L. Earl Jones, in and to all those two lots of land described in the these proceedings, upon the payment of the balance of the purchase money, if any, and all taxes and penalties thereon accruing subsequent to the day of sale to which reference is herein made.

WM. R. HORNEY  
Judge

Filed August 17, 1949

ORDER OF PUBLICATION  
Filed August 17, 1949

L. EARL JONES  
7907 Elmhurst Ave.,  
Baltimore, Maryland  
Complainant

IN THE CIRCUIT COURT  
QUEEN ANNE'S COUNTY

IN EQUITY

VS.

Cause No. 3625

JOHN R. SPELLISSY  
1420 North Charles St.,  
Baltimore, Maryland,  
And all other persons having or  
claiming to have an interest in  
Lots No. 5 and 6 of The Love  
Point Beach and Park Company's Subdivision  
at or near Love Point, Queen Anne's County,  
Maryland. Defendants.

The object of this proceeding is to foreclose all rights of redemption in Lots No. 5 and 6 of The Love Point Beach and Park Company's Subdivision at or near Love Point, in Queen Anne's County, to the Complainant at and for the sum of \$53.00, on account of default in the payment of State and County Taxes for the year 1946.

The Amended Bill states that the amount necessary for redemption is the sum of Fifty Three Dollars (\$53.00) with interest thereon from May 20th, 1947, at 6%, to date of redemption and the costs of these proceedings and that said property has not been redeemed.

IT IS THEREUPON this 21st day of May 1949, by the Circuit Court for Queen Anne's County, in Equity, Ordered, That notice be given by the insertion of a copy of this Order in some newspaper printed and published in Queen Anne's County, once a week for four successive weeks, warning all persons interested in said property to be and appear in this Court by the 22nd day of July, 1949, and redeem the property or answer this Amended Bill of Complaint or thereafter a final decree will be rendered foreclosing all rights of redemption in the property and vesting in the Complainant a title, free and clear of all encumbrances.

WILLIAM R. HORNEY  
Judge

True Copy:  
Test: NELLIE B. WHITELEY  
Clerk

Filed May 21st, 1949

THE QUEENSTOWN NEWS

Queenstown, Md. August 15, 1949

THE QUEENSTOWN NEWS, trading as a co-partnership between Michael W. Aker and George J. Steinfeld, do hereby certify that the Order of Publication in the case of L. Earl Jones 7907 Elmhurst Ave., Baltimore, Md, Complainant, Vs. John R. Spellissy, 1420 North Charles St., Baltimore, Md., et al. Cause No. 3625 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 22nd day of July 1949, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 27th day of May 1949.

THE QUEENSTOWN NEWS

by GEORGE STEINFELT

Filed August 17, 1949

Cause No. 3627

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Twenty Third day of May, in the year of nineteen hundred and forty-nine, the following Order To Docket Suit was filed for record, to wit:

THOMAS J. KEATING, JR.,  
Assignee

versus

EVERETT CARL SMITH AND MABEL  
SMITH, his wife,  
Mortgagors.

IN THE CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY

IN EQUITY.

No. 3627

TO: Nellie B. Whiteley, Clerk:

YOU will Docket Suit for foreclosure of the Mortgage from Everett Carl Smith and Mable Smith, his wife, to The Centreville National Bank of Maryland, a body corporate, dated July 8, 1946, recorded in Liber ASG, Jr., No. 14, folio 288, etc., a Land Record Book for Queen Anne's County, Maryland, and which was assigned unto Thomas J. Keating, Jr., for foreclosure and collection, default having occurred in the terms of said Mortgage by reason of the non-payment of the installments of the Mortgage debt as specified in said Mortgage; AND you will file in said Cause a certified copy of said Mortgage and Assignment, together with the accompanying Military Affidavit.

THOMAS J. KEATING, JR.  
(Thomas J. Keating, Jr. ASSIGNEE)

Filed May 23, 1949

MILITARY AFFIDAVIT  
Filed May 23, 1949

THOMAS J. KEATING, JR.,  
Assignee

versus

EVERETT CARL SMITH AND MABEL  
SMITH, his wife,  
Mortgagors.

IN THE CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY

IN EQUITY. NO. 3627

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

THIS IS TO CERTIFY that on this 23rd day of May 1940, before the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, personally appeared A. Sydney Gadd, Jr., Cashier of The Centreville National Bank of Maryland, a body corporate, Mortgagee in a certain Mortgage from Everett Carl Smith and Mabel Smith, his wife, dated July 8, 1946, recorded in Liber ASG, Jr., No. 14, folio 288, etc., a Land Record Book for Queen Anne's County, and did make oath in due form of law that after diligent inquiry it has been found that the said Everett Carl Smith and Mabel Smith, his wife, Mortgagors, are approximately of the ages of 30 years and 28 years, respectively;

THAT the said Everett Carl Smith resides in Kent County, Maryland, his address being c/o King Merritt, Chestertown, Maryland, and the said Mabel Smith resides in Roswell, New Mexico;

THAT said Mortgagors are not now in the Military Service of the United States, nor have they been in such service within six (6) months prior hereto.

KATHERINE C. O'NEAL  
Katherine C. O'Neal NOTARY PUBLIC

My Commission expires May 7, 1951

Notary  
Public  
Seal

Filed May 23, 1949

.....  
#24,389

QUEEN ANNE'S COUNTY, TO WIT:  
Be it remembered that on the Eighth day of July, in the year nineteen hundred and forty six, the following Mortgage was brought to be recorded, to wit:

One-One Dollar and One-Two Dollar  
Recordation Tax Stamps. Endorsed  
E.C.S. 7-8-46

THIS MORTGAGE, made this 8th day of July, in the year nineteen hundred and forty six, by Everett Carl Smith and Mabel Smith, his wife, of Queen Anne's

County, in the State of Maryland,

WHEREAS, the said Carl Smith and Mabel Smith, his wife, are jointly and severally, justly indebted unto The Centreville National Bank of Maryland, a body corporate, in the full and just sum of Three Thousand Dollars (\$3,000.00), for money this day loaned and advanced unto them and for which said sum they have drawn and passed unto said body corporate their promissory note bearing even date herewith, and payable in eighty quarterly installments of Thirty Seven Dollars and Fifty Cents (\$37.50) each, beginning on the eighth day of January 1947, together with interest at the rate of four per centum (4%) per annum.

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 the said promissory note;

NOW, THEREFORE, THIS MORTGAGE WITNESSETH, that for and in consideration of the premises and of the sum of One Dollar (\$1.00) the receipt of which is hereby acknowledged, the said Carl Smith and Mabel Smith, his wife, do hereby grant and convey unto the said body corporate, The Centreville National Bank of Maryland, its successors, and assigns, in fee simple, the following described real estate, to wit:

ALL that lot or parcel of land situate, lying and being in Grasonville, in the Fifth Election District of Queen Anne's County, State of Maryland, on the north side of the Queenstown-Stevensville State Road, but not immediately adjacent to nor bounded by said State Road; bounded on the south by the Shirt Factory Lot of Benjamin F. Miller (hereinafter called "SHIRT FACTORY LOT"): bounded on the west by the land of Walter Jewell and bounded on the north and also on the east by other land belonging to the grantors and contained within the following metes and bounds, courses and distances, to wit: Beginning for the same at a point which is at the northeast corner of the said SHIRT FACTORY LOT and which is at the end of the second line of the land conveyed to said grantors by Harry F. Callahan by the deed hereinafter referred to and running thence with the third line of the land conveyed as aforesaid to the grantors by said Callahan north 83 degrees west for the distance of 116 feet to a point on the line of the land of Walter Jewell; thence with the line of the land of Walter Jewell north 11 degrees 15 minutes west for the distance of 96 feet; thence north 76 degrees east for the distance of 116 feet to a point on the said other land of the grantors, said point to be a corner for the land last mentioned and the land hereby conveyed; thence south 11 degrees 15 minutes east for the distance of 115 feet, more or less, to the point of beginning; together with and subject to the rights of way as set forth in the deed from Amos B. South and Anna C. South, his wife, to the said Mortgagor dated the twenty-fifth day of March, 1946, and recorded in Liber A.S.G. Jr., No. 13, folio 300, a Land Record Book for Queen Anne's County, Maryland; being the sale land that was granted unto the said mortgagor by Amos B. South, his wife, by deed the reference to which is set out above in connection with the rights of way.

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 Carl Smith and Mabel Smith, his wife, or either of them, their or either of their heirs, executors, administrators or assigns, shall well and truly pay to the said body corporate, The Centreville National Bank of Maryland, its successors, executors, administrators or assigns, the aforesaid sum of Three Thousand Dollars (\$3,000.00) as evidenced by the aforesaid promissory note 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 their part to be performed, then this mortgage shall be void; and until default be made in the premises the said Carl Smith and Mabel Smith, his wife, or either of them, their or either of their heirs and assigns, shall possess said property.

AND the said Carl Smith and Mabel Smith, his wife, for themselves, and each of them, 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 a least theinsurable value thereof, in some Company or Companies approved by the said body corporate, The Centreville National Bank of Maryland, its successors, administrators, executors, 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 successors, 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 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 Centreville National Bank of Maryland, its successors, executors, administrators or assigns, or B. HACKETT TURNER, JR. 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 selling may deem expedient, for cash, or for cash or 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

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 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 Carl Smith and Mabel Smith, 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 body corporate, The Centreville National Bank of Maryland, its successors or assigns, or /B. Hackett Turner, Jr., & Edward Turner or either of them, 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 Carl Smith and Mable Smith, his wife, for themselves and each of them, their and each of their heirs, executors, administrators and assigns, hereby covenant to apy.

WITNESS the hands and seals of the said mortgagors:

TEST: (as to Mortgagors)

KATHERINE C. O'NEAL  
Katherine C. O'Neal

EVERETT CARL SMITH (SEAL)  
Everett Carl Smith

MABEL SMITH (SEAL)  
Mabel Smith

STATE OF MARYLAND,  
QUEEN ANNE'S COUNTY,

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TO WIT:

I HEREBY CERTIFY that on this 8th day of July, 1946, before me, the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County aforesaid, personally appeared Carl Smith and Mabel Smith, his wife, and each acknowledged the foregoing Mortgage to be their respective act.

And, at the same time, also before me, the subscriber, personally appeared W. Ray Tabler, Cashier of The Centreville National Bank of Maryland, a body corporate, the within named mortgagee, and made oath in due form of of law that the consideration stated in the foregoing mortgage is true and bona fide as therein set forth, and further made oath as aforesaid, that he is as officer of the said body corporate and as such is duly authorized to make this affidavit.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my Notarial Seal, the day and year last above written.

KATHERINE C. O'NEAL  
Katherine C. O'Neal  
Notary Public

Notary  
Public  
Seal.

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Twenty Third day of May, in the year nineteen hundred and forty nine, the following ASSIGNMENT was brought to be recorded, to wit:

The within and foregoing mortgage is hereby transferred and assigned unto Thomas J. Keating, Jr. for the purpose of foreclosure and collection.

Witness the hand of the Centreville National Bank of Maryland, a body corporate, by H. F. McPherson, its Vice President, and its corporate seal affixed, attested by A. Sydney Gadd, Jr. its Cashier, this 20th day of May, nineteen hundred and forty nine.

THE CENTREVILLE NATIONAL BANK OF  
MARYLAND,

Corporate Seal  
Place.

A body corporate

ATTEST:

BY H. F. MCPHERSON  
H. F. McPherson  
its Vice President

A. SYDNEY GADD JR.  
A. Sydney Gadd, Jr.  
its Cashier

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. 14, folios 288 &c, 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 23rd. day of May, 1949.

NELLIE B. WHITELEY  
Clerk

Seal's  
Place.

CERTIFIED COPY OF BOND  
Filed June 1, 1949

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this First day of June, in the year nineteen hundred and forty nine the following Bond was filed for record, to wit:

Fidelity and Deposit Company  
Of Maryland  
Baltimore

KNOW ALL MEN BY THESE PRESENTS:

That we, Thomas J. Keating, Jr., 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-----Three Thousand and 00/100-----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 31st day of May in the year of our Lord nineteen hundred and forty-nine.

Whereas, the above bounden Thomas J. Keating, Jr., by virtue of the power contained in a mortgage from Everett Carl Smith and Mabel Smith, his wife, to The Centreville National Bank of Maryland, a body corporate, bearing date the 8th day of July, 1946, and recorded among the mortgage records of Queen Anne's County, Maryland, in Liber ASG, Jr. No. 14 Folio 288 and duly assigned to the said Thomas J. Keating, Jr., for foreclosure and collection, 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, Jr. 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 in relation to the sale of 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.

In Testimony Whereof, the above bounden Thomas J. Keating, Jr., 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 the day and year first herein above writfen.

Signed, sealed and delivered  
in the presence of

MARY KER KEATING  
Mary K. Keating

THOS. J. KEATING JR. (SEAL)  
Thos. J. Keating, Jr.

As to Surety:

By KATHRYN STOLZENBACH  
Kathryn Stolzenbach

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

By H. L. JENNESS  
H. L. Jenness, Attorney-in-fact

Seal's Place

POWER of Attorney is attached to the foregoing Bond.

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

Bond Approved

NELLIE B. WHITELEY, Clerk  
Filed June 1, 1949.

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. 1, folio 107, 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 First day of June, in the year nineteen hundred and forty nine.

Seal's  
Place.

NELLIE B. WHITELEY  
Clerk

REPORT OF SALE  
Filed June 28, 1949

THOMAS J. KEATING, JR.,  
Assignee

versus

EVERETT CARL SMITH and MABEL  
SMITH, his wife,  
Mortgagors.

IN THE CIRCUIT COURT FOR  
QUEEN ANNE'S COUNTY,  
IN EQUITY  
Chancery No. 3627

TO THE HONORABLE, the Judges of said Court:

THE REPORT OF SALE of Thomas J. Keating, Jr., Assignee, respectfully  
sets forth:

THAT after default had occurred in the terms of the Mortgage from Everett Carl Smith and Mabel Smith, his wife, to The Centreville National Bank of Maryland, a body corporate, dated July 8, 1946, recorded in Liber ASG, Jr., No. 14 folio 288, etc., a Land Record Book for Queen Anne's County, Maryland, your Assignee, to whom said Mortgage is hereby assigned for the purpose of foreclosure and collection, did docket suit for Foreclosure of said Mortgage, filing herein a Certified copy of the Mortgage and Assignment and filing a Military Affidavit as to the status of the Defendant Mortgagors and did thereupon 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, for more than four (4) successive weeks before the day of sale, as will appear by reference to the Certificate of Publication of the Advertisement thereof filed herewith as a part hereof;

YOUR Assignee then after having filed in this Cause a Bond in the penalty of Three Thousand Dollars (\$3,000.00) with Corporate Surety duly approved by the Clerk of this Court, did, upon the date set forth in said Advertisement, to wit: Tuesday, June 21, 1949, at 1.30 o'clock P.M., DST, attend in front of the Court House door in the town of Centreville, Queen Anne's County, Maryland, and did proceed to make sale of the real estate described in said Advertisement, and being the Mortgaged real estate as follows:

ALL that lot or parcel of land, situate, lying and being in Grasonville, in the Fifth Election District of Queen Anne's County, State of Maryland, on the North Side of the Queenstown-Stevensville State Road, but not immediately adjacent to nor bounded by said State Road; bounded on the South by the Shirt Factory Lot of Benjamin F. Miller; bounded on the West by the land of Walter Jewell; and bounded on the North and East by the land of Amos South, and more particularly described by metes and bounds, courses and distances in the aforesaid Mortgage; together with and subject to the rights of way as set forth in the Deed from Amos B. South and wife to the Mortgagors, dated March 25, 1946, recorded in Liber ASG, Jr., No. 13, folio 300, a Land Record Book for Queen Anne's County.

AND, after having said sale cried for a considerable length of time, your Assignee did sell the Mortgaged property unto J. Thomas Clark of Centreville, Maryland, he being then and there the highest bidder therefor, at and for the sum of Sixteen Hundred and Fifty Dollars (\$1650.00) and upon the terms mentioned in the Advertisement of Sale. The Purchaser has paid to your Assignee a deposit of Five Hundred and Fifty Dollars (\$550.00), representing one-third (1/3) of the purchase money, and your Assignee believes that he will comply with the other terms of sale and pay the balance of the purchase money upon Ratification of the Sale by this Honorable Court.

Respectfully submitted,

THOMAS J. KEATING, JR.  
(Thomas J. Keating, Jr.)

ASSIGNEE.

BEFORE THE SUBSCRIBER, Clerk of the Circuit Court for Queen Anne's County, this 28th day of June, 1949, personally appeared Thomas J. Keating, Jr., Assignee, and did make 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.

NELLIE B. WHITELEY  
CLERK

Filed June 28, 1949

FINAL ORDER OF RATIFICATION  
Filed September 2, 1949

FINAL ORDER OF RATIFICATION

ORDERED, this 2nd day of September, 1949, by the Circuit Court for Queen Anne's County, in Equity, that the sale of real estate made and reported in this Cause by Thomas J. Keating, Jr., Assignee, be ratified and confirmed, no cause to the contrary having been shown, although notice appears to have been given as required by the preceding order nisi; and the Assignee, Vendor, is allowed the usual commissions and such proper expenses, not personal, as he shall produce vouchers for to the Auditor.

WM. R. HORNEY  
JUDGE

Filed September 2, 1949

MORTGAGE SALE OF  
DWELLING PROPERTY  
Filed June 28, 1949

DEFAULT having occurred in the terms of the Mortgage from Everett Carl Smith and Mabel Smith, his wife, to The Centreville National Bank of Maryland a body corporate, dated July 8, 1946, recorded in Liber ASG, Jr., No 14, Folio 288, a Land Record Book for Queen Anne's County, the undersigned Assignee, to whom said Mortgage has been assigned for foreclosure and collection, will, under and by virtue of the Power of Sale contained in said Mortgage, offer at public sale to the highest bidder front of the Court House door in the town of Centreville, Queen Anne's County, Maryland, on TUESDAY, JUNE 21, 1949 at 1:30 o'clock, P.M. D.S.T. the following described real estate, to-wit:

ALL that lot or parcel of land, situate, lying and being in Grasonville, in the Fifth Election District of Queen Anne's County, State of Maryland, on the North side of the Queenstown-Stevensville, State Road, but no immediately adjacent to nor bounded by said State Road, bounded on the South by the Shirt Factory Lot of Benjamin F. Miller; bounded on the West by the land of Wlater Jewell; and bounded on the North and East by the land of Amos South, and more particularly described by metes and bounds, courses and distances in the aforesaid Mortgage; together with and subject to the rights of way as set forth in the Deed from Amos B. South and wife to the Mortgagors dated March 25, 1946, recorded in Liber ASG, Jr., No. 13; folio 300, a Land Record Book for Queen Anne's County.

IMPROVEMENTS THE above lot of land is improved by a new one-story dwelling house.

TERMS OF SALE: 1/3 of the purchase money will be required in cash on the day of sale and the remainder thereof will be paid in cash upon ratification of the sale by the Court. Possession will be given upon final settlement for the property, and taxes and insurance will be adjusted to the date of settlement. Title papers and Revenue stamps at the Purchaser's expense.

THOMAS J. KEATING, JR.  
Assignee

J. Elmer Anthony, Auctioneer.

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. June 25, 1949

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Mortgage Sale of Dwelling Property in the case/estate of Everett Carl Smith and Mabel Smith 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 21st day of June 1949, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER WAS on the 26th day of May 1949, and the last insertion on the 16th day of June 1949.

THE QUEEN ANNE'S RECORD AND  
OBSERVER PUBLISHING COMPANY

by BARBARA L. BINEBRINK

Filed June 28, 1949

ORDER NISI  
Filed June 28, 1949

N I S I

Thomas J. Keating, Jr.,  
Assignee,

VS.

Everett Carl Smith and  
Mabel Smith, his wife,  
Mortgagors,

) IN THE CIRCUIT COURT

) FOR QUEEN ANNE'S COUNTY

) IN EQUITY

) CHANCERY NO. 3627

ORDERED, This 28th day of June A.D., 1949, that the sale of real estate made and reported in this cause by Thos. J. Keating, Jr., Assignee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 30th. 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 30th day of July next.

The Report states the amount of sales to be \$1650.00.

NELLIE B. WHITELEY Clerk

Filed June 28, 1949.

NISI  
Filed September 1, 1949

Thomas J. Keating, Jr.  
Assignee

Vs.

Everett Carl Smith and Mabel Smith  
his wife, Mortgagors.



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

CHANCERY NO. 3627

ORDERED, This 28th day of June A.D. 1949, that sale of real estate made and reported in this cause by Thos. J. Keating, Jr., Assignee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 30th days 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 30th day of July next.

The Report states the amount of sales to be \$1650.00.

NELLIE B. WHITELEY, Clerk

True Copy  
Test: Nellie B. Whiteley  
Filed June 28, 1949

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. August 27 1949

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Nisi in the case/estate of Thomas J. Keating, Jr., assignee, vs. Everett Carl Smith and Mabel Smith, 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 published at Centreville, in Queen Anne's County, Maryland, once a week for 4 successive weeks before the 30th day of July 1950, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 30th day of June 1949, and the last insertion on the 21st day of July 1949.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

BY BARBARA L. BINEBRINK

Filed September 1, 1949

STATEMENT OF MORTGAGE DEBT  
Filed September 1, 1949

THOMAS J. KEATING, JR.  
Assignee

VS.

EVERETT CARL SMITH,  
Mortgagee

X  
O  
O  
O  
O  
O  
O  
X

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

STATEMENT OF MORTGAGE DEBT

Statement of mortgage debt due and owing as of  
June 21, 1949; the day of sale \_\_\_\_\_

Amount of mortgage.....	2,736.12	
Interest to June 21, 1949.....	23.41	
	<u>2,759.53</u>	
To 10% Attorney's Commission.....		273.61
Amount of insurance premium expended by mortgagor.....		24.96
		<u>298.57</u>
TOTAL DEBT.....		\$3,058.10

STATE OF MARYLAND  
QUEEN ANNE'S COUNTY, to wit:

I HEREBY CERTIFY that on this thirty-first day of August, 1949, before the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, personally appeared A. Sydney Gadd, Jr. cashier of the Centreville National Bank of 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.

KATHERINE C. O'NEAL  
Katherine C. O'Neal  
Notary Public

Notary  
Public  
Seal

Filed September 1, 1949

AUDIT  
Filed September 27, 1949

THOMAS J. KEATING, JR.,  
Assignee,

vs.

EVERETT CARL SMITH AND  
MABEL SMITH, his wife,  
Mortgagors.

X  
X  
X  
X  
X  
X  
X

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

Cause No. 3627

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Howard Wood, 3rd, your Auditor, unto your Honors,  
respectfully shows:

1. That this account is stated at the request of Thomas J. Keating, Jr., Assignee of Mortgage for the purpose of foreclosure and collection (and vendor) in this foreclosure proceeding; and it appears that the net proceeds of the mortgage sale were insufficient for the payment of the mortgage debt and interest amounting to the sum of Three Thousand Fifty Eight Dollars and Ten Cents (\$3,058.10) as of the day of sale, per statement of mortgage indebtedness filed herein, that such deficiency amounts to the sum of Sixteen Hundred Fifty Dollars and Forty-Five Cents (\$1,650.45), and that such deficiency is due the Mortgagee from the Mortgagors with interest thereon from June 21, 1949;

2. That, in the within account said Assignee is charged with the gross proceeds of the sale made by him, per report of sale filed; and that he is then allowed thereout as follows: for his commission in accordance with the terms of said mortgage, the costs of advertising the sale and the several orders nisi of this cause, the cost of the premium on said Assignee's corporate surety bond per receipted bill, the court costs of this cause per receipt of Clerk, the fee of the auctioneer who cried this sale per receipted bill, the amount of 1949 taxes credited to the Purchaser at settlement, the auditor's fee, and finally the net proceeds of sale, in the sum of Fourteen Hundred Seven Dollars and Sixty-Five Cents (\$1,407.65), on account of the afore-said mortgage debt, interest, attorney's commission and insurance premium itemized in said statement of mortgage indebtedness.

Respectfully submitted,

HOWARD WOOD, 3rd, Auditor.

September 27, 1949

Filed September 27, 1949

Cause No. 3627

The proceeds of the sale of land reported in this cause, in account with Thomas J. Keating, Jr., Assignee of the Mortgage foreclosed in these proceedings (and vendor of said land).

Cr.

1949

June 21

By gross proceeds of the sale of said land, per report of said vendor,  
to wit: \$1,650.00

Dr.

To	Thomas J. Keating, Jr., assignee (and vendor) for his commissions for making the sale, per terms of mortgage.....	\$105.00
To	do., for amounts paid The Queen Anne's Record and Observer Publishing Company, per receipt for same exhibited, to wit: For publishing advertisement of sale: \$39.38 For publishing order nisi on sale.... 7.50	46.88
To	do., for an amount paid Thomas J. Keating, Jr., Attorney for Fidelity and Deposit Company, for the premium on said assignee's corporate surety bond, per receipt for same exhibited, to wit:.....	12.00
To	do., for an amount paid Nellie B. Whiteley, Clerk, for the court costs of this Cause, per receipt for same exhibited, to wit: Clerk's costs.....\$18.75 Appearance fee of Thomas J. Keating, Jr: 10.00	28.75
To	do., for an amount paid J. Elmer Anthony, auctioneer, for crying said sale, per his	

receipt for same exhibited, to wit:	25.00	
To do., for the cost of advertising the order nisi to be passed as to this audit in the Queen Anne's Record-Observer.....	5.00	
To do., for an amount credited to J. Thomas Clark, Purchaser of said land, for 1949 State, County and School taxes until the date of settlement, per said Purchaser's statement of same exhibited, to wit.....	10.72	
To Howard Wood, 3rd, Auditor, for stating this audit.....	9.00	
To Thomas J. Keating, Jr., Assignee of Mortgage for the purpose of foreclosure and collection the net proceeds of this sale (on account of the Mortgage indebtedness of \$3,058.10, per statement thereof filed), to wit:.....	<u>1,407.65</u>	
	\$1,650.00	\$1650.00

HOWARD WOOD, 3RD  
Auditor

September 27, 1949.

Filed September 27, 1949

NISI RATIFICATION OF AUDIT  
Filed September 27, 1949

NISI RATIFICATION OF AUDIT

Thomas J. Keating, Jr., Assignee,	)	IN THE CIRCUIT COURT
	)	
VS.	)	FOR QUEEN ANNE'S COUNTY
	)	
Everett Carl Smith and Mabel Smith, his wife, Mortgagors.	)	IN EQUITY
	)	
	)	Cause No. <u>3627</u>

ORDERED, This 27th day of September in the year nineteen hundred and forty nine, that the Report and Account filed in these proceedings by Howard Wood, 3RD, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 21st day of October, 1949; provided a copy of this order be published once a week in each of two successive weeks before the 14th. day of October 1949, in some newspaper printed and published in Queen Anne's County.

NELLIE B. WHITELEY Clerk

Filed September 27, 1949

NISI RATIFICATION OF AUDIT  
Filed November 1, 1949

Thomas J. Keating, Jr. Assignee	)	IN THE CIRCUIT COURT FOR
	)	
VS.	)	QUEEN ANNE'S COUNTY
	)	
Everett Carl Smith and Mabel Smith, his wife, Mortgagors.	)	IN EQUITY
	)	
	)	Cause No. 3627

ORDERED, This 27th day of September in the year nineteen hundred and forty nine, that the Report and Account filed in these proceedings by Howard Wood, 3RD, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 21st day of October, 1949; provided a copy of this order be published once a week in each of two successive weeks before the 14th day of October, 1949, in some newspaper printed and published in Queen Anne's County.

Nellie B. Whiteley, Clerk

Filed: September 27, 1949  
True Copy  
Test: Nellie B. Whiteley, Clerk

QUEEN ANN'ES RECORD-OBSERVER

Centreville, Md. Nov. 1, 1949

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 Jr. Assignee VS Everett Carl Smith and Mabel Smith, 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 published at Centreville, in Queen Anne's County, Maryland once a week for 2 successive weeks before the 14th day of October, 1949, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 29th day of September 1949, and the last insertion on the 6th day of October 1949.

Filed November 1, 1949

FINAL ORDER OF RATIFICATION  
Filed November 1, 1949

THOMAS J. KEATING, JR.  
Assignee

vs.

EVERETT CARL SMITH AND  
MABEL SMITH, his wife,  
Mortgagors

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

CAUSE NO. 3627

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FINAL ORDER OF RATIFICATION

Ordered this 1st day of November, 1949, that the report and account filed in these proceedings by Howard Wood III, auditor, by 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 assignee is directed to apply the proceeds of sale accordingly with a due proportion of interest, if any, as the same has been or may be received.

WM. R. HORNEY  
JUDGE

Filed November 1, 1949

ASSIGNMENT  
Filed January 6, 1950

THOMAS J. KEATING, JR., Assignee  
of Mortgage

vs.

EVERETT CARL SMITH AND  
MABEL SMITH, his wife, Mortgagors

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

To Nellie B. Whiteley, Clerk:

You will enter the following order upon your docket in the above entitled case:

"I do hereby transfer and assign and set to the use of the administrator of veteran's affairs any and all rights to obtain a deficiency judgment against the above mortgagors for the amount of such deficiency as is shown by the audit of the proceeds of sales made, reported and filed in the above case."

THOMAS J. KEATING, JR.  
Thomas J. Keating, Jr.  
Assignee of Mortgage

Filed January 6, 1950

CAUSE NO. 946

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Sixteenth day of June, in the year eighteen hundred and ninety, the following Petition was filed for record, to wit:

MARIA B. GREEN, next friend &c	)	IN THE CIRCUIT COURT
VS.	)	FOR QUEEN ANNE'S COUNTY
THOMAS M. GREEN and others	)	IN EQUITY

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Thomas J. Keating and B. Palmer Keating, Trustees, appointed by the decree in this cause to sell the Real Estate in the proceedings mentioned humbly show:

1st. That in execution of the authority vested in them by said decree, they did on the 21st day of December 1889, sell unto a certain Laura J. Faithful of said county, the wife of George G. Faithfull, the parcels of said real estate designated as Lots.

Nos. 9 at and for	61.00
" 8 " " "	75.00
" 7 " " "	62.00
" 6 " " "	70.50
" 21 " " "	28.50
" 25 " " "	25.75
" 26 " " "	15.00
" 27 " " "	35.00
" 28 " " "	35.00
" 29 " " "	25.00
Making a total of	\$ 432.75

One Third of which was to be paid on the day of sale, and the balance in two equal installments in one and two years from this date, from which time the deferred payments were to bear interest, and to be secured by the bonds of the purchaser with sureties to be approved by the Trustees;

2nd That said sale has been duly reported to and ratified by this Court as will appear by the said report and the proceedings thereon now remaining in this Court;

3rd That the said Laura J. Faithful has paid no part of the aforesaid purchase money and has failed to give bond with sureties for any part of the deferred payment aforesaid;

4th Your Petitioners pray that the said Laura J. Faithful may be compelled by decree or order of this Court to pay the cash payment of one-third of the aforesaid purchase money and to comply with the other terms of the aforesaid sale, and in default thereof, that the aforesaid parcels of said real estate may be decreed to be sold for the purpose of raising the same, or such other or further relief granted unto your petitioners as their case may require.

THOS. J. KEATING  
B. PALMER KEATING  
Trustees

ORDER OF COURT  
Filed June 16, 1890

On the foregoing petition it is ordered this 13th day of May Eighteen hundred and ninety that the said Laura J. Faithful bring unto this Court, the sum of One hundred and forty four dollars and twenty five cents with interest from Dec. 21, 1889, the same being one-third of the aforesaid purchase money, and also give her bond or notes for the deferred payments with sureties approved by the said Trustees or show good cause to the contrary on or before the 13th day of June next, provided a copy of this order together with a copy of the foregoing petition be served on the said Laura J. Faithful on or before the first day of June next.

FREDERICK STUMP

True Copy  
Test: Wm. Dever, Clerk

And on the back of the aforesaid Petition and Order is the following endorsement, to wit:

Copy of Petition and Order of Court thereon to be served on Louise J. Faithful wife of George T. Faithful on or before the first day of June, 1890. Served May 26th, 1890, T. B. Turner, Sheriff.

Filed June 16, 1890

The docket shows that an Order for re-sale was filed May 11, 1891, and is missing from the papers.

PETITION  
Filed May 22, 1896

MARIA B. GREEN, next friend &c.  
 Plaintiff  
 VS.  
 THOMAS M. GREEN and others  
 Defendant

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

TO THE HONORABLE, JUDGES OF THE SAID COURT:

The Petition of Maria B. Green next friend for Agnes B. Green and Mary E. Green, infants under twenty one years of age, to your honors respectfully sets forth.

1st That as will appear by the proceedings in this case a Decree for the sale of the lands described in said proceedings for the purpose of investment was passed by this court on the 13th day of November 1889 and Thomas J. Keating and B. Palmer Keating were therein named and appointed trustees to make the sale, that they accepted the trust, giving Bond as required by the Decree and assuming the active discharge of the office and duties of the trust.

2nd That on the 30th day of December 1889 they returned and had filed in this case a Report of Sale of all the land decreed to be sold excepting an undivided moiety of a small lot of inconsiderable value, said sales as reported, aggregating the sum of \$793.75 as per said Report of sales will appear.

3rd That it appears from said Report of Sales, that at the time thereof there had been no compliance by any of the Purchasers with the terms of sale.

4th That on the 13th day of May 1890 all said sales were by order of this Court finally ratified and confirmed and on the same day on Petition of the said Trustees an order of this Court was passed requiring Laura J. Faithful one of the Purchasers at the sale made by the Trustees to bring unto this Court \$144.25 one third of her Reported Purchasers with interest from the 21st day of December 1889, and bonds or notes with approved security for the remainder of her purchases on or before the 13 June 1890 or make cause to the contrary said Petition and order were served on her by the ninth day of June 90 which appears to have been done.

5th That this seems to have been the last proceeding taken by the Trustees in the case.

6th That the bond as aforesaid given by then has in the meantime become insolvent and worthless.

Your Petitioner prays the Honorable Court to pass an order requiring and directing said Trustees and each of them to return to this Court a Report of the exact condition and Status of said Trust, trust funds and assets an exhibit and Report of the monies collected by them and each of them with the dates of receipt on collection - an exhibit of the notes and bonds held by them unpaid and uncollected and ordering and directing them to bring in all monies collected and named by them or either of them and all bonds and notes to be disposed of unwritten order of this Court, and to make cause why then will not be required to form a new bond or to surrender said trust.

J. B. & E. H. BROWN  
 Attys for Petitioners

ORDER OF COURT  
 Filed June 1, 1896

Maria B. Green &c  
 Plaintiff  
 VS.  
 Thomas M. Green &c.  
 Defendants

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

ORDERED this ninth day of May 1896 by the Circuit Court for Queen Anne's County, in Equity and by the authority thereof, on the foregoing Petition of Maria B. Green, as next friend of Agnes B. Green and Mary E. Green Infants under 21 years of age, that Thomas J. Keating and B. Palmer Keating, Trustees, they and each of them be and they are hereby required, ordered and directed on or before the 15 day of June 1896 to make and return to this county a full answer to the foregoing Petition, setting forth and giving in detail the status and condition of the trust Estate and trust funds of purchases held by them on either of them, and the remains due and unpaid by purchases on Lots purchased by them, and that they and each of them bring into this court all monies received by them with interest properly due and all bonds and--notes held by them to be disposed of by this court and that they be, and are hereby required to show cause on or before said date why they shall not be required to give new bond as Trustees or the surrender said trust and that they and each of them be served with a copy of said Petition and this order on or before the 1st. day of June 1896.

FREDERICK STUMP

And on the back of the foregoing petition and order is the following endorsement, to wit:

Petition and order of court served and copy left with B. Palmer Keating, Trustee, May 22, 1896.

J. L. Woolleyhand  
 Shff

Filed May 22, 1896

On May 26, 1896, a copy of the above petition and order were filed with the following endorsements on the back thereof:

Received this 23 May 1896 and delivered to the Sheriff of A. A. Co.  
Geo. Wells  
Clk.

Served and copy left with Thos. J. Keating 25th day of May 1896.  
Jos. O. Fowler  
Sheriff A. A. Co.

ANSWER  
Filed July 25, 1896.

Maria B. Green  
next friend &c.  
Plaintiff

vs.

Thomas M. Green  
& others  
Defendants

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

To the Honorable, the Judges of said Court,

The separate answer of B. Palmer Keating to the petition of the complai-  
ant filed in this cause respectfully set forth. ✓

I. That the sale of the several lots metioned in the report of the Trus-  
tees was made as therein stated.

II. That two of the lots, mentioned, have been paid for, viz

Lot No. 10 David T. Hurlock 24.00  
Lot No. 2 W. J. Evans 100.00

III. That nothing has ever been paid by any of the other purchasers or of  
any of the other lots.

IV. That the Trustees have made an ineffectual effort to sell at public  
sale, the several lots purchased by Louise T. Faithful.

V. That it will appear by reference to the report of sale, that the  
said Maria B. Green purchased for lots aggregating \$158.00. She has paid nothing on  
a/c thereof.

Respectfully submitted

B. Palmer Keating

ANSWER TO PETITION  
Filed July 25, 1896

MARIA B. GREEN, next friend &c.

VS.

THOMAS M. GREEN and others

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The answer of Thomas J. Keating to the petition of Maria B. Green next  
friend of Agnes B. Green and Mary E. Green filed in this case set forth that

1st This respondent admits the matters and things alledged in the first,  
second and third and fourth paragraphs of said petition as appearing in the proceedings  
in this case.

2nd His Co-trustee B. Palmer Keating has been the action Trustee in  
whatever subsequent proceedings have been had in said trust and this respondent must  
rely upon the said B. Palmer Keating's answer filed to said petition and submitted  
to such further order or decree as this Honorable Court may pass in the premises.

THOMAS J. KEATING

PETITION  
Filed September 14, 1896

MARIA B. GREEN, next friend &c  
Plaintiff

VS.

THOMAS M. GREEN and others  
Defendant

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY

IN EQUITY

TO THE HONORABLE JUDGES OF SAID COURT:

The Petition of Maria B. Green next friend for Agnes B. Green and Mary E. Green, Infants under twenty one years of age, to your Honors respectfully sets forty.

1st That as will appear by proceedings in this case Thomas J. Keating and B. Palmer Keating, Trustees, have filed separate answers and thereby it is admitted that One Hundred and Twenty four dollars have been received by them, but the same is not brought in or accounted for.

2nd That no offer is made to give a new Bond and no request is performed to continue in the trust.

3rd Your Petitioner sets forth that it is important that this trust should be concluded as speedily as possible and to this end that the present Trustees should be removed and a new Trustee or Trustees substituted.

4th That E. S. Valliant lives at Church Hill where the property decreed to be sold is located and that he is the proper person to be Trustee in the case to close the trust.

Your Petitioners accordingly pray the Court to pass an order removing Thomas J. Keating and B. Palmer Keating from said Trust and naming Edwin S. Valliant of Queen Anne's County as Trustees to complete the Trust.

I. B. & E. H. BROWN  
Attys for Petitioners

ORDER OF COURT  
September 14, 1896

ORDERED, on this twelfth day of September 1896, by the Circuit Court of Queen Anne's County in Equity and by the authority thereof, in the foregoing Petition of Maria B. Green next friend &c. That Thomas J. Keating and B. Palmer Keating, Trustees heretofore appointed and qualified in this case, be and they are hereby removed from the said office and trust. And that Edwin S. Valliant, of Queen Anne's County, be and he is hereby appointed Trustee in their place and stead and that before he proceeds to act as such Trustee he shall give bond as required in the approved Decree, but in the penalty of \$2000 conditions for the faithful discharge of his duties as Trustee and that on giving bond he is invested with right and power to take all necessary steps and proceedings to execute all the orders and decrees heretofore passed in the case as fully as the former said removed Trustees could have done and to collect and receive from said Trustee all monies received by them as such Trustees and that he be and hereby is authorize to employ an Attorney or Attorneys to assist him in the execution of the duties of said Trust.

FREDERICK STUMP

Filed September 14, 1896

BOND  
Filed October 3, 1896

KNOW ALL MEN BY THESE PRESENTS that we, Edwin S. Valliant of Queen Anne's County in the State of Maryland and Fidelity and Deposit Company of Maryland are held and firmly bound unto the State of Maryland in the full and just sum of Two thousand 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 bond 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 30th day of September in the year Eighteen Hundred and ninety six.

WHEREAS, by a decree of the Circuit Court for Queen Anne's County, in Equity, bearing date the Nineteenth day of November in the year Eighteen Hundred and eighty nine and passed in a cause in the said Court, wherein Maria B. Green, next friend of Thomas M. Green and others is Complainant and Thomas M. Green and others are Defendants Thomas J. Keating and B. Palmer Keating were appointed Trustees to make sale of certain Real Estate in the proceedings in said cause mentioned. And whereas the said Thomas J. Keating and B. Palmer Keating Trustees gave Bond in accordance with the terms of said Decree conditioned to will and faith full perform the trust reposed in them by said Decree or any future order or Decree in the premises which was duly approved and entered on the discharge of the duties of said trust, but failed well and faithfully to execute and perform the duties of said trust And whereas the said Circuit Court by its order of the Twelfth day of September in the year Eighteen Hundred and ninety six passed in said cause on the Petition of Maria B. Green, next friend &c. removed the said Thomas J. Keating and B. Palmer Keating from the Office of and performance of the duties of said Trust and appointed the aforesaid Edwin S. Valliant as Trustee in said case in their place and stead and directed therein that before he shall proceed to act as such Trustee he shall give bond as required in the original Decree of aforesaid, but in the penalty of Two Thousand Dollars conditioned for the faithful discharge of his duties as such Trustees and that on giving Bond that it be invested with right and power to take all necessary steps and proceedings to execute all the orders and decrees heretofore passed in the said cause as fully as the former and removed Trustees could have done and to collect and receive from said removed Trustees all monies received by them as such Trustees and that he be authorized to employ an attorney or attorneys to assist him in the execution of the duties of said Trust.

Now the condition of this Obligation is such that if the above bounden Edwin S. Valliant shall well and faithfully perform the trust reposed in him by the aforesaid order of his appointment and the original decree heretofore passed in the case and all subsequent orders and decrees heretofore passed in the case or that may be reposed in him by any future orders a decrees that may be passed in said case, then their presents shall be void; else to remain in full force and virtue in law.



EDWIN S. VALLIANT (SEAL)

FIDELITY AND DEPOSIT COMPANY OF MARYLAND (SEAL)  
 per: JOS. P. STOWLIN LEE  
 Vice President

ATTEST:

H. E. BOSLER, Secretary  
 Corporate Seal

And on the back of the foregoing bond is the following endorsement, to wit:  
 Security Approved and filed October 3, 1896.

Wm. H. Cecil, Clerk  
 Circuit Court for Queen Anne's County.

Report of Sale  
 Filed December 30, 1896

MARIA B. GREEN next friend &c. Plaintiff	)	IN THE CIRCUIT COURT
	)	
VS	)	FOR
	)	
THOMAS M. GREEN &c. Defendant	)	QUEEN ANNE'S COUNTY
	)	
	)	IN EQUITY.

TO THE HONORABLE JUDGES OF SAID COURT:

The Report of Sales made by Edwin S. Valliant, Trustee in this case by virtue of an order of this Court passed herein on the Twelfth day of September 1896, to your Honors respectfully sets forth that having filed this bond on said Court, which was duly approved agreeably to laid he proceeded to make sale of the Real State purchased by Louisa J. Faithful as will appear by proceedings in the case and not complied with the original order of Resale thereof having been passed by this Court herein on the 11th day of May in the year 1891 as follows, to wit:

Your Trustee having given more than three weeks previous notice of the time, place, manner, and terms of sale by advertisement in the Centreville Observer, a newspaper printed and published in Queen Anne's County, State aforesaid, pursuant to said notice attended at Church Hill, Countys and State aforesaid in front of the Brick Hotel in said town, on Saturday the Thirty first day of October 1896, between the hours of 3 & 4 o'clock p.m. and there and there offered said Real Estate for sale at Public auction. And after having offered said Real Estate the lots in said town on said street thereon stands the Brick Hotel and within sight thereof and on the property itself and within full view of the lots and the said Hotel continued the sale excepting as to the Mill Flat Lot. Your Trustees offered said Lots singly at first and the same were struck off as follows:

Lot No. 6 to Maria B. Green at	\$42.80
Lot No. 7 to W. E. B. Faithful at	25.00
Lot No. 8 to Do. at	27.00
Lot No. 9 to Do. at	19.00
Lot No. 21 to William Hurlock at	1.00
Lot No. 25 to W. E. B. Faithful at	13.00
Lot No. 26 to Do. at	10.00
Lot No. 27 to Do. at	10.00
Lot No. 28 to Do. at	10.00
Lot No. 29 to David F. Hurlock at	21.00
Total Sale of above lots offered singly	\$178.00
The above lots No. 21 sold to William Hurlock	1.00
	177.00
And No. 29 sold to David T. Hurlock	21.00
Leaving-----	156.00

as representing Lots No. 6, 7, 8, 9, 25, 26, 27, 28 which last named and numbered lots were then accordingly to previous announcement offered as a whole and sold to Maria B. Green at \$157.00, she being then and there the highest bidder therefor.

The said William Hurlock will pay in cash for Lot No. 20 on ratification of sale, the said David T. Hurlock for Lot No. 29 on Ratification of sale and the said Maria B. Green in Lots No. 6, 7, 8, 9, 25, 26, 27 & 28 on Ratification of sale.

Returning to the point of the Brick Hotel the sale was resumed and the individed half interest in the Mill Flats Lot was sold to Thomas B. Johns, he being then and there the highest bidder therefor at \$41.50, who will pay for the same on Ratification of the Sale. This sale was by virtue of the original decree the Mill Flats Lot not having been sold before.

Total Sales	Maria B. Green	\$157.00
	William Hurlock	1.00
	David T. Hurlock	21.00
	Thelma B. Johns	41.50
	Total-----	220.00

Your trustee has attached hereto as part of this Report copy of advertisement of sales under which the sales were made--All of which is respectfully submitted.

TEST:

W. W. BRYAN JR.

EDWIN S. VALLIANT  
Trustee

ORDER NISI  
Filed February 15, 1897

MARIA B. GREEN ET AL.  
PLAINTIFFS

VS.

THOMAS M. GREEN ET AL.  
DEFENDANTS

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

ORDERED, on this first day of December, 1896, by the Circuit Court for Queen Anne's County, in Equity, and by the authority thereof, that the sale of the Green Lots in Church Hill, Queen Anne's County, Md., and the Mill Flat Lot adjacent to Church Hill, made and reported to this court by Edwin S. Valliant trustee for the sale thereof be ratified and confirmed, unless cause be contrary thereof be shown on or before the first day of February, 1897; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County, aforesaid for once in each of three successive weeks before the first day of January next. The report states the amount of sales at the risk of Louisa J. Faithful, to be \$179.00 and original sales total \$220.56.

WM H. CECIL, Clerk  
True copy--Test:

Wm. H. Cecil, Clerk

We hereby certify that the annexed advertisement was inserted in THE CENTREVILLE OBSERVER, a newspaper printed and published at Centreville, in Queen Anne's County, Maryland, once in each of 3 successive weeks--being more than twenty days--before the 1st day of January 1897.

BUSTEED & PRICE

Filed February 15, 1897

MARIA B. GREEN ET AL.  
Plaintiffs

VS

THOMAS M. GREEN ET AL.  
Defendants

) IN THE CIRCUIT COURT  
)  
) FOR  
) QUEEN ANNE'S COUNTY  
)  
) IN EQUITY  
)  
) Chancery No. 946

ORDERED, this first day of December 1896 by the Circuit Court for Queen Anne's County in Equity and by the authority thereof that the sale of the Green lots in Church Hill, Queen Anne's County, Maryland and the Mill Flat Lot adjacent to Church Hill, made and reported to this Court by Edwin S. Valliant, Trustee for the sale thereof, be ratified and confirmed unless cause to the contrary thereof be shown on or before the first day of February 1897; provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County aforesaid, for once in each of three successive weeks before the first day of January next. The Report of Sale the amount of sales at the rest of Laura J. Faithful to be \$179 and received sales \$41.50 Total \$220.50-----

WM. H. CECIL, Clerk

Filed December 1, 1896

REPORT OF TRUSTEE  
Filed April 13, 1897

MARIA B. GREEN, next friend  
Plaintiff

VS.

THOMAS M. GREEN and others  
Defendants

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



The Proceeds of the Sale of the Real Estate of the late Thomas H. Green in account with Edwin S. Valliant Trustee appointed to make said sale.

1896

October 31	To E. S. Valliant Trustees commissions for making sale @ rate of 7% on 1st \$500	\$38.94
	To Wm. H. Cecil Clerks' Cost	7.85
	To Jas. L. Wolleyhand Sheriffs Costs	.80
	To J. B. & E. H. Brown Solic. Appearance fee on petition	10.00
	To Jno. H. Carter Auctioneer for crying sale	2.00
	To Busted Price & Bryan advertising sale & order nisi	16.25
	To Chas. McCollister Collector to State & County Tax for 1895	5.94
	To Chas. McCollister Collector to State & County Tax for 1896	6.43
	To Thos. B. Johns to surveying & for chain carrier	5.30
	To Thos. B. Johns for recording deed to Mill Flats to perfect title & to acknowledging same	.75
	To Thos. B. Johns to fall short on "Mill Flats"	8.33
	To J. B. & E. H. Brown Attys for professional ser- vices vendors in this case, to wit: for preparing petition for removal of former trustees & to order nisi. To preparing second petition & order of removal & substituting E. S. Valliant & etc.	20.00
	To Madison B. Bordley special auditor	9.00
	To Balance to be distributed	428.00
		<u>559.59</u>

1896

October 31	By Total amount of sales per report filed in this Cause	220.50
	By amount of sales made by T. J. & B. P. Keating Trustees of Lots No. 5 No. 4 No. 23 & 24 to Maria Green \$158.00 Int. from Dec. 21 1889 68.73	226.73
	By amount of sales made by T. J. & B. P. Keating Trustees of Lots No. 3 & No. 22 \$79.00 in Edwin S. Valliant Int. from Dec. 21 1889 to Mar. 21 1889 34.36	<u>113.36</u>
	By Gross amount of sales	560.59
	Less on Resale of Lot No. 21	<u>1.00</u>
		559.59
	To Maria B. Green widow of Thomas H. Green 1/9 of said balance as her dower	47.55
	To Thos. M. Green 1/4 of balance	95.111/4
	To Annie C. Green 1/4 of balance	95.111/4
	To Agnes B. Green 1/4 of balance	95.111/4
	To Mary E. Green 1/4 of balance	95.111/4
		<u>\$428.00</u>

MADISON B. BORDLEY  
Spec. Auditor

ORDER OF COURT  
Filed May 5, 1897

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

May Term 1897

ORDERED, on this Fifth day of May 1897 by the Circuit Court for Queen Anne's County in Equity and by the authority thereof that the within and foregoing Auditors Report and Account be and the same is hereby finally ratified and confirmed and Edwin S. Valliant, Trustee is ordered and directed to apply proceeds accordingly with a due proportion of interest as the same has been or may be received by him.

FREDRICK STUMP

Filed May 5, 1897

CAUSE NO. 48

Queen Anne's County, to wit: Be it remembered that on this Twenty-Third day of April in the year eighteen fifty eight, the following Summons was brought to be recorded, to wit:

Queen Anne's County, to wit, The State of Maryland to Thomas H. Kemp of Queen Anne's County, Greetings: You are hereby Commanded to be and appear in the Circuit Court for Queen Anne's County, as a Court of Chancery at the town of Centreville in said County on the first Monday of May next to answer the Bill of Complainant exhibited in Court against you by John Denny. Fail not as you will answer to the Contrary at your peril. Witness the Honorable Philemon B. Hopper judge of said Court the 2 day of November in the year eighteen hundred and fifty seven.

Seal of  
County

Filed 23 day of April, 1858

MADISON BROWN, Clerk

Exhibit A.  
Filed January 21, 1889

We the subscribers having been called on by Mr. Thomas H. Kemp and Mr. John Denny to value the Farm on which Mr. Thomas H. Kemp at present resides containing one Hundred & Twenty five acres more or less. Having entered on the said premises, proceeded to examine the same and found a large two story brick dwelling in bad repair and some old out houses. We therefore, after reviewing said premises, determined that the land including the buildings was worth Twenty five dollars per acre, or in other words the 125 acres together with the improvements is worth Three Thousand and one hundred and Twenty five Dollars \$3,125.00.

Given under our hands this fifteenth day of Sept. 1853.

Chas. E. Skinner

John C. Tolson

Filed January 21, 1889

Affidavit  
Filed November 12, 1883

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

I HEREBY CERTIFY, that on this 11th day of November in the year Eighteen hundred and eighty three before the subscriber a Justice of Peace of the State of Maryland in and for Queen Anne's County personally appeared Walter K. White and Luther W. Bryan, of Queen Anne's County aforesaid and made oath on the Holy Evangelical of Almighty God that Thomas H. Kemp, late a resident of Kent Island of said County, departed this life on or about the last day of August in 1883, leaving surviving him the following heirs at law, Thomas H. Kemp and John D. Kemp his two children, and Charles Percy Kemp, a grandson of said deceased, a son of Henry Clay Kemp, a son of said deceased, who died in the life time of his father, of whom the said Charles Percy Kemp, is an infant under twenty one years of age, and a resident of Queen Anne's County, aforesaid; and that your applicants are advised that both said sons, Thomas H. Kemp and John D. Kemp, are not residents of this State of Maryland.

R. GOLDSBOROUGH, J.P.

20¢ pd. by EHB

Filed November 12, 1883

SUBPOENA  
Filed December 3, 1883

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

TO

Seal of  
court

CHARLES PERCY KEMP.

OF QUEEN ANNE'S COUNTY, GREETING:

YOU ARE HEREBY COMMANEED, 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 John Denny against you & others in said Court exhibited.

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

WITNESS the Honorable JOHN M. ROBINSON, Chief Judge of our said Court, the fifth day of November 1883.

Issued the 14th day of November in the year 1883.

S. C. DUDLEY, Clerk

ANSWER  
September 13, 1886

JOHN DENNY

VS.

THOS. H. KEMP

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

To the Honorable The Judges of the Circuit Court for Queen Anne's County in equity.

The answer of John D. Kemp administrator of Thos. H. Kemp to the petition of the complainant filed in this cause on the third day of July eighteen hundred and eighty six as were as to the bill of complaint filed on the twenty third day of April eighteen hundred and fifty eight.

1st This respondent admits that he is the same John D. Kemp who is an heir at law of the late Thos. H. Kemp deceased and to whom letters of administration upon the personal estate of said deceased have been issued and that he has possessed himself of said personal estate.

2nd This respondent cannot admit that said personal estate is wholly inadequate and insufficient to pay the indebtedness of said deceased existing at the time of his death on the contrary this respondent avers that said personal estate is fully adequate and sufficient to pay all of said indebtedness that has been proved and passed against said estate and entered in the List of Claims in the office of the Register of Wills for Queen Anne's County or of which this respondent has any knowledge.

3rd This respondent having already an heir at law of Thomas H. Kemp deceased filed his answer to the Complainants bill, adopts and makes the same answer thereto as administrator of said deceased and reiterates the matters and things set forth in said answer as fully as if the same were herein repeated.

4th And your respondent prays to be herein dismissed with his reasonable costs.

Thos. I & B. P. Keating  
Solicitors for respondent

Filed Sept. 13, 1886

ANSWER  
March 20, 1886

JOHN DENNY

VS.

THOS. H. KEMP

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

To the Honorable The Judges of the Circuit Court for Queen Anne's County in Equity

The answer of Thomas H. Kemp, one of the sons and heirs at law of Thomas H. Kemp, the original defendant to the bill of complaint filed in this cause, on the twenty third day of April eighteen hundred and fifty eight.

1st This respondent admits the death of the said original defendant, Thos. H. Kemp, as suggested by the plaintiff, and that the said original defendant died, as set forth, in said suggestion, on or about the last of August eighteen hundred and eighty three, leaving this respondent and John D. Kemp, his two sons and Charles P. Kemp his grandson, a child of his deceased son Henry C. Kemp surviving him.

2nd This respondent denies all knowledge of the alleged agreement of purchase between the original defendant and the complainant and further denies that such agreement was made and avers that such agreement if made as alleged is not binding in law or equity upon the said original defendant or his heirs at law.

3rd This respondent further denies all knowledge that Charles E. Skinner and John C. Tolson in pursuance of said alleged agreement of purchase, valued the land agreed to be sold, and described in the complainants bill, to the said original defendant Thomas H. Kemp and that the said original defendant Thos. H. Kemp, shortly after said valuation was made in writing as alleged had notice thereof and exempted his assent thereto either in writing or otherwise and this respondent further denies that the said original defendant Thos. H. Kemp had notice of or expressed his assent to said valuation of alleged in the complainants bill.

4th This respondent further denies that the original defendant entered into possession of the land and premises mentioned and described in the complainants bill under or in execution of the alleged agreement of purchases, and this respondent avers that the possession by the said original defendant of said land and premises began long before the time when said agreement is alleged to have been made and continued uninterrupted and independently of said alleged agreement up to the time of the death of the said original defendant and has continued since his death in his said heirs at law to the present time.

5th This respondent further denies all knowledge of the application of arrearages of rent or of balances on accounts or on notes or of the payments of money as credits upon purchase money due from the original defendant to the complainant under the aforesaid agreement of purchase as charged and set forth in complainants bill, and this respondent denies that such acts of part performance of the said agreement were done or committed.

6th This respondent further denies that the said original defendant Thos. H. Kemp is or was indebted to the complainant on account of purchase money for the land mentioned and described in the complainant bill in the sum of \$2497.37 with interest thereon from the 13th day of January 1854 or in any other sum or on any other account on the contrary this respondent avers and charges that if and when and accounting and reckoning is had between the original defendant and the plaintiff to this cause, a fair just and equitable adjustment to the accounts and dealings between them will show a balance in favor of the said original defendant and to this end this respondent being a non resident of this State as shown in these proceedings and a resident of the State of Missouri and not having at this time accept to the and papers of said original defendant prays leave us within a reasonable time to file and itemized account in bar and in setoff to the complainants demand and to submit testimony in relation thereto before the examiner.

THOS. I & B. P. KEATING  
Solicitors for Thos. H. Kemp

ANSWER  
Filed March 20, 1886

JOHN DENNY

vs

THOS. H. KEMP

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

To the Honorable The judges of the Circuit Court for Queen Anne's County, in equity.

The Answer of John D. Kemp one of the sons and heirs at law of Thos. H. Kemp, the original defendant to the bill of complaint filed in this cause, on the twenty third day of April eighteen hundred and fifty eight.

1st This respondent admits the death of the said original defendant, Thos. H. Kemp, as suggested by the plaintiff and that the said original defendant died, as set forth in said suggestion, on or about the last of August eighteen hundred and eighty three, leaving this respondent and Thos. H. Kemp, his two sons, and Charles P. Kemp, his grandson, child of his deceased son Henry C. Kemp, surviving him.

2nd This respondent denies all knowledge of the alleged agreement of purchase between the original defendant and the complainant and further denies that such agreement was made, and avers that such agreement, if made as alleged, is not binding in law or equity upon the original defendant or his heirs at law.

3rd This respondent further denies all knowledge that Charles C. Skinner and John C. Tolson, in pursuance of said alleged agreement of purchase, valued the land, agreed to be sold, and described in the complainants bill to the said original defendant Thos. H. Kemp, and that the said original defendant Thos. H. Kemp, shortly after said valuation was made, in writing as alleged, had notice thereof and expressed his assent thereto, either in writing or otherwise, and the respondent further denies that the said original defendant, Thos. H. Kemp, had notice of or expressed his assent to said valuation as alleged in the complainants bill.

4th This respondent further denies that the original defendant entered into possession of the land and premises mentioned and described in

the complainants bill under or in execution of the alleged agreement of purchase, and this respondent avers that the possession by the said original defendant of said land and premises began long before the time when said agreement is alleged to have been made and continued uninterruptedly and independently of said alleged agreement to the time of the death of the said original defendant and has continued since his death in his said heirs at law to the present time.

5th This respondent further denies all knowledge of the application of arrearages of rents or of balances on accounts or on notes or of the payments of moneys credits upon purchase money due from the original defendant to the complainant under the aforesaid agreement of purchase as charged and set forth in complainants bill, and this respondent denies that such acts of part performance of the said agreement were done or committed.

6th This respondent further denies that the said original defendant, Thos. H. Kemp, is or was indebted to the complainant on account of purchase money for the land mentioned and described in the complainants bill, in the sum of \$2497.37 with interest thereon from the 13th day of January 1854, or in any other sum or on any other account; on the contrary this respondent avers and charges that if and when an accounting and reckoning is had between the original defendant and the plaintiff to this cause a fair just and equitable adjustment of the accounts and dealings between them will show a balance in favor of the said original defendant, and to this respondent begs leave within a reasonable time to file an itemized account in bar and in set off to the complainants demand and to submit testimony in relation there-to before the examiner.

THOS. I. & B. P. KEATING,  
Solicitors for Respondent

REPLICATION  
Filed March 24, 1886

JOHN DENNY, Plaintiff

vs

THOMAS H. KEMP and others, Defendant

IN THE CIRCUIT COURT

FOR QUEEN ANNE'S

COUNTY, IN EQUITY:

To the Honorable, the Judges of said Court.

The plaintiff joins here on the matters alleged in the answer of Thomas H. Kemp, the answer of John D. Kemp and the Answer of Charles Percy Kemp, and infant by James E. H. Lewis his guardian, respectively so far as the same may be taken to deny or avoid the allegations of the bill.

J. B. & B. H. BROWN  
Solicitors for Plaintiff

REPLICATION  
Filed April 4, 1887

JOHN DENNY, Plaintiff

VS

THOMAS H. KEMP & others, Defendants

IN THE CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY IN

EQUITY.

To the Honorable Judges of said Court

The Plaintiff, John Denny joins you on the matters alleged in the answer of John D. Kemp administrator of Thomas H. Kemp deceased so far as the same may be taken to deny or avoid the allegations of the bill.

JOHN B. BROWN  
EDWIN H. BROWN  
Plaintiffs' Attys.



CAUSE NO. 794

QUEEN ANNE'S COUNTY TO WIT: Be it remembered that on this Seventh day of April in the year Eighteen hundred and ninety, the following PETITION was filed for record, to wit:

JOHN L. CORSANS, Plaintiff	)	IN THE CIRCUIT COURT FOR
VS.	)	QUEEN ANNE'S COUNTY, IN
LAURA R. CORSANS ET. AL. , Defendant	)	EQUITY Cause No. 794

To the Honorable the Judges of said Court:

Your Petitioners, John B. Brown and Edward H. Brown, Trustees appointed by the Decree in this Cause to sell the real estate in the proceedings mentioned, petitioning, say:

1st That in execution of the authority vested in them by said decree, they did on the 25th day of July 1885 sell unto a certain DeWitt Clinton Spear of said county the real estate decreed to be sold as aforesaid at and for the sum of four thousand three hundred and seventy seven dollars and fifty cents on the terms set forth in said decree.

2nd That he received of said purchaser the sum of Eleven hundred and five dollars and sixty eight cents in cash and his single bill of said date securing the payment of the residue of said purchase money in three equal instalments in one, two and three years from the day of sale with interest on each with interest on each instalment.

3rd That said sale was duly reported to this Court and finally ratified and that said purchaser has since paid the first credit instalment of said purchase money.

4th That said DeWitt Clinton Spear, the said purchaser, has since departed this life leaving a last will and Testament (of which Exhibit DCS NO 1 filed herewith as a part of this petition is a certified copy) duly executed to pass estate and admitted to probate by the Orphans' Court of said County, whereby he devised the aforesaid real estate to his wife, Ann Spear in fee, and constituted and appointed B. Palmer Keating of said County as the Executor thereof, as will fully appear by the Exhibit aforesaid.

5th That said B. Palmer Keating has qualified as said Executor as will appear from Exhibit DCS No. 2 also filed with this Petition as a part thereof, and while he has possessed himself of said Testators personal estate, that your petitioners are advised that since is insufficient to pay his debts and side of their said claim.

6th That said DeWitt Clinton Spear did not pay any part of said second credit payment as said purchase prior to his death, although same had been overdue and he had been requested to pay same, and that said second and third credit payments on said purchase, now amounting to twenty one hundred and eighty one dollars and twenty one cents with interest from January 1st 1886 has never been paid, although long overdue, and said devisee and executor has been requested to pay same.

7th And that said Ann Spear has since intermarried with one Robert H. A. Roe of said county, and is now his wife.

Your Petitioners therefore pray that the aforesaid real estate may be decreed to be sold for the purpose of raising money to pay the aforesaid purchase money and interest, due and unpaid as aforesaid, unless the same shall first be paid by either said devisee or executor, that said sale shall be at the risk of the estate of said Testator; and that they may have such other or further relief granted unto them as their case may require.

And as in duty.

J. B. & E. H. BROWN  
Solicitors for Petrs.

Filed April 7, 1890

ANSWER  
Filed April 7, 1890

TO The Honorable the Judges of said Court;

Your respondents B. Palmer Keating, Executor of DeWitt Clinton Spear, deceased, and the said Robert H. N. Roe, and Ann Roe, his wife, formerly Ann Spear, and devisee of said Testator, answering the foregoing petition, say:

1st That said B. Palmer Keating, Executor as aforesaid admits the purchase money is due and owing as stated in the foregoing Petition, and that he is unable to pay same by reason of the insufficiency of the personal estate of his said Testator therefor.

2nd That said Robert H. N. Roe and Ann Roe, his wife, admit the matters and things stated in the foregoing petition to be true.

3rd. And that each of said respondents waive the passing and serving on them of any order conditional or otherwise, and on the foregoing petition, and consent that an order may forthwith be passed by the Court, decreeing that the real estate in said petition mentioned be sold by said Trustees for the payment of said purchase money and interest and the cost of this proceeding for one third cash and the balance in two equal instalments of one and two years, and on such other terms as are usual in final orders of sale against delinquent purchasers;

And as in duty.

B. PALMER KEATING  
Executor of D.W.C. SPEAR

T. J & B. P. KEATING  
Solicitors for respondent

Filed April 7, 1890

EXHIBIT DCS NO 1  
Filed April 7, 1890

I, D. W. C. Spear of Queen Anne's County in the State of Maryland do hereby make and publish this to be my last will and testament in manner and form following that is to say:

First, I give devise and bequeath to my wife Anna Spear all of my property of every kind and description real, personal and mixed to her and her heirs forever.

Second, I hereby constitute and appoint B. Palmer Keating of said County, Executor of this my last will and testament, revoking and annulling all former wills be me heretofore made, and ratifying and confirming this and none other to be my last will and testament.

In testimony whereof I have hereto set my hand and seal this fifth day of January in the year eighteen hundred and eighty eight

DeWitt C. Spear (SEAL)

Signed, sealed published and declared by the above named D. W. C. Spear as and for his last will and testament in our presence, who at his request, in his presence and in presence of each other, have hereto set our hands as witnesses hereto.

JNO. C. HACKETT  
J. C. HACKETT JR.

Queen Anne's County SCT: May 19th 1888

Then came John C. Hackett and J. C. Hackett Jr. the two subscribing witnesses to the foregoing will and made oath on the Holy Evangelical of Almighty God that they did see DeWitt C. Spear 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, at the time of his so doing he was to the best of their apprehension of sound and disposing mind memory and understanding: that they signed their names as witnesses to said will in the presence of each other, in the presence of the testator and at his request.

Sworn before Thomas A. Bryan, Register of Wills

STATE OF MARYLAND, SCT:

The Subscriber Register of Wills of said State in and for Queen Anne's County doth hereby certify that the foregoing is a true and perfect copy of the last will and testament of DeWitt C. Spear, dec'd, as recorded in Liber S. A.B. No. 7, folio 190 & ca record book of wills in the office of the Register of Wills of said county.

In Testimony whereof I hereunto set my hand and seal this Fourth day of April Eighteen hundred and ninety.

Finley Roberts, Register of Wills

Orphan's  
Court  
Seal

Filed April 7, 1890

EXHIBIT DCS NO 2  
Filed April 7, 1890

STATE OF MARYLAND SCT:

The subscriber/<sup>Register</sup> of said State in and for Queen Anne's County doth hereby certify that letters testamentary on the estate of DeWitt C. Spear deceased, were duly granted and committed unto B. Palmer Keating on the 31st day of May in the year eighteen hundred and eighty eight, Bond approved, penal sum one thousand dollars-In testimony whereof I hereunto set my hand and official seal this Fourth day of April eighteen hundred and ninety.

Finley Roberts  
Register of Wills

Orphan's  
Court  
Seal.

Filed April 7, 1890

ORDER OF COURT  
Filed April 10, 1890

JOHN L. CORSANS, plaintiff )  
vs )  
LAURA R. CORSANS et al, defendants )  
IN THE CIRCUIT COURT FOR  
QUEEN ANNE'S COUNTY, IN  
EQUITY: Chy. No. 794

The respondents, B. Palmer Keating, Executor of DeWitt Clinton Spear, deceased, who was the original purchaser of the real estate sold in this cause, and Robert N. Roe and Ann Roe, his wife formerly Ann Spear (the said Ann being the devisee of said DeWitt Clinton Spear of said real estate) having filed their answer to the petition filed in this cause, wherever among other things they waived the passing and serving on them of any order conditional or otherwise and consented that an order might forthwith be passed by this Court, decreeing that the real estate in said petition mentioned he sold by said Trustees in said cause for the payment of said unpaid purchase money and interest and the costs of this proceeding.

It is thereupon by me Frederick Stump, one of the Judges of the Circuit Court for Queen Anne's County in Equity and by the authority of said court this 8th day of April in the year eighteen hundred and ninety on the motion of the said Trustees, ordered that the real estate in said petition mentioned be sold by said Trustees for the payment of the balance of the unpaid purchase money therefor, to wit: Two thousand one hundred and eighty one dollars and twenty one cents with interest from the first day of January 1886 in the manner directed by the original decree, for one third cash and the balance in two equal instalments of one and two years, bearing interest from the day of sale, and said credit payments to be secured as directed by said original decree; and that said sale be at the risk of the estate of said original purchaser.

And if the highest bidder at said sale shall fail then and there immediately to comply with said terms of sale, the trustees may reject such bid, and accept the next highest bid upon the same terms; and if the next highest bidder shall also then and there fail to comply with said terms of sale the Trustees may reject his bid also, and postpone the sale to some other day.

FREDERICK STUMP

Filed April 10, 1890

TRUSTEES REPORT AND RESALE  
Filed May 13, 1890

CORSANS, plaintiff )  
vs )  
CORSANS & OTHERS, defendants )  
IN THE CIRCUIT COURT FOR QUEEN ANNE'S  
COUNTY IN EQUITY.

The report of John B. Brown and Edwin H. Brown, Trustees in this cause to your Honors respectively sets forth, that in pursuance of the Decree or order of Resale of the real estate described in this cause, after having given more than three successive weeks notice before the day of sale of the time, place, and manner and terms thereof, by advertisement in the Centreville Record a newspaper printed and published in Queen Anne's County aforesaid and also by advertisement in the Centreville Observer a newspaper also printed and published in said County and by handbills extensively circulated throughout said county and elsewhere, they did pursuant to said notice attend at Sudlersville County and State aforesaid on Saturday the 3 day of May 1890 between the Hours of 4 & 5 O'clock P. M. and there and there proceeded to sell said Real Estate as follows, court:

Your trustees offered at public auction to the highest bidder in front of the Hotel of William Evans as advertise. All the farm of which DeWitt

Clinton Spear died possessed called "Bridgewater" or "Friendship", situate on the Public Road leading from Sudlersville to Millington adjoining the Foster Lands of A. S. Gadd & c and containing by actual survey 110 acres, 2 roods & 11 perches of land and sold the same to Rebecca Weidman, wife of Christopher Weidman of Queen Anne's County aforesaid, she being then and there the highest bidder therefore at and for \$27.50 per acre at this aggregate sum of \$3040.73.

The said Rebecca Weidman has paid in cash an account of said purchase \$717.07 has possessed to your trustees a note of Wm. B. Biggs Note will be due on 14 September 1890 and will then net \$1470.00 and has given an acknowledgment for the remainder of \$904.39-----or of 14 Sep. 1890. The farm was offered and sold on terms mentioned in the decreed at sixth of DeWitt C. Spears Estate.

In selling this farm Wm. Spearl having furnished the half seed wheat and half fertilizer and the crop being near maturity, the wheat rent was reserved to the owner at day of sale. The other rents and Land Lord rights give the purchaser. He cares of the years 1890 and to be divided between the Owner and purchaser.

All which is respectfully submitted.

JOHN B. BROWN  
EDWIN H. BROWN  
 Trustees

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

I hereby certify that on the 12th day of May 1890 personally appeared before me, the subscriber, a Justice of the Peace of the State in and for the county aforesaid. John B. Brown and Edwin H. Brown, Trustees and made affidavit that the matters and things stated in the foregoing Report of sale are true as stated and that said sale was fair made.

JOHN E. HARMAN JP

JOHN L. CORSANS, Plaintiff )  
 vs )  
 LAURA R. CORSANS and others, Defendants )

IN THE CIRCUIT COURT  
 FOR QUEEN ANNE'S  
 COUNTY, IN EQUITY  
 chy . 794

Ordered, that the sale of the Corsans Land called Bridgewater or "Friendship" of which the late DeWitt Clinton Spear died possessed near Sudlersville made and reported to this Court by J. B. Brown and Edwin H. Brown Trustees, under decree for Resale thereof be possessed and confirmed unless cause to the contrary thereof be shown on or before the 15th day of July next, provided a copy of the above be inserted in some newspaper printed and published in Queen Anne's Count and in each of three successive weeks before the 15th day of June next.

The Report states the amount of sale to be \$3040.73.

WM. DEVER, Clerk

JOHN L. CORSANS )  
 VS )  
 LAURA R. CORSANS & others )

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

ORDERED this 14th day of August 1890 by me John M. Robinson, Chief Judge of the Circuit Court for Queen Anne's County in Equity and by the authority of said Court that the sale reported in the foregoing cause on the resale of the property and appearing as therein reported be and the same to hereby finally ratified and confirmed, no cause to the contrary through having been shown, although notice appears to have been given as directed by the preceding order. The Trustees are allowed in said resale the usual commission and all not personal.

Filed August 14, 1890

JNO. M. ROBINSON

RESALE  
Filed May 13, 1890

VALUABLE FARM  
BY TRUSTEES

Be virtue of an order of re-sale passed by the Circuit Court for Queen Anne's County, in equity, in the cause of Carson vs. Carson, the undersigned will sell at public auction, in front of the hotel of William Evans, in Sudlersville, Queen Anne's County, Md., on Saturday, the 3rd day of May, 1890, between the hours of 4 and 5 o'clock P. M. ALL THAT VALUABLE FARM of which the late Clinton Spear died possessed, called "BRIGEWATER" OR "FRIENDSHIP", situate on the public road leadijg from Sudlersville to Millington, adjoining the Foster lands of A. J. Gadd, and of which Joseph M. Carson died seized and possessed, containing about 112 Acres of Land nearly all of which is arable,

This farm is about equi-distant from Sudlersville and Millington important station on the Queen Anne's and Kent Railroad, and 2 miles from Kirby's Landing on Chester River. It is desirably located, and the soil is well adapted to the growth of fruits, grain, grassess, &c. IMPROVEMENTS: TWO-STORY FRAME DWELLING, BARN STABLE, ETC. Persons seeking a desirable investment or a home are invited to examine this property. Sold at risk of estate of first purchaser.

TERMS OF SALE.-One-third of the purchase money in cash on day of sale; and the residue in two equal instalments of one and two years from day of sale, with interest on each instalment till paid, secured by the bond or notes of the purchaser with approved security.

JOHN B. BROWN  
EDWIN H. BROWN  
Trustees

James H. Costin, Auct.

Filed May 13, 1890

ORDER OR RATIFICATION  
Filed August 14, 1890

ORDER NISI

JOHN L CARSONS, PLAINTIFF	)	IN THE CIRCUIT COURT FOR
VS	)	QUEEN ANNE'S COUNTY, IN
LAURA R. CARSONS AND OTHERS, DEFENDANTS	)	EQUITY, No. 794, Chancery

ORDERED, that the sale of the Carson land, called "Bridgewater" or "Friendship", of which the late DeW. Clinton Spear died possessed, near Sudlersville, made and reported to this Court by John B. Brown and Edwin H. Brown, Trustees under decree for re-sale thereof, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 15th day of July next: 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 15th day of June next. The report states the amount of sales to be \$3,040.73.

WM. DEVER, CLERK

Test- WM. DEVER, CLERK

True Copy

May 17th

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 15th day of June 1890, making four insertions.

ROBERTS T. SMITH  
Editors and Publishers of the  
Centreville Record.

Filed August 14, 1890

AUDITORS REPORT AND ACCOUNT  
OF RESALE  
Filed April 28, 1891

JOHN L. CARSONS, PLAINTIFFS

VS.

LAURA R. CARSON. & OTHERS. DEFENDANTS

IN THE CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY, IN

EQUITY.

To the Honorable Judges of said Court :

In the within audit I have charged Trustee with gross amount of re-sale and allowed their commissions, advertising re-sale order nisi & handbills in Record, advertising re-sale in Observer, Auctioner fee, half of taxes for 1890 Court costs, auditors account, I. B. & E. H. Brown claim for balance of original purchase money with interest from Jan. 1, 1886 to May 3, 1890 and awarded to Anne Roe nee Spear devisee of DeW. Cl Spear \$44.99 being the balance of purchase money.

Respectfully submitted,

Albert T. Emory, Auditor

April 27, 1891

Dr. The proceeds of re-sale of the Real Estate of Joseph W. Carsons, deceased, of which DeW. Clinton Spear died possessed, in acct. with I. B. & E. H. Brown, Trustees for re-sale thereof, under Decree.

1890			
May 3	To Trustees for their commissions	\$166.63	
	" Advertising sale, order nisi & handbills in Record	18.25	
	" Advertising sale in observer paid per receipt	9.00	
	" Auctioneer fee on resale	15.00	
	" half of taxes for 1890 paid per receipt	10.20	
	" Court costs on resale, viz:		
	William Dever, Clerk	8.25	
	" I. B. & E. H. Brown Solicitors for Petitioners Auditors fee	10.00	18.25
	To I. B. & E. H. Brown, Trustees claim for balance of original purchase money	2181.21	
	Interest from January 1st to 1886 to May 3rd 1890	568.20	
			2749.40
			44.99
			<u>3040.73</u>
	This Balance		

To Anne Roe nee Spear, devisee of De W. C. Spear, per Exhibit DCS. No. 1 for balance of purchase money.

1890		
May 3	Be Re-sale of Real Estate per Report	3040.73

3040.73

ORDERED, this eleventh day of May, in the year eighteen hundred and ninety one 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 the auditor and the distribution therein made of the proceeds of the sales of real estate on the resale thereof, be and the same and hereby finally ratified and confirmed and the Trustees are directed to apply the proceeds accordingly with a due proportion of interest to the claims and commissions as the same has been or may be received

Frederick Stump

Filed May 11, 1891

CAUSE NO. 2487

James T. Bright  
Assignee

vs

James E. Anderson  
and Florence Anderson  
Mortgagor

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

Mr. J. F. Rolph, Clerk of the Circuit Court for Queen Anne's County.

You will please docket suit as per above titling, make certified copy of mortgage and file same in these proceedings.

JAMES T. BRIGHT

May 25th 1923

Attorney for Mortgagee

CERTIFIED COPY  
Filed May 26, 1923

#6895. QUEEN ANNE'S COUNTY, TO WIT: be it remembered that on the twenty eighth day of February, in the year nineteen hundred and nineteen the following mortgage was brought to be recorded, to wit:-

THIS MORTGAGE, made this 27th day of February, in the year nineteen hundred and nineteen by James E. Anderson and S. Florence Anderson, of Queen Anne 's County, in the State of Maryland.

Whereas, the said James E. Anderson and S. Florence Anderson are justly indebted unto James T. Bright of county and state aforesaid in the full and just sum of four hundred dollars (\$400.00) same being for money this day loaned by James T. Bright unto the said James E. Anderson and S. Florence Anderson to be repaid within two years from the date of this mortgage with interest at the rate of six per cent per annum, payable semi-annually. And it was the condition precedent to the execution of this mortgage that the prompt <sup>payment</sup> of the principal and interest was to be secured and assured by the execution of these presents.

Now this Mortgage witnesseth, that in consideration of the premises and the further consideration of one dollar, the said James E. Anderson and Florence Anderson do hereby grant and convey unto James T. Bright, his heirs and assigns, in fee simple, the following described land and real estate, to wit: All that tract or piece of land situate in the town of Church Hill Queen Anne's County, Maryland, and bounded as follows, bounded on the south by Milby lot, on the north by the lot of Frank R. McWorter, on the east by the Sheridan Taylor lot and on the west by the main Road running through Church Hill, said lot has a frontage of forty five (45) feet on the aforesaid public road leading through Church Hill, and an even depth from both front corners of said lot of one hundred and seventy eight (178) feet and seven (7) inches, the back line of said lot being forty five feet the same as the frontage and being the same lot of land conveyed unto James E. Anderson by deed from James T. Bright and recorded in Liber W.F.W. No. 9, folio 136 etc. a land record book for Queen Anne's County.

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 James E. Anderson and S. Florence Anderson, their heirs, executors, administrators or assigns shall well and truly pay to the said James T. Bright, his successors, executors, administrators or assigns the aforesaid sum of Four Hundred dollars (\$400.00) and the interest to accrue thereon, as above set forth, and shall perform all the covenants, conditions and agreements herein on h their part to be performed, then this mortgage shall be void; and until default be made in the premises the said James E. Anderson and S. Florence Anderson, their, heirs, and assigns, shall possess said property.

AND the said James E. Anderson and S. Florence Anderson, 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 four hundred dollars (\$400.00) in some Company or Companies approved by the said James T. Bright, 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, 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 done and demandable and the said James T. Bright, his executors, administrators or assigns, or James T. Bright 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. 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 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 James E. Anderson and S. Florence Anderson, 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 James T. Bright, his executors, administrators, successors or assigns, 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 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 E. Anderson and S. Florence Anderson, for themselves, their heirs, executors, administrators, and assigns, hereby covenant to pay.

JAMES E. ANDERSON (SEAL)

S. FLORENCE ANDERSON (SEAL)

Test: John M. Sparks.

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

I hereby certify that on this 27th day of February, in the year nineteen hundred and nineteen, before me the subscriber, a Justice of the Peace of the State of Maryland, in and for Queen Anne's County, personally appeared James E. Anderson and S. Florence Anderson and did each acknowledge the foregoing mortgage to be their respective act.

John N. Sparks.  
Justice of the Peace.

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

I hereby certify that on this 27th day of February, in the year nineteen hundred and nineteen 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 made oath in due form of law that the consideration stated in the foregoing mortgage is true and bona fide as therein set forth.

Robert Coursey.  
Justice of the Peace.

For value received I do hereby assign the within and foregoing mortgage unto Charles Q. Synder of Queen Anne's County, State of Maryland.  
Witness my hand and seal this twenty eighth day of February, in the year nineteen hundred and nineteen.

JAMES T. BRIGHT (SEAL)

Test: L. H. Meredith.

Queen Anne's County, to wit: Be it remembered that on the seventeenth day of August in the year 1922, the following assignment was brought to be recorded to wit:-

For value received, I hereby assign unto The Centreville National Bank of Maryland, the with and foregoing mortgage to the extent of the sum of \$400.00 with interest from February, 27th. 1922.

Test: Chas. M. West.

Chas. Q. Snyder, (SEAL)

Queen Anne's County, to wit:- Be it remembered that on the twenty fifth day of May, in the year nineteen hundred and twenty three, the following Assignment was brought to be recorded, to wit:-

For value received The Centreville National Bank of Maryland, a body corporate does hereby assign and transfer unto James T. Bright, of Queen Anne's County, Maryland for purpose of collection and foreclosing, the within foregoing mortgage.



In testimony whereof The Centreville National Bank of Maryland here unto affixed a seal and caused its name to be signed by Madison B. Bordley, Vice-President.

The Centreville National Bank  
of Maryland, by

Madison B. Bordley,  
Vice-President.

Yest: J. F. Rolph.

Seal's  
Place.

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. 2, folio 78 etc. 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 twenty sixth day of May, in the year nineteen hundred and twenty three.

Clerk.

Seal's  
Place

Filed May 26, 1923

BOND  
Filed June 15, 1923

KNOW ALL MEN BY THESE PRESENTS, that we, James T. Bright of Queen Anne's County, in the State of Maryland, and the NATIONAL SURETY COMPANY, a body corporate of the State of New York, 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 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, in the whole and for the whole, jointly and severally, firmly by these presents, sealed with our seals and dated this fifteenth day of June, in the year nineteen hundred and twenty three.

WHEREAS, the above bounden James T. Bright is about to execute the power of sale contained in a certain mortgage from James E. Anderson and S. Florence Anderson, his wife, to James T. Bright bearing date the twenty seventh day of February, in the year nineteen hundred and nineteen, and recorded in Liber J. F. R. No. 2, folio 78, a Land Record Book for Queen Anne's County, Maryland, which was by the said James T. Bright duly assigned to Charles Q. Snyder, by assignment bearing date the twenty eighth day of February, nineteen hundred and nineteen, and assigned by Charles Q. Snyder to The Centreville National Bank of Maryland by an assignment dated August 17th. 1922, both of said assignments being recorded at the foot of said mortgage in Liber J.F.R. No. 2, a land record book for said Queen Anne's County, and assigned by The Centreville National Bank of Maryland to James T. Bright by an assignment dated May 25th. 1923, and recorded in Liber J.F.R. No 2, folio 563. a land record book for said Queen Anne's County, by making sale of the property described in, granted and conveyed by said mortgage, default having occurred in the terms, conditions and covenants of said mortgage by reason of the non-payment of the principal mortgage debt and the interest covenanted to be paid upon the principal mortgage debt named in and secured by said mortgage at the times therein provided for the payment thereof.

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bounden James T. Bright shall well and faithfully abide by and fulfill any order of decree which shall be made by any Court of Equity in relation to the sale of the mortgaged property or the proceeds thereof, then the above obligation to be void: otherwise to be and remain in full force and virute in law.

Signed, sealed and delivered  
in the presence of:-

B. HACKETT TURNER

JAMES T. BRIGHT (SEAL)

The National Surety Company,

By James T. Bright

CHARLES E. TUCKER  
Its attorneys in fact.

Seal's  
Place

Filed June 15, 1923



Ordered, this 8th day of October 1923 by the Circuit Court for Queen Anne's County, in Equity that the sale of the real estate within mentioned, made and reported by James T. Bright Assignee of mortgage be and the same hereby is, ratified and confirmed this cause to the contrary having been shown, although due notice appears to have been given as required by the previous order.

And the assignee is directed to apply the proceeds accordingly with a due proportion of interest as the same has been or may be received.

LEWIS W. WICKS

Filed Oct. 8th. 1923

CERTIFICATE OF PUBLICATION OF SALE  
Filed Oct. 1, 1923

THE CENTREVILLE OBSERVER

Centreville, Md. June 27, 1923

THE CENTREVILLE OBSERVER PUBLISHING CO hereby certifies that the Mortgage Sale in case of Jas. E. Anderson and S. Florence Anderson to Jas. T. Bright a true copy of which is hereto annexed, was inserted in THE CENTREVILLE OBSERVER, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland once a week for four successive weeks before the 19th day of June in the year 1923.

The Centreville Observer Publishing Co.

By BERTHA G. DURNEY

MORTGAGE OF HOUSE AND LOT  
IN CHURCH HILL, MD.

The undersigned assignee, by virute of the power of sale contained in a mortgage from James E. Anderson and S. Florence Anderson to James T. Bright, and by mesne assignments duly assigned to the said James T. Bright, said mortgage and all of said assignments recorded in the land records of Queen Anne's County, Maryland, default having occurred in the terms of said mortgage, the undersigned assignee of said mortgage will sell at public auction to the highest bidder, in front of the Court House door in the town of Centreville, Md. on Tuesday June 19, '23 between the hours of 1.30 and 2 o'clock p.m. the following described real estate property to wit:

All that tract, or piece of land situate in the town of Church Hill, Queen Annes County, Maryland, and bounded as follows: Bounded on the South by Milby lot, on the North by the lot of Frank R. McWhorter, on the east by the Sheridan Taylor lot, and on the West by the Main Road running through Church Hill, said lot has a frontage of forty-five (45) feet on the aforesaid public road leading through Church Hill and an even depth from both front corners of said lot of one hundred and seven-eight (178) feet and seven (7) inches, the back line of said lot being forty-five feet, the same as the frontage, and being the same lot of land conveyed unto James E. Anderson by Deed from James T. Bright and recorded in Liber W.F.W., No. 9 folio 136 etc., a Land Record Book for Queen Annes County.

This property is improved by a double dwelling and out-buildings in good repair. The sale of this property offers an opportunity to anyone desiring a home or an investment.

TERMS OF SALE-One-third-of the purchase money in cash on the day of sale the balance in two equal instalments of three and six months from the day of sale. The credit payments, if any, to be secured to the satisfaction of the undersigned with interest added from day of sale, or all cash at the option of the purchaser.

JAMES T. BRIGHT,  
Assignee of Mortgage.

J. Elmer Anthony, Auctioneer.

CERTIFICATE OF PUBLICATION OF  
ORDER NISI  
Filed Oct. 1st, 1923

THE CENTREVILLE RECORD

Centreville, Md. October 1st, 1923

THE CENTREVILLE RECORD PUBLISHING CO. hereby certifies that the Order Nisi in the case of James T. Bright of Mortgage vs James E. Anderson and Florence Anderson a true copy of which is hereto annexed, was inserted in The Centreville Record Observer, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week for 4 successive weeks before the 31st day of July in



CAUSE NO. 2164

James T. Bright, Attorney named in mortgage	)	In the Circuit Court
	)	
	)	for
vs	)	Queen Anne's County
	)	
James E. Anderson, and Anderson, his wife	)	in Equity.

-----  
William F. Watson, Clerk:

You will docket suit as per above titling, made certified copy of mortgage in this case and file same in these proceedings.

JAMES T. BRIGHT

Filed July 7, 1916

To Melvin

S.S. No. 8 251

CERTIFIED COPY OF MORTGAGE

THIS MORTGAGE, Made this Twentieth day of July in the year nineteen hundred and ten by James E. Anderson and Florence Anderson, his wife, of Queen Anne's County, in the State of Maryland. WHEREAS the said James E. Anderson is justly indebted unto Thomas J. Melvin of Queen Anne's County, State of Maryland, in the full and just sum of SIX HUNDRED DOLLARS current money to be repaid at the rate of six per cent lawful interest, payable semi-annually within two years from the date of these presents.

NOW THIS MORTGAGE WITNESSETH: that in consideration of the premises and the further consideration of one dollar the said JAMES E. ANDERSON AND FLORENCE ANDERSON, his wife, do hereby grant and convey unto Thomas J. Melvin, his heirs and assigns, in fee simple, the following described real estate, to wit: ALL that lot or piece of land situated in the town of Church Hill, Queen Anne's County, Maryland, and bounded as follows: Bounded on the south by Milby lot, on the north by the lot of Frank R. McWhorter, on the east by the Sheridan Taylor lot, and on the west by Main Road running through Church Hill; said lot has a frontage of forty five (45) feet on the aforesaid public road running through Church Hill and an even depth from both front corners of said lot, of one hundred and seventy eight (178) feet and seven (7) inches, the back of said lot being forty five (45) feet the same as frontage, and being part of the same lot, conveyed unto the said Frank R. McWhorter by James E. Cole and wife, by Deed dated March 17th. 1908, and recorded in Liber S.S. No. 4, folio 35, a Land Record Book for Queen Anne's County. 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 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 E. Anderson his heirs, executors, administrators or assigns shall well and truly pay to the said Thomas J. Melvin, his executors, administrators or assigns the aforesaid sum of Six Hundred Dollars, and the interest to accrue thereon, as above set forth, and shall perform all the covenants, conditions and agreements herein on his part to be performed, then this mortgage shall be void, and until default be made in the premises, the said James E. Anderson, his heirs and assigns shall possess said property. AND the said James E. Anderson and Florence Anderson, 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 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 Five Hundred Dollars in some Company or Companies approved by the said Thomas J. Melvin, 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 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 executors, administrators or assigns, or JAMES T. BRIGHT, their hereby duly constituted Attorney for the purpose, are 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, 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 matured or not; and third, the balance to....., or to 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 Thomas J. Melvin, his executors, administrators, successors or assigns, or James T. Bright, 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 makingsale of real estate under decree of the Circuit Court for Queen Anne's County, in Equity, and which said costs, expenses and commission the said James E. Anderson and Florence Anderson, for themselves, their heirs, executors, administrators and assigns hereby covenant to pay.

WITNESS the hands and seals of the said Mortgagors.

JAMES E. ANDERSON (SEAL)

FLORENCE ANDERSON (SEAL)

Test:-

John H. Carter.

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

I hereby certify that on this 20th. day of July, 1910, before me, the subscriber, a Justice of the Peace of the State of Maryland, in and for Queen Anne's County, personally appeared James E. Anderson and Florence Anderson, his wife, and both acknowledged the foregoing Mortgage to be their respective act.

JOHN H. CARTER.  
Justice of the peace

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

I hereby certify that on this 20th day of July, nineteen hundred and ten, 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, agent for 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; and further made oath that he is the agent of the said Mortgagor, and as such is duly authorized to make said oath.

J. MCK. TILGHMAN. J. P.

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

I hereby certify that the foregoing is well and truly taken and copied from Liber S.S. No. 8 fol. 251 etc. a Land Record Book for Queen Anne's County.

In testimony whereof I hereunto set my hand and affix the Seal of the Circuit Court for Queen Anne's County this tenth day of March, in the year nineteen hundred and sixteen.

Clerk of the Circuit Court  
for Queen Anne's County, Md.

Notary  
Public  
Seal

BOND WITH SECURITY APPROVED  
Filed March 20, 1916

KNOW ALL MEN BY THESE PRESENTS that we, James T. Bright, of Queen Anne's County, in the State of Maryland, and the NATIONAL SURETY COMPANY, a body corporate, of the State of New York, 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 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 band 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 twentieth day of March, in the year nineteen hundred and sixteen.

WHEREAS, the above bounden James T. Bright, by virtue of a power of sale contained in a Mortgage from James E. Anderson and Florence Anderson, his wife, to Thomas J. Melvin bearing date the twentieth day of July, in the year nineteen hundred and ten, and recorded in Liber S.S. No. 8, folios 251, &c., a land record book for said Queen Anne's County, is authorized and empowered to sell the property described in said mortgage

in said mortgage in case of default being made in any of the covenants contained therein; and whereas default has occurred in the non-payment of the principal sum of money secured by said mortgage and in other covenants contained therein; and whereas said James T. Bright is the attorney named in the mortgage to make sale of the property described therein in the event of such default and who is about to execute the power of sale vested in him in said mortgage;

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bounden James T. Bright does and shall well and faithfully abide by and fulfill any order or decree of the Circuit Court for Queen Anne's County in Equity or by any court of equity having jurisdiction, in relation to the sale of said sale of said property or the proceeds thereof, then this obligation to be void; otherwise it is to be and remain in full force and virtue in law.

Signed, sealed and delivered in the presence of:-

L. H. MEREDITH

JAMES T. BRIGHT (SEAL)

NATIONAL SURETY COMPANY

BY: JAMES T. BRIGHT

and CHAS. E. TUCKER  
Its Attorneys in fact.

REPORT OF SALE  
Filed March 28, 1916

JAMES T. BRIGHT	*	IN THE CIRCUIT COURT
Attorney named in mortgage	*	for
vs.	*	QUEEN ANNE'S COUNTY,
JAMES E. ANDERSON and	*	IN EQUITY.
FLORENCE ANDERSON, his wife	*	
	*	

To the Honorable, the Judges of said Court:

The Report of Sale of James T. Bright, Attorney named in said mortgage, a certified copy of the mortgage being filed in these proceedings, in execution of the power of sale contained in said mortgage, after default had occurred in the terms and conditions of said mortgage, by reason of nonpayment of the principal debt and interest by said mortgage secured, respectfully sets forth:

1. That after giving bond with approved security for the faithful performance of his trust, and after having complied with all the prerequisites as required by law, and the said mortgage, and after 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, Maryland for more than twenty days before the day of sale, did, pursuant to said advertisement, attend in front of the Court House in the Town of Centreville, Maryland, on the twenty-first day of March, nineteen hundred and sixteen, at one-thirty o'clock P.M., and then and there proceeded to sell said property in manner following, that is to say: He offered at Public Sale to the highest bidder the property described in the mortgage from James E. Anderson and Florence Anderson to Thomas J. Melvin, and being particularly described as follows: ALL that lot or piece of land situated in the town of Church Hill, Queen Anne's County, Maryland, and bounded as follows: Bounded on the south by Milby Lot, on the north by the land of Frank R. McWhorter, on the east by the Sheridan Taylor lot, and on the west by Main Road running through Church Hill; said lot has a frontage of forty five (45) feet on the aforesaid public road running through Church Hill and an even depth from both front corners of said lot, of one hundred and seventy eight (178) feet and seven (7) inches, the back line of said lot being forth five (45) feet the same as frontage, and being part of the same lot, conveyed unto the said Frank R. McWhorter by James E. Cole and wife, by deed dated March 17th, 1908, and recorded in Liber S. S. No. 4, folio 35, a Land Record Book for Queen Anne's County. And sold the same to James E. Anderson at and for the sum of Seven Hundred dollars (\$700.00), he being then and there the highest bidder therefor. The purchaser has not complied with the terms of sale but will do so upon the final ratification thereof.

All of which is respectfully submitted.

JAMES T. BRIGHT  
Attorney named in Mortgage.

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I hereby certify that on this 28th day of March in the year nineteen hundred and sixteen, before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared James T. Bright, Attorney named in Mortgage, and made oath that the matters and things set forth in the within and foregoing Report of Sale were true as therein stated and that the sale was fairly made.

Filed March 28, 1916

WM F. WATSON  
Clerk of the Circuit Court  
for Queen Anne's County.

REAL ESTATE

In Church Hill, Maryland

By virtue of Power of Sale contained in a mortgage from James E. Anderson and Florence Anderson to Thomas J. Melvin, dated the 20th day of July, 1910, and recorded in Liber S.S. No. 8, folio 251, a Land Record Book for Queen Anne's County, the undersigned as Attorney named in mortgage, will sell at public sale, in front of the Court House door, in the town of Centreville, on TUESDAY, MARCH 21st, 1916 at 1:30 P.M. All that Valuable TRACT OR LOT OF LAND situate on the main road running through the town of Church Hill, Queen Anne's County, Maryland, bounded on the south by the Milby Lot, on the north by the Lot of Frank McWhorter, on the east by the Sheridan Taylor Lot and on the west by said main road and being the same property fully described in the mortgage above referred to. Improved by A GOOD DWELLING and Outbuildings. TERMS OF SALE. - One-third of the purchase money in cash on the day of sale and the balance in two equal instalments of six and twelve months from the day of sale with interest therefrom and the payment of same with interest to be secured by notes of the purchaser with security or securities to be approved by the undersigned or the whole in cash with interest from day of sale at the option of the purchaser on the final ratification of sale by the Court.

JAMES T. BRIGHT  
Attorney named in mortgage.

THE CENTREVILLE RECORD PUBLISHING CO. hereby certifies that the Sale of Real Estate in the case of James T. Bright Atty. James E. Anderson and Florence Anderson a true copy of which is hereto annexed, was inserted in THE CENTREVILLE RECORD, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week for four weeks before the 21st day of March in the year 1916.

THE CENTREVILLE RECORD PUBLISHING CO.

Filed March 28, 1916

By: E. B. GOLDSBOROUGH

STATEMENT OF MORTGAGE DEBT.  
Filed June 6, 1916

James T. Bright  
Attorney named in mortgage

vs.

James E. Anderson and  
Florence Anderson, his wife.

) In the Circuit Court  
)  
) for  
)  
) Queen Anne's County  
)  
) In Equity.  
)  
) Cause No. 2164

Statement of mortgage debt and interest.

Principal mortgage debt-----\$600.00  
Interest from July 20th, 1915-----

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

I hereby certify that on this 6th day of June in the year nineteen hundred and sixteen before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared James T. Bright and made oath in due form of law that the foregoing statement of mortgage debt and interest is true to the best of his knowledge and belief; and further made oath that he is acquainted with the aforesaid mortgage and the payments of interest during the term of said mortgage having been made to him for the mortgagee.

WM. F. WATSON  
Clerk of the Circuit Court  
for Queen Anne's County.

CERTIFICATE OF PUBLICATION OF  
ORDER NISI  
Filed June 4, 1916

ORDER NISI

JAMES T. BRIGHT, Attorney  
Named in Mortgage

Vs.

JAMES E. ANDERSON AND FLORENCE  
ANDERSON, HIS WIFE

) In the Circuit Court  
)  
) for  
)  
) Queen Anne's County  
)  
) In Equity  
)  
) Chancery No. 2164

ORDERED, this 28th day of March, 1916, that the sale of the Real Estate made and reported in this cause by James T. Bright, Attorney named in mortgage,



be ratified and confirmed unless cause to the contrary thereof be shown on or before the 3rd 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 3rd day of May next.

The Report states the amount of sales to be \$700.00.

WM. F. WATSON, Clerk  
True Copy--

Test---WM. F. WATSON, Clerk

Filed March 28th, 1916.

THE CENTREVILLE RECORD

Centreville, Md. June 5th, 1916

THE CENTREVILLE RECORD PUBLISHING CO. hereby certifies that the Order Nisi in the case of T. Bright, Attorney Vs. James E. Anderson and Florence Anderson, his wife a true copy of which is hereto annexed, was inserted in THE CENTREVILLE RECORD, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week for four successive weeks before the 3rd day of May in the year 1916.

THE CENTREVILLE RECORD PUBLISHING CO.

By: E. B. GOLDSBOROUGH

ORDER NISI  
Filed March 28, 1916

NISI

JAMES T. BRIGHT  
Attorney named in mortgage

vs.

JAMES E. ANDERSON AND  
FLORENCE ANDERSON, his wife.

) IN THE CIRCUIT COURT

) FOR QUEEN ANNE'S COUNTY

) IN EQUITY

) Chancery No. 2164

ORDERED, This 28th day of March, A. D., 1916, that the sale of the real estate made and reported in this cause by James T. Bright, Attorney named in mortgage, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 3rd 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 3rd day of May next.

The Report states the amount of sales to be \$700.00.

WM. F. WATSON Clerk

Filed March 28, 1916

ORDER OF COURT  
Filed June 9, 1916

JAMES T. BRIGHT  
Attorney named in mortgage

vs.

James E. Anderson and  
Florence Anderson, his wife

) In the Circuit Court

) for

) Queen Anne's County,

) In Equity.

ORDERED by the Circuit Court for Queen Anne's County, In Equity, this ninth day of June, in the year nineteen hundred and sixteen, that the same made and reported by James T. Bright, Attorney aforesaid, be, and the same is hereby, finally ratified and confirmed, no cause to the contrary having 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.

PHILEMON B. HOPPER

Filed June 9, 1916

CAUSE NO. 823

NOTICE TO CREDITORS

BLANCHE F. RASIN ET AL.	)	IN THE CIRCUIT COURT FOR
Plaintiffs	)	
	)	QUEEN ANNE'S COUNTY
Vs.	)	
	)	IN EQUITY
FLORENCE M RASIN, WIDOW ET. AL.	)	
Defendants	)	

ORDERED, This 2d day of November, 1891, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that the creditors of Joseph O. Rasin, late of Queen Annes County, deceased, be and they are hereby notified to file their claims, with the vouchers thereof, in the office of the Clerk of the Circuit Court for Queen Anne's County on or before the 2d day of March, 1892, to be excluded from the distribution of the sales of the real estate in this cause; provided, a copy of this order be inserted in some newspaper printed in Queen Anne's County, Maryland, once in each of three successive weeks before the 7th day of December, 1891.

True Copy                      JNO. M. ROBINSON  
 Test:--WM. DEVER, Clerk

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 7th day of December, 1891, making four insertions.

ROBERTS & SMITH  
 Editors and Publishers of the  
 Centreville Record.

Filed April 8, 1892.

RESIGNATION  
 Filed October 8, 1894

RASIN ET. AL	Plaintiff	)	IN THE CIRCUIT COURT
		)	
vs		)	FOR QUEEN ANNE'S
		)	
RASIN ET AL.	Defendant	)	COUNTY, IN EQUITY

To the Hon. Judge of said Court.

I desire hereto to submit my resignation as one of the trustees in this case to the acceptance and approval of the Court. It is not my desire to be anyhow connected in an official capacity with the case and I desire to relieve the Court of any embarrassment in the controversy which has grown up between me and my co-trustee.

All which is respectfully submitted.

A. RANDOLPH WEEDON  
 Trustee

I. B. & E. H. BROWN  
 Attys. for Petitioner

ORDER  
 Filed October 7, 1899

-----: : Rasin : : vs. : : Rasin : : -----: :	In the Circuit Court for Queen Anne Co.
---	--

The proceedings under the petitions last filed in the above case having been submitted and Counsel for respective parties having been heard the same were read and considered. It is thereupon this sixth day of October Eighteen Hundred and Ninety-nine ordered that Philemon B. Hopper be and he is hereby appointed Co-trustee with Hope H. Barroll in the above case in the place and stead of A. R. Weedon removed and he is hereby directed to file a separate bond in the penalty of Five Thousand Dollars, and said Trustees are hereby directed to sell the remaining property

as soon as may be convenient, in accordance with authority contained in the original decree in said cause passed, and said Trustees are hereby directed to collect all rents as same may mature, or as may be in arrears and to insure the property until sale shall be made of same.

It is further ordered that the petition for appointment of receiver be and the same is hereby dismissed.

FREDERICK STUMP  
WILLIAM R. MARTIN

Filed October 7, 1899

OPINION OF COURT  
Filed October 7, 1899

-----	:	
Rasin	:	In the Circuit Court for Queen
	:	
vs.	:	Anne Co.
	:	
Rasin	:	
-----	:	

The questions involved in this case arise on two petitions, one to remove Hope H. Barroll as trustee and the other to have appointed a Receiver to take charge of the unsold property decreed to be sold in above case.

The litigation in this case has been protracted, and expensive, and it will serve no good purpose to review it at any length. Suffice it to note, that the original bill was filed for partition; that it was subsequently, converted unto a creditor's bill, that the decree passed in the case named A. Randolph Weedon and Hope H. Barroll Trustees, both upon satisfactory recommendation and each representing different interests. Certain of the property was sold and A. Randolph Weedon was entrusted with the settlement for purchases. Unfortunately he was unfaithful to the trust and spent large sums of the trust money, none of which was lost to the estate. Litigation followed for the purpose of determining the responsibility for the losses. As soon as that was determined Mr. Barroll proceeded to advertise the unsold property in order to close up the trust estate and was prevented from doing by an injunction, and so the matter stood until this petition for removal was filed, since which time the injunction proceedings have been dismissed. The reasons for asking removal of Mr. Barroll are, in the main, that his negligence made possible Weedon's defalcation which was the cause of loss to the estate of about one thousand dollars in costs and counsel fees and also because he does not represent, and is not in sympathy with, the present parties in interest to these proceedings.

It must be remembered that Mr. Barroll has already been appointed Trustee and that Courts do not remove their officers without good cause, such as gross negligence, mismanagement or dishonesty in conducting the Trust. The only things urged against Mr. Barroll were that he confided in his Co-Trustee and made possible this loss and also a mistake in judgment about the sale of one of the farms. No imputation of dishonesty or mismanagement has been, nor could be, made against him. That he confided too implicitly in his Co-Trustee was a mistake, but it was one which any member of the bar would have made, for at that time Mr. Weedon had the perfect confidence of the Bar of the Circuit and the people of his County, and though mistake it was, no reasonable person could attach blame to Barroll for confiding in him. As soon as he discovered that his Co-Trustee was mismanaging the estate he took hold of it personally and pursued it with commendable diligence until every dollar of misappropriated funds were restored to the estate. The failure to accept the bid on the farm was mistake of judgment liable to occur to any one, as no one could anticipate the rapid decline in real estate. We therefore are prepared to acquit Mr. Barroll of any imputation of negligence or mismanagement and hence his removal can not be considered. But it must be remembered that Weedon was appointed to represent the Rasin interest, and that the proceedings are practically in the same condition as when Weedon was removed, the injunction having been granted soon thereafter and just now having been dissolved. If a successor of Mr. Weedon in the Trust had then been asked, the Court would doubtless have appointed one on the recommendation of the Rasins. We think they should still have representation in the Trust in the place of Weedon and shall appoint Mr. Hopper Co-Trustee, without intending the slightest imputation or reflection upon Mr. Barroll, but do consider it only right to have the original representation restored. In regard to petition for Receiver we do not see any necessity for one and we will direct the sale to take place as soon as conveniently may be, with due regard for the interest of parties, and will authorize the Trustees to collect the rents until the sale and also to insure the property in the meanwhile, which will fully and amply protect all interest. An order will be passed in accordance with the views expressed herein.

FRED N. STUMP  
WILLIAM R. MARTIN

TRUSTEE'S BOND  
Filed November 9, 1899

TRUSTEE UNDER DECREE

KNOW ALL MEN BY THESE PRESENTS,

That We Philemon B. Hopper of Queen Anne's County, Maryland and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, 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 Five Thousand Dollars, to be paid to the said State, or its certain attorney, to which payment, well and truly to be made, 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 thirty-first day of October in the year of our Lord one thousand eight hundred and ninety-nine

WHEREAS, the above bounden Philemon B. Hopper by virtue of a decree of the Circuit Court for Queen Anne's County has been appointed trustee to sell the real estate mentioned in the proceedings in the case of Blanche F. Rasin et. al. vs. Florence M. Rasin, et al. now pending in said Court.

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bounden Philemon B. Hopper 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 to be void; otherwise to be and remain in full force and virtue in law.

Signed, sealed and delivered in the presence of:

PHILEMON B. HOPPER (SEAL)

J. H. C. LEGGATT  
P. B. HOPPER

FIDELITY AND DEPOSIT COMPANY OF MARYLAND  
PER L. M. WARFIELD  
President

ATTEST:

H. E. BOILER  
Secretary.

Corporate Seal.

One-Ten Cent Documentary Stamp.  
Endorsed F. & D. CO.

PETITION OF TRUSTEES and  
ORDER OF COURT  
Filed November 9, 1899

RASIN )

vs. )

RASIN )

IN THE CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY

IN EQUITY

TO THE HONORABLE JUDGES OF SAID COURT:

The Petition of Hope H. Barroll and Philemon B. Hopper, Trustees, in this Cause respectfully show:

1st: That by recent order of this Court passed in this cause, your trustees an authorized to sell the residue of the real estate in this cause on the terms named in the original decree for sale in this cause.

2nd: That the terms of sale set out in said original decree, are one fourth cash on day of sale, the residue in three annual instalments at one, two, and three years, with interest from day of sale.

3rd: That your trustees believe that a good prices can be obtained for the property to be sold on a credit of two years as might be on a credit of three years.

4th: That this trustestate has been in this Court for quite a long time, and all tho parties interested therein are anxious to have same settled as early and quickly as maybe with due regard to the interests of all the parties interested.

Your Petitioners therefor pray your Honors to pass an order authorizing them to sell the property to be sold on the following terms viz: One fourth cash on day of sale, and the residue in two equal instalments at one and two years, with interest on the deferred payments from day of sale, and further authorizing your trustees to accept all cash from any purchaser who may desire to pay cah for the property he may buy. And etc.

PHILEMON B. HOPPER  
H. H. BARROLL  
Trustees

RASIN )

vs. )

RASIN )

IN THE CIRCUIT COURT FOR

QUEEN ANNE'S COUNTY

IN EQUITY:

The foregoing petition having been read and considered, It is thereupon, this ninth day of November, 1899, by the Circuit Court for Queen Anne's County in Equity, ordered that Hope H. Barroll and Philemon B. Hopper, Trustees in this cause, be and they are hereby authorized and empowered to sell the real estate to be sold in this cause on the following terms, viz: one fourth of the purchase money on the day of sale and the residue in two equal instalments at one and two years from day of sale, with interest on the deferred payments from day of sale: and the said Trustees are hereby further authorized and empowered to receive the whole purchase for any parcel, or all the parcels of property, sold by them, if the purchasers or purchasers/shall wish to pay some cash.

JAMES M. PEARCE  
 FREDERICK STUMP  
 WILLIAM R. MARTIN

REPORT OF SALE  
 Filed December 12, 1899

Elanche F. Rasin et al.	)	In the Circuit Court for
vs.	)	Queen Anne's County
Florence M Rasin et al.	)	in Equity:
	)	Chancery No. 823

To The Honorable Judges of said Court:

The Report of Hope H. Barroll and Philemon B. Hopper, trustees appointed by decree in this cause, to make sale of the residue of the real estate of Joseph O. Rasin, deceased, respectfully shows:

That the said trustees, having given separate bonds, filed in this cause with surety and approved according to law, and having given notice of the time, place, manner and terms of sale by advertisement in the Centreville Record, and The Centreville Observer, two newspapers printed and published at Centreville, in Queen Anne's County, Maryland (which terms were prescribed in the decree of sale as modified by order passed in this cause on November 1899) for more than three successive weeks before the day of sale, a certified copy of said notice is hereto attached,) pursuant to said notice, did attend in front of the court house door, at Centreville, Queen Anne's County, Maryland, on Tuesday, December the fifth, eighteen hundred and ninety nine, between the hours of eleven and twelve o'clock m, and then and there proceeded to sell the said real estate in manner following, to wit:

In the first place, your trustees offered at public auction to the highest bidder on the terms advertised (your trustees then and there announcing that the purchasers would have the privilege of settling the cash payment by sixty days note, with surety and interest added, if not prepared to pay the cash, and that parcels Nos 1, 2 3 and 4 would first be offered separately and then as a whole, and sold in the manner bringing the highest price), Parcel No. 1, described in the advertisement as one frame two-story double house situate on the west side of Liberty street, the lot upon which this double house is located has a frontage of forty feet and depth of one hundred and fifty feet, and lies nearest the livery stable of W J Woodford, and received, then and there, from C. W. Harris a bid of two hundred and fifty five dollars therefor, the highest bid made: In the second place your trustees offered, then and there in like manner, Parcel No 2, described in said advertisement as "Frame Two Story Double House, adjoining parcel No 1, having the same front and depth as said parcel, and received therefor from W B Reed a bid of one hundred and fifty dollars therefor, the highest bid made: In the third place your trustees then and there offered in like manner Parcel No. 3, described in said advertisement as "Frame two and one half story double house, adjoining parcel No 2, and having the same front and depth as Parcel No 2, and received therefor a bid of two hundred dollars, the highest bid made, from Martha W. Armstrong, in the fourth place your trustees then and there offered, in like manner Parcel No 4, and received therefor from Charles Q Snyder as bid of One hundred and forty five dollars, the highest bid made for the same: In the fifth place your trustees, pursuant to their previous announcement, then and there offered, in like manner, the four above described parcels as a whole, and then and there sold the same to Clayton Wright and William McKenney, of Queen Anne's County, Md, as tenants in common, at and for the aggregate sum of Twelve Hundred and Five dollars, they being then and there the highest bidders for the same, and their bid exceeding the aggregate of the amounts bid for the said property when offered as parcels as above stated. These purchasers have complied with the terms of sale by delivering to the trustees their three promissory notes, for respectively \$405.--\$400. and \$400 payable respectively, in two, twelve and twenty four months from day of sale, each bearing interest from day of sale: In the sixth place your trustees then and there offered, in like manner, Parcel No 5, described in the said advertisement as The One Half interest of Joseph O. Rasin in a lot of land situate on Water Street, having a frontage on said street of fifty four feet and a depth of thirty six feet, adjoining Dandy Hall, and improved by a large frame building divided into three residences, and sold the same to Daniel G Conly, of Queen Anne's county aforesaid, at and for the sum of one hundred and thirty five dollars, he being then and there the highest bidder therefor at said sum. This purchaser has complied with the terms of sale, paying one third of the purchase money cash, and giving the trustees his two notes, each for forty five dollars, with interest from date, and payable in, respectively, one and two years from day of sale with satisfactory surety thereon. In the seventh place your trustees then and there offered, in like manner, Parcel No 6, described in said advertisement as All that vacant lot situate on Broadway between the property of R E Cahall and the property of Dr R M Price, having a frontage on Broadway of fifty two and one half feet, and a depth of one hundred

and twenty feet, and sold the same to Amelia Walters, of the county aforesaid, at and for one hundred and fifty dollars, she being the highest bidder therefor at said sum. This purchaser has not yet complied with the terms of sale. In the eighth place your trustees then and there offered, in like manner Parcel No 7 (your trustees announced at the time of offering this parcel that it and No 8, following herein, would each be first offered separately, and then offered together as a whole, and sold in the way separately or as a whole, in which the highest aggregate sum was bid therefor), Parcel 7 being described in said advertisement as "All that desirable property lately occupied by Mrs Florence M Rasin as a dwelling and now in the tenancy of Wm E Thompson, being two and having a frontage on Lawyer's Row of sixty two feet and a depth on Liberty street of ninety four feet, including the office lot occupied by Dr Smithers, with a front of twenty four and one half feet on Lawyer's Row and a depth of eighteen feet on Liberty street (the office being parcel No 8 below), and received a bid therefor from J. Frank Harper and Walter T. Wright of one thousand dollars, they being the highest bidders therefor: In the ninth place your trustees offered then and there and in like manner, Parcel No 8, described in said advertisement as All that lot of land, improved by a two story frame building, now occupied by Dr Smithers as an office, fronting on Lawyers Row twenty four and one half feet and having a depth on Liberty street of of eighteen feet, and received from Dr N R Smithers, of said county, a bid therefor of of Six hundred and eighty dollars, the highest bid made for it: In the tenth place your trustees, pursuant to their announcement, then offered the said parcels Nos 7 and 8 together as a whole, and then and there sold the same to Thomas J Keating at and for the sum of Two Thousand and fifty two Dollars, he being the highest bidder therefor, and his bid largely exceeding the aggregate of the sums offered for said parcels separately. As soon as the said property was struck off to him, the said Thomas J Keating informed your trustees that he had bid in the property for himself, and John E. Wilson, as tenants in common, for a part of the said property, and for E G Benton for the remainder thereof. He further stated to us that by the arrangement between them the said E G Benton was to have, and to be reported as the purchaser of, all that part of said parcels Nos 7 and 8 which is bounded by Lawyers Row and said Liberty street and a line drawn from the outside curbing of said Lawyers Row Towards Water Street parallel with and three feet and three inches from the eastern base or wall of the office on the property, and a line in the rear of said office, running from the outside curbing of said Liberty street parallel with and eighteen feet from the rear base or wall of said office to intersect the said easterly boundary, at and for nine hundred and fifty two dollars, and the said Thomas J Keating and John E Wilson to have, and be reported as the purchasers of, as tenants in common, all the rest and residue of said Parcel No 7 at and for the sum of Eleven hundred dollars. In compliance with which said request your trustees, therefore, report the said E G Benton as the purchaser of the above described part of Parcels of No 7 and 8 at and for nine hundred and fifty two dollars, and the said Thomas J. Keating and John E. Wilson as the purchasers of all the rest and residue of Parcel No 7, as tenants in common, at and for the sum of Eleven hundred dollars, which two said sums aggregate two thousand and fifty two dollars, the amount for which the said property was struck off as aforesaid. And your Trustees Report that, in compliance with terms of sale, the said E G Benton has delivered to them his three promissory notes, each for three hundred and seventeen dollars and thirty three cents, bearing interest from date and payable, respectively in two, twelve and twenty four months from day of sale, with a surety thereon. And that the said Thomas J. Keating and John E. Wilson have complied with the terms of sale by paying to your trustees and ninety seventy five dollars, and by giving their note at two months for two hundred/one dollars and sixty eight cents with interest payable in two months, with a surety, for the residue of their cash payment, and their two other promissory notes, each for Three hundred and Sixty six dollars and sixty six cents, with interest, payable, respectively, in twelve and twenty four months from date with a surety thereon. In the eleventh place Your trustees then and there, and in like manner offered Parcel No 9, described in the advertisement as "All the Crumpton Property, consisting of thirty eight building lots, situate in the town of Crumpton, and purchased by the late J O Rasin of J C Sheppard and wife &c. and then and there sold the same to Jere Godwin and James W. Fennimore, as tenants in common, at and for the sum of one hundred and fifty dollars, they being the highest bidders therefor at said sum. These purchasers complied with the terms of sale by paying to your trustees fifty dollars cash, and passing to them their two promissory notes, each for fifty dollars, with interest, and payable in, respectively, twelve and twenty four months after date.

Your trustees further report that they announced at the beginning of their sale that all rents for the property sold would be payable to them for the rest of this current year, and that they would pay all taxes on the property for this current, and previous years.

All which is respectfully submitted.

HOPE H. BARROLL

PHILEMON B. HOPPER  
Trustees

STATE OF MARYLAND )

) TO WIT: I HEREBY CERTIFY THAT on this 9th day of December  
KENT COUNTY, in the year eighteen hundred and ninety nine, before me, the  
subscriber, a justice of the peace of the State of Maryland, in and for Kent county,  
personally appeared Hope H. Barroll, Trustee, and made oath in due form of law that  
the matters and things stated in the foregoing Report of Sale are true as therein  
stated to the best of his knowledge and belief, and that the sales therein reported  
were fairly made.

BEN N. S. WILKINS J. P.  
Justice of the Peace

STATE OF MARYLAND, KENT COUNTY; SCT:

I HEREBY CERTIFY, That Ben N. S. Wilkins, Esquire, before whom the

the annexed affidavit was made, and who has thereto subscribed his name, was at the time of so doing a Justice of the Peace of the State of Maryland, in and for Kent County, duly commissioned and sworn and authorized by law to administer Oaths and take acknowledgments. I further certify that I am acquainted with the hand-writing of the said Justice, and verily believe the signature to be his genuine signature.

IN TESTIMONY WHEREOF, I hereto set my hand and affix the seal of the Circuit Court for Kent County, this 9th day of December, A. D. 1899.

JAMES T. DIXON  
Clerk of the Circuit Court for Kent County.

Seal of Circuit Court  
Ten Cent  
Documentary Stamp. Endorsed  
JTD. 12/9/99

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

I HEREBY CERTIFY THAT on this day of December, in the year eighteen hundred and ninety nine, before me, the subscriber, a justice of the peace of the State of Maryland, in and For Queen Anne's county, personally appeared Philemon B. Hopper, Trustee, and made oath in due form of law that the several matters and things stated in the foregoing Report of Sale are true as therein stated to the best of his knowledge and belief, and that the sales therein reported were fairly made.

WM. H. BRYAN JR.  
Justice of the Peace.

TRUSTEES' SALE  
REAL ESTATE

By virtue of a decree of the Circuit Court for Queen Anne's county, in Equity, the undersigned, as Trustees, will offer at public sale, to the highest bidder, in front of the Court House, Centreville, in Queen Anne's County, Md. on TUESDAY, DECEMBER 5th, 1899, between the hours of 11 and 12 o'clock noon, the following real estate, of which the late J. O. Rasin died, seized and possessed, to wit:

PARCEL NO. 1

ONE FRAME TWO-STORY DOUBLE HOUSE situate on the west side of Liberty Street. The lot upon which this double house is located has a frontage of 40 feet and a depth of 150 feet. These houses are nearest the livery stable of W. J. Woodord.

PARCEL NO. 2

FRAME 2-STORY DOUBLE HOUSE adjoining Parcel No. 1 having the same front and depth as said parcel.

PARCEL NO 3

FRAME 2 and 1-HALF STORY DOUBLE HOUSE adjoining Parcel No. 2, and having the same front and depth as said parcel No. 2.

PARCEL NO. 4

FRAME 2 and a-HALF STORY DOUBLE HOUSE adjoining Parcel No. 3, and having the same front and depth as said Parcel No. 3. Any of the above 4 parcels of land will be divided to suit purchasers if the same be desirable.

PARCEL NO. 5

THE ONE-HALF INTEREST of said J. O. Rasin, deceased, in THAT LOT OF LAND, situate on Water street, adjoining Dandy Hall, having a frontage on said street of 54 feet, and a depth of 36 feet. This property is improved by A LARGE FRAME BUILDING divided into three residences.

PARCEL NO. 6

ALL THAT VACANT LOT situate on Broadway, between the property of R. E. Cahall and the property of Dr. R. M. Price, having a frontage on Broadway of 52½ feet and a depth of 120 feet.

PARCEL NO. 7

ALL THAT DESIRABLE PROPERTY lately occupied by Mrs. F. M. Rasin as a dwelling, and now in the tenancy of W. E. Thompson, the same being 2½ stories high and having a frontage on Lawyers' Row of 62 feet and a depth on Liberty Street of 94½ feet. These dimensions include the lot on which is situated on the office occupied by Dr. Smithers, said office lot having a front on Lawyers' Row of 24½ feet and a depth of 18 feet on Liberty street, and described in next parcel, and to be deducted from

the residence lot if sold separately from same.

PARCEL NO. 8

ALL THAT LOT OF LAND improved by a 2-STORY FRAME BUILDING, now occupied by Dr. Smithers as an office, and fronting on Lawyers' Row 24½ feet and having a depth on Liberty Street of 18 feet. Also all the CRUMPTON PROPERTY consisting of 38 BUILDING LOTS, situate in the town of Crumpton, and purchased by the late J. O. Rasin of J. C. Sheppard and wife, located as follows:

Six of said lots are located on Front street in said town, nine on Second street, five on Market street, five on Pine street, three on Fourth street, and ten on third street.

The above property will be offered in separate lots and then as a whole; the property to be sold in the way the most money can be realized.

TERMS OF SALE.--One-third of the purchase money on each parcel in cash on day of sale; residue in equal instalments of one and two years, with interest on deferred payments from day of sale, secured by bonds or notes of purchasers, with sureties approved by the trustees.

All cash to be paid to Trustees jointly, and all checks and notes or bonds of purchasers shall be made payable to the Trustees jointly. Title papers at expenses of purchaser. Insurance policies will be transferred to purchasers upon payment of prorata of premium.

HOPE H. BARROLL  
P. H. HOPPER.

We hereby certify that the annexed advertisement was inserted in THE CENTREVILLE OBSERVER, a newspaper printed and published at Centreville, in Queen Anne's County, Maryland, once in each of 3 successive weeks being more than twenty days---before the 5th day of December, 1899.

BUSTEED & PRICE

ORDER NISI  
Filed December 12, 1899

ORDER NISI

Blanche F Rasin, et al	)	In the Circuit Court for
vs	)	Queen Anne's County,
Florence M Rasin, et al	)	In Equity
	)	Chancery No. 823

Ordered this 12th day of December, in the year eighteen hundred and ninety nine, that the sales of the real estate of Joseph O. Rasin, deceased, made by Hope H Barroll and Philemon B Hopper, Trustees for the sale of said real estate, and reported by them in this cause be ratified and confirmed unless cause to the contrary thereof be shown on or before the 14th day of February next: provided a copy of this order be inserted in some newspaper published in Queen Anne's County, Maryland, once in each of three successive weeks before the 12th day of January next: The Report states the amount of sales to be \$3692.00

JNO. E. GEORGE, CLERK

ORDER NISI  
Filed February 17, 1900

ORDER NISI

BLANCHE F. RASIN, ET. AL.	)	IN THE CIRCUIT COURT FOR
vs.	)	QUEEN ANNE'S COUNTY
FLORENCE M. RASIN, ET AL.	)	IN EQUITY
	)	CHANCERY NO. 823.

Ordered, this 12th day of December, in the year eighteen hundred and ninety-nine, that the sales of the real estate of Joseph O. Rasin, deceased, made by Hope H. Barroll and Philemon B. Hopper, trustees for the sale of the said real estate, and reported by them in this cause, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 14th day of February next; provided a copy of this order be inserted in some newspaper published in Queen Anne's County, Md., once in each of three successive weeks before the 12th day of January next.

The report states the amount of sales to \$3,692.00

JOHN E. GEORGE, Clerk  
True Copy--Test:

JOHN E. GEORGE, Clerk

We hereby certify that the annexed advertisement was inserted in THE CENTREVILLE OBSERVER, a newspaper printed and published at Centreville, in Queen Anne's County, Maryland, once in each of 3 successive weeks--being more than twenty



days---before the 12th day of January 1900.

BUSTEED & PRICE

ORDER OF FINAL RATIFICATION  
Filed

ORDER OF FINAL RATIFICATION

BLANCHE F RASIN, et al	)	In the Circuit Court for
vs.	)	Queen Anne's County
FLORENCE M. RASIN, et al	)	In Equity
	)	Chancery No. 823

Ordered, this 20th day of February in the year nineteen hundred, by the Circuit Court for Queen Anne's County, in Equity that the sales of the real estate of Joseph O Rasin, deceased, made and reported in this cause by Hope H. Barroll and Philemon B Hopper Trustees for the sale of the real estate of Joseph O Rasin, deceased be, and they are hereby, finally ratified and confirmed, no cause to the contrary having been shown although notice appears to have been given in accordance with the conditional order or ratification heretofore passed in this cause; the trustees are allowed the usual commissions and all expenses, not personal for which they produce vouchers.

JAMES M. PEARCE

PETITION  
Filed June 21, 1902

Blanche F. Rasin and others	)	In the Circuit Court for
vs.	)	Queen Anne's County, In
Florence M. Rasin and others	)	Equity. Cause No 823.

To the Honorable the Judges of said Court;-

Your Petitioners, Enoch George Benton and Annie Benton, his wife, and Edwin H. Brown Jr., of said County, petitioning say;-

1st.

That it will appear from the Trustees' Report of Sale filed in this cause on December the twelfth, in the year eighteen hundred and ninety nine, that your petitioner the said Enoch George Benton was the purchaser of that part of said parcels No. 7 and 8 referred to therein, which is bounded by Lawyers Row and Liberty Street, in the town of Centreville, in said County, and a line drawn from the outside curbing of said Lawyer's Row towards Waters Street parallel with and three feet and six inches from the Eastern base or wall of the office on said property, and a line in the rear of said office, running from the out side curbing of said Liberty Street parallel with and eighteen feet from the rear base or wall of said office to intersect the said easterly boundary at and for the sum of nine hundred and fifty two dollars, and that said sale with others was finally ratified by said Court on the Twentieth day of February nineteen hundred,

2nd.

And that shortly after said purchase your petitioners the said Benton and wife, sold the said Edwin H. Brown Jr. all the aforesaid property and said Brown either paid or furnished said Benton with money to pay all said purchase money, except a very small part, which was paid by said Benton, and which has since been settled for by said Brown with him, and as all of said purchase money has been paid it is right that said Brown should be substituted as purchaser of said property in place of said Benton, and that a conveyance should be made to him therefor.

Your petitioners therefore pray that an order may be passed by this Court substituting said Edwin H. Brown Jr. as purchaser of said property as aforesaid, and directing the Trustees to convey the same to him.

And as in duty &c.

Test: Samuel Benton

E. G. BENTON  
ANNIE X BENTON  
Her Mark

EDWIN H. BROWN JR.

ORDER OF COURT  
Filed June 23, 1902

BLANCHE F. RASIN and others	)	In the Circuit Court for
vs	)	Queen Anne's County, In
FLORENCE M. RASIN and others	)	Equity. Cause No. 823

Ordered this Twenty Third day of June, in the year nineteen hun-

dred and two, by me James A. Pearce, Chief Judge of the Circuit Court for Queen Anne's County, in Equity, and by the authority thereof, on the foregoing petition, that Edwin H. Brown Jr. (one of said Petitioners) be and he is hereby substituted as purchaser of said property fully described in said petition, in place of Enoch George Benton, (one of your petitioners) the original purchaser of same, and that Hope H. Barroll and Philemon B. Hopper, President Trustees in said cause, be and they are hereby authorized, empowered and directed to convey the said property to the said Edwin H. Brown Jr., his heirs and assigns, as fully and completely as had he been the original purchaser thereof, instead of said Enoch George Benton, the original purchaser as aforesaid, upon full payment of said purchase money.

JAMES M. PEARCE

Filed June 23, 1902

CAUSE NO. 3491

SECOND AMENDED BILL OF COMPLAINT  
Filed January 25, 1949

MARY R. RINGGOLD, widow	:	IN THE CIRCUIT COURT
VS.	:	
ARNOLD W. CARVEL, and	:	FOR QUEEN ANNE'S COUNTY
CLARA N. CARVEL, his wife	:	
EMAJEAN CARVEL, singlewoman,	:	IN E QUITY
ELBERT N. CARVEL, and	:	
ANNE V. CARVEL, his wife	:	
GENEVIEVE C. LAND, and	:	CHY. NO. 3491
JAMES LAND, her husband	:	
LOUISE HILL ENGLE, Executrix	:	
of J. H. HILL, deceased, and	:	
SAMUEL COOK RINGGOLD, and	:	
CARRIE KERSEY RINGGOLD, his wife,	:	
MARY ELLEN RINGGOLD HOPKINS, and	:	
HARRISON TUCKER HOPKINS, her husband,	:	
JULIA MABEL RINGGOLD NORMAN, and	:	
HARRISON T. NORMAN, her husband	:	

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Oratrix in her Second Amended Bill of Complaint, complaining says:

FIRST: That Thomas R. Carville, late of Queen Anne's County, Maryland, at the time of his death in 1883 was seised and possessed of a valuable four hundred acre farm in said county, which was variously known as the Chew Farm, Chew's Manor, or Kent Fort Manor, described in a deed from Samuel Ringgold and wife to said Thomas R. Carville bearing date the 19th day of November, 1872, and recorded in Liber J.W. No. 3, folio 547, one of the Land Records of Queen Anne's County, a certified copy of which deed is refiled herewith as Complainant's Exhibit "A" and prayed to be taken as part hereof.

SECOND: That the said Thomas R. Carville devised the said farm under the provisions of Item 2 of his Last Will and Testament bearing date the 24th day of March 1883, which will and a codicil thereto are recorded in Liber W. A. J. No. 1, folio 488 to 492, one of the Will Record Books for Queen Anne's County, and duly probated in the Orphan's Court for Queen Anne's County, 1883, a certified copy of which Will and codicil is refiled herewith as Complainant's Exhibit "B" and prayed to be taken as a part hereof.

THIRD: That your Oratrix is the widow, sole devisee, and Executrix of Rowland Carville Ringgold, late of Jefferson County, West Virginia, who died on or about April 19, 1947, and whose Last Will and Testament dated May 11, 1915, was duly probated in County Court of Jefferson County, West Virginia, an exemplified copy being recorded in the Office of the Register of Wills for Queen Anne's County, Maryland, and a certified copy of said recorded exemplified copy is filed herewith as Complainant's Exhibit "C", and prayed to be taken a part thereof.

FOURTH: That your Oratrix claims a fee simple estate in the aforesaid Chew Farm, pursuant to the provisions of the said Last Will and Testament of Thomas R. Carville, and as the sole devisee and widow of said Rowland Carville Ringgold, deceased, who died without ever having any children, or grandchildren, and the said Defendants, Arnold W. Carvel, Clara N. Carvel, Emajean Carvel, Elbert N. Carvel, Anne V. Carvel, Genevieve C. Land and James Land, (said Elbert N. Carvel and Genevieve C. Land being only children of Arnold W. Carvel), likewise claim a fee simple interest in said farm. The defendant Louise Hill Engle, Executrix of J. H. Hill, deceased, claims an interest therein as a judgment creditor of said Roland Carville Ringgold, as will more fully appear by the Petition of said Defendant heretofore filed in these proceedings.

FIFTH: That Julia A. Carville, named as the wife of said Thomas R. Carville, died about the year 1904 without remarriage and without having any children other than a daughter, Florence Z. Carville Ringgold (who died about 1883), and a son, Thomas W. Carville, who died about 1919 leaving to survive him as his sole heirs-at-law a widow, Emma J. T. Carville, who died without remarriage about 1935, and a son, Arnold W. Carvel and a daughter Emajean Carvel, defendants herein.

SIXTH: That after the death of Florence Z. Carville Ringgold (the daughter of the Testator, Thomas R. Carville, and the mother of Rowland Carville Ringgold), her surviving husband, Samuel Charles Ringgold, married Ida Matilda Cook on or about April 7, 1885, and of this marriage three were born, namely Samuel Cook Ringgold, Mary Ellen Ringgol Hopkins, and Julia Mabel Ringgold Norman, who with their respective spouses are named defendant herein. Samuel Charles Ringgold, the husband of Florence Z. Carville Ringgold, died on or about 1893 and his widow, Ida Matilda Cook, died in 1944.

SEVENTH: That all the parties known to your Oratrix who claim or might have any right, title, or interest in the subject land or claim or right, title or interest therein are: (a) Mary R. Ringgold, widow, sole devisee and Executrix of

the Estate of Rowland Carville Ringgold, deceased, (a grandson of Thomas R. Carville), a resident of Shephardstown, West Virginia, (b) Arnold W. Carvel, (son of Thomas W. Carville) and Clara N. Carvel, his wife, who reside at 3012 Presbry Road, Baltimore, Maryland; (c) Elbert N. Carvel (a son of Arnold W. Carvel and Anne V. Carvel, his wife, both of whom are residing at Laurel, Delaware, but who have a summer residence on Kent Island in Queen Anne County, Maryland; (d) Emajean Carvel, singlewoman, (daughter of Thomas W. Carville) who resides at 3102 Presbry Road, Baltimore, Maryland; (e) Genevieve C. Land (daughter of Arnold W. Carvel) and James Land, her husband, both of whom reside in Norfolk, Virginia; said Louise Hill Engle, Executrix of J. H. Will, deceased; said Samuel Cook Ringgold and Carrie Kersey Ringgold, his wife, both of whom reside at Chester, Queen Anne's County, Maryland, said Mary Ellen Ringgold Hopkins and Harrison Tucker Hopkins, her husband, both of whom reside at Stevensville, Queen Anne's County, Maryland; and said Julia Mabel Ringgold Norman and Harrison T. Norman, her husband, both of whom reside at Stevensville, Queen Anne's County, Maryland,

EIGHTH: That your Oratrix is desirous that this Honorable Court will assume jurisdiction in the premises under the provisions of Article 16 Section 227 et seq, Public General Laws of Maryland and General Equity Rule 45, to construe the effect of the aforesaid Wills and determine the legal ownership of the aforesaid Chew Farm.

NINTH: That the parties hereto are all over the age of 21 years and sui juris.

TO THE END THEREFORE:

1.- That this Honorable Court will assume jurisdiction in the premises under the provisions of Article 16 Section 227 et seq., Public General Laws of Maryland and General Equity Rules 45, 46, and 47, and will construe the aforesaid Last Will and Testament and codicil of Thomas R. Carville as it affects the subject property, and so as to determine the legal ownership of the same.

2.- And that your Oratrix may have such other and further relief as may be just and proper in the premises.

May It Please Your Honors to grant unto your Oratrix the writ of subpoena directed to the said Defendants, Arnold W. Carvel, Clara N. Carvel, Emajean Carvel, Elbert N. Carvel, Anne V. Carvel, Genevieve C. Land and James Land, in care of William D. Gould, Esquire, Cambridge, Dorechester County, Maryland, their attorney of record herein; and to Louise Hill Engle, Executrix of J. H. Hill, deceased, in care of Thomas J. Keating, Jr., Esquire, Centreville, Maryland, her attorney of record herein; and to said Samuel Cook Ringgold and Carrie Kersey Ringgold of Chester, Queen Anne's County, Maryland; and said Mary Ellen Ringgold Hopkins and Harrison Tucker Hopkins of Stevensville, Queen Anne's County, Maryland; and said Julia Mabel Ringgold Norman and Harrison T. Norman of Stevensville, Queen Anne's County, Maryland, commanding them and each of them to be and appear in this Honorable Court in person or by Solicitor on or before some certain day to be named therein, to show cause, if any they have, why a decree should not be passed as prayed.

AND as in duty bound, etc.

K. THOMAS EVERNGAM  
K. Thomas Everngam  
Solicitor for Complainant

Filed Jan. 25, 1949

MADAM CLERK:

Please mark the subpoenas for Arnold W. Carvel, Clara N. Carvel, Emajean Carvel, Elbert N. Carvel, Anne V. Carvel, Genevieve C. Land, James Land and Louise Hill Engle, Executrix of J. H. Hill, deceased, to lie in office. Their counsel have agreed to accept the same for them.

K. THOMAS EVERNGAM  
K. Thomas Everngam  
Solicitor for Complainant

Filed Jan. 25, 1949

EXHIBIT "A"  
Filed Jan. 25, 1949

Queen Anne's County, to wit: Be it remembered that on the fourteenth day of December, in the year eighteen hundred and seventy two, the following Deed was brought to be recorded, to wit:

THIS DEED, made this nineteenth day of November, in the year eighteen hundred and Seventy two, by Samuel Ringgold and Mary Ellen Ringgold, his wife of Queen Anne's County, State of Maryland.

WITNESSETH, that in consideration of the sum of Twelve thousand dollars, the receipt whereof is hereby acknowledged, the said Samuel Ringgold and Mary Ellen Ringgold, his wife, do grant unto Thomas R. Carville of said County and State, in fee simple. All that tract, part of a tract or parcel of land called "Kent Fort Manor", or by whatsoever name or names the same may be called or known, Situate in the Fourth Election District of Queen Anne's County and contained within the following metes and bounds, courses and distances, to wit: Beginning at the head of Long Point Creek between the lands of James Bright and the lands of Dr. R. T. Carter and others, near a negro house, and running thence west two hundred and ten perches and one half perch, thence South fourteen degrees west

forty seven perches, thence South twenty four degrees east twenty three perches thence South twenty four degrees east twenty three perches thence South seventy three degrees west nine perches and one half perch, thence South five degrees west ten perches, thence South thirty-three degrees east eight perches, thence North eighty six degrees east twenty two perches, thence South sixty degrees west ten perches, thence South sixty one degrees west ten perches, thence South five degrees west twelve perches, thence South thirty seven degrees thirty minutes east twenty two perches, thence South six degrees east fourteen perches, thence west twelve perches, thence North fifty seven degrees thirty minutes west sixty two perches, thence South sixty five degrees west twenty five perches thence South thirty degrees west twenty six perches, thence South forty eight degrees thirty minutes west eighteen perches, thence South fifteen degrees west eleven perches, thence South seventy degrees east nineteen perches, thence South seventeen degrees east eight perches, thence South forty degrees east twenty eight perches, Thence South ten perches and three quarters of a perch, thence South fifty one degrees west six perches and one half perch, thence South seven degrees and thirty minutes east thirty two perches, thence South twenty six degrees east one hundred and seventy three perches, thence South sixty degrees east four perches, thence North twenty one degrees east five perches, thence east five perches, thence North nineteen degrees east two perches, thence North thirty four degrees west six perches, thence North forty seven degrees east two perches, thence North eleven degrees west seven perches, thence North fifty four degrees east three perches, thence North twenty three degrees east twelve perches, thence North sixty four degrees east twenty one perches, thence North fifty six degrees east thirty four perches, thence North eighty three degrees east twelve perches, thence North fifty four degrees east fourteen perches, thence North thirty degrees east twenty three perches, thence North twenty two degrees thirty minutes west ninety four perches, thence North fourteen degrees east fifty nine perches, thence North seventy seven degrees east seventy perches and one half perch, thence North thirty six degrees east twenty two perches, thence North twenty eight degrees east seventy four perches, thence North twenty five degrees east forty six perches, thence North thirty eight degrees east ten perches thence North fifty degrees east twelve perches, thence North forty one degrees east five perches, thence North twenty six degrees east six perches and one half perch to the place of Beginning, saving and excepting thereout about one acre of Land in the apex formed by the line beginning and the line closing this survey or description of property and on which the aforesaid negro house stands, heretofore sold off and possession thereof delivered, containing for the Land hereby conveyed Three Hundred and ninety nine acres one rood and ten perches of Land, more or less, being the same land which is conveyed unto the said Mary E. Ringgold by John M. Robinson, Trustee, by Deed bearing date the twenty first day of June, in the year eighteen hundred and Seventy two, which said Deed is recorded among the Land Records of Queen Anne's County, And the said Samuel Ringgold and Mary E. Ringgold, his wife do hereby jointly and severally covenant that they will warrant generally and specially the property hereby conveyed, and that they will execute such further assurances of title as may be requisite and necessary.

Witness our hands and Seal.

Test:

SAMUEL RINGGOLD (SEAL)

JOHN C. TOLSON

MARY E. RINGGOLD (SEAL)

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I hereby certify that on this nineteenth day of November eighteen hundred and seventy two, personally appeared before me, the subscriber, a Justice of the State of Maryland, in and for Queen Anne's County Samuel Ringgold and Mary Ellen Ringgold, his wife, and did each acknowledge the a foregoing Deed to be their respective act:

JOHN C. TOLSON J. P.

STATE OF MARYLAND,

QUEEN ANNE'S COUNTY, to wit:

I hereby certify that the a foregoing is truly taken and copied from Liber J. W. No. 3, folio 547 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 10th day of August, in the year nineteen hundred and forty six.

Court Seal.

A. SYDNEY GADD JR.

Clerk of the Circuit Court

Certified Copy of Last Will and Testament  
Filed January 25, 1949.

I Thomas R. Carville of Queen Anne's County in the State of Maryland do make and publish this my last will and testament, in manner and form following, that is to say.

Item 1. I give and devise the farm whereon I now reside, called "Coppage's Range" situate on Kent Island and devised to me by the last will and testament of my deceased, father, the late Edmund Carville, and containing Three Hundred Acres of land, more or

less, to my son Thomas W. Carville, for and during the term of his natural life, and no longer, and from and after his death, to his children living at the time of his death, as tenants in common, in fee simple.

Item II. I give and devise the farm known as "The Chew Farm" whereon C. A. Greaves as tenant, now resides, situate also on Kent Island, and containing Four Hundred---- acres of land, more or less, and which was conveyed, to me, by deed from Samuel Ringgold Admr., of Charles Stevens, to my wife, Julia A. Carville, for and during the term of her natural life, and no longer, and from and after her death, to my grandson, Rowland Carville Ringgold, for and during the term of his natural life, and no longer, and from and after his death, to his children living at the time of his death, as tenants in common in fee simple. During the life-time of my said wife, after a judicious application of a portion of the rents, issues and profits of said farm, from time to time, for the purpose of keeping the same in its present state of improvement, the balance thereof, to be used and appropriated to her support, and the support, maintenance and education of my said grandson. Any rentals that may due from the tenant thereof, at the time of my decease, shall go to the devisces of the farm, and shall not be included in my personal estate.

Item III. All of my household furniture of every description, I give and bequeath to my wife Julia A. Carville

Item IV. The rest and residue of my personal estate, I give and bequeath to my son Thomas W. Carville

Item V. The rest and residue of my real estate I give and devise to my said son, for and during the term of his natural life, and no longer, and from and after his death to his children living at the time of his death, as tenants in common, in fee simple.

Note. The term children wherever it occurs above, is intended to include grandchildren.

Lastly I hereby constitute and appoint my said son to be Executor of this my last will and testament, and desire that he be excused from giving bond for the performance of his duty as such Executor.

In testimony whereof, I hereto set my hand and seal, this twenty fourth day of March eighteen hundred and eighty-three.

Thos. R. Carville (Seal)

Signed, Sealed, published and declared by the above named Thomas R. Carville, as and for 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 hands as witnesses hereto

JOHN T. NORMAN

EDWARD C. LEGG

B. PALMER KEATING

I desire that the following shall constitute a part of Item I. of my foregoing will to wit: I will and direct that the two front rooms on the second floor of the main dwelling house on the farm where I reside be reserved for the use of my wife, so long as she may live, exclusively, and her use and enjoyment thereof to be free & uninterrupted.

Witness my hand and seal this 24th day of March, 1883.

THOS. R. CARVILLE (Seal)

Signed, Sealed, published and declared, by the above named Thomas R. Carville as for a codicil to his last will and testament, in our presence, who, at his request, and in his presence, and in presence of each other have hereto set our hands as witnesses hereto

JOHN T. NORMAN

EDWARD C. LEGG

B. PALMER KEATING

State of Maryland } Sct.

Queen Anne's County } May 7th 1883

Then came Thomas W. Carville Executor named in the foregoing will and made oath on the Holy Evangely of Almighty God, that the foregoing is the whole and true last will and testament of Thomas R. Carville, deceased, that has come to his hands or possession and that he does not know of any other.

Sworn before, W. E. Temple Reg: Wills

State of Maryland } sct

Queen Anne's County } May 7th 1883.

Then came John T. Norman, Edward C. Legg and B. Palmer Keating the three subscribing witnessess to the foregoing willand made oath on the Holy Evangely of Almighty God that they did see Thomas R. Carville, the within named testator, sign his name to the foregoing will, that they heard him publish, pronounce and declare the same to be



Certified Copy of the Exemplified Copy  
of Last will and testament  
Filed January 25, 1949

LAST WILL AND TESTAMENT OF ROWLAND C. RINGGOLD, DECEASED.

I, ROWLAND C. RINGGOLD, of Shepherdstown, Jefferson County, State of West Virginia, being of sound and disposing mind, memory and understanding, do hereby make, publish and declare this as and for my Last Will and Testament, hereby expressly revoking all former Wills, Testaments, or Codicils by me at any time here tofore made.

After the payment of all of my just debts and funeral expenses, I hereby dispose of my property and estate in the following manner, to wit:

FIRST: All of my property and estate of every kind and description, real, personal and mixed, and wheresoever situate, now in my possession or which I may at any time hereafter acquire, or to which I may at any time hereafter become entitled, I give, devise and bequeath unto my wife, Mary Grove Shepherd Ringgold, absolutely.

SECOND: I hereby constitute and appoint my wife, Mary Grove Shepherd Ringgold and my friend, W. Howard Hamilton to be the Executors of this my Last Will and Testament, and having complete confidence in them, I desire that they be excused from giving any bond or other security for the faithful performance of their duties as such.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix my seal this 11th day of May, in the year 1915.

ROWALND C. RINGGOLD (SEAL)

Signed, sealed, published and declared by the above named Testator, Rowalnd C. Ringgold, as and for his Last Will and Testament, in the presence of us, who, at his request and in his presence and in the presence of each other, have here to subscribed our names as witnesses.

A. S. Lucas

C. F. Lyne

Harrison Schley

State of West Virginia, County of Jefferson, to-wit:

IN THE CLERK'S OFFICE OF THE COUNTY COURT: April 24th, 1947

A paper writing, bearing date of May 11th, 1915, purporting to be the Last Will and Testament of Rowland C. Ringgold, late of Shepherdstown, Jefferson County, West Virginia, was this day, April 24th, 1947, offered for probate in said office, and it appearing that one of the subscribing witnesses to said instrument, i. e., Harrison Schley, has since departed this life, said writing was this day in said office fully proved by C. F. Lyne and A. S. Lucas, two of the subscribing witnesses thereto, each of whom made oath in due form of law that the said Rowland C. Ringgold, on May 11th, 1915, signed, sealed, acknowledged and declared the said writing as and for his Last Will and Testament in the presence of said C. F. Lyne and said A. S. Lucas and Harrison Schley, the other subscribing witness thereto, all four of them being then present at the same time, and thereupon on the same day said three witnesses signed their names to said writing as witnesses thereto, at the request of the said Rowalnd C. Ringgold, in his presence, and in the presence of each other, all four of them being then present at the same time, and that they believe said testator was of sound sense and memory and over the age of twenty-one years at the time of the execution and witnessing of said writing as aforesaid.

Thereupon it is ordered that said writing be and the same is admitted to probate and ordered to be recorded as and for the Last Will and Testament of the said Rowland C. Ringgold, deceased.

Test,

Emily A. M. Stanley,  
Clerk of said Court.

Recorded in Will Book "H", Page 398.

STATE OF WEST VIRGINIA,  
COUNTY OF Jefferson, TO-WIT:

I, Emily A. M. Stanley, Clerk of the County Court of Jefferson County, a Court of Record in and for said County and State, do certify that the foregoing is a true copy of the Last Will and Testament of Rowland C. Ringgold, Deceased, recorded in the Clerk's Office of the said County Court on the 24th day of April, 1947, as full and complete as the same is now of record in said office.

IN WITNESS WHEREOF, I have hereto set my hand and the seal of said Court (which is my Official Seal) at my office, this 28th. day of August, 1947.

Place of Seal

EMILY A. M. STANLEY  
Clerk of the County Court of Jefferson  
County, W. Va.



STATE OF WEST VIRGINIA,  
COUNTY OF Jefferson, TO-WIT:

I, J. M. Garrett, President of the County Court of Jefferson County, a Court of Record in and for said County and State, do certify that Emily A. M. Stanley, whose genuine signature appears to the foregoing attestation, bearing date on the 28th day of August, 1947, is Clerk of the County Court of Jefferson County, duly elected and qualified and was so at the time of giving the said attestation, that full faith and credit are due to all his official acts as such Clerk, and that his attestation is in due form, and by the proper officer.

IN WITNESS WHEREOF, I have hereto set my hand and caused the seal of said Court (which is my Official Seal) to be hereto affixed, in the said County this 28th day of August, 1947.

Place of Seal

J. M. Garrett  
President of the County Court of  
Jefferson County, W. Va.

STATE OF WEST VIRGINIA,  
COUNTY OF Jefferson, TO-WIT:

I, Emily A. M. Stanley, Clerk of the County Court of Jefferson County, a Court of record in and for said County and State, do certify that J. M. Garrett, whose genuine signature appears to the foregoing attestation bearing date on the 28th day of August, 1947, is President of the County Court of Jefferson County, duly elected and qualified and was so at the time of giving the said attestation is in due form and by the proper officer.

IN WITNESS WHEREOF, I have hereto set my hand and official seal (which is the seal of said Court) at my office in said County this 28th day of August, 1947.

Place of Seal

Emily A. M. Stanley  
Clerk of the County Court of Jefferson  
County W. Va.

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 true copy of the Exemplified Copy of the last Will and Testament of ROWLAND C. RINGGOLD, late of Jefferson County, West Virginia, as filed in this office for record on January 19th, 1949 and recorded in Liber N. S. D. No. 1 Folio 534 in Record Book of Wills in 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 20th day of January 1949.

Seal's Place.

Edward E. Coursey  
Register of Wills for Queen Anne's County,  
Maryland.

Filed Jan. 25, 1949

Subpoena for Respondent to Answer.  
Filed Jan. 25, 1951

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

Queen Anne's County, to wit:

TO Arnold W. Carvel and Clara N. Carvel, his wife,  
3102 Presbury Road, Baltimore, Maryland,

GREETING: in care of William D. Gould, Cambridge, Dorchester County, Maryland,

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of February next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Mary R. Ringgold, widow, Shephardstown, West Virginia, against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable J. Owen Knotts, Chief Judge of the Second Judicial Circuit Court of Maryland, the 3rd day of January, 1949

Issued the 25th day of January, 1949

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office within fifteen days after the return day named in the above subpoena. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, Complaint(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Name K. Thomas Everngam

Address Denton, Maryland

Nellie B. Whiteley, Clerk

And on the back of the foregoing Subpoena is the following endorsement, to wit:  
"To lie in office"

Filed Jan. 25, 1951

ADMISSION OF SERVICE  
Filed Jan. 26, 1949

Mary R. Ringgold

Chancery No. 3491

vs.

Arnold W. Carvel, et al.

Service as to the Second Amended Bill of Complaint is hereby admitted for and on behalf of Louise Hill Engle, Executrix of J. H. Hill, deceased, this 26 day of January, in the year nineteen hundred and forty nine.

THOS. J. KEATING, JR.  
Attorney

Filed Jan. 26, 1949

SUBPOENA  
Filed Jan. 29, 1949

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

Seal's Place

TO

Samuel Cook Ringgold and Carrie Kersey Ringgold of Chester,  
Queen Anne's County, Maryland,

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the First Monday of February next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Mary R. Ringgold, widow, Shephardstown, West Virginia against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable J. Owen Knotts, Chief Judge of the Second Judicial Circuit Court of Maryland, the 3rd, day of January, 1949.

Issued the 25th day of January, 1949.

TO THE DEFENDANTS(S):

You are required to file your answer or other defense in the Clerk's Office within fifteen days after the return day named in the above subpoena. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, Complaint(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Name K. Thomas Everngam

Address Denton, Maryland

Nellie B. Whiteley, Clerk

And on the back of the foregoing Subpoena is the following endorsement, to wit:

Within subpoena served by reading it and leaving Copies and copies of Bill of Complaint with Samuel Cook Ringgold and Carrie Kersey Ringgold this 29th day of January 1949.

Oscar W. Tarr  
Sheriff

Filed Jan. 29, 1949

SUBPOENA  
Filed Jan. 29, 1949.

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

Seal 's Place

TO Mary Ellen Ringgold Hopkins and Harrison Tucker Hopkins, of  
Stevensville, Queen Anne's County, Maryland

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of February next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Mary R. Ringgold, widow, Shephardstown, West Virginia against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable J. Owen Knotts, Chief Judge of the Second Judicial Circuit of Maryland, the 3rd. day of January, 1949.

Issued the 25th day of January, 1949.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office within fifteen days after the return day named in the above subpoena. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Name K. Thomas Everngam

Address Denton, Maryland

Nellie B. Whiteley, Clerk

And at the foot of the foregoing Subpoena is the following endorsement, to wit:

Within subpoena served by reading to and leaving copies and copies of Bill of Complaint with Mary Ellen Ringgold Hopkins and Harrison T. Hopkins this 27th day of January 1949.

Oscar W. Tarr  
Sheriff

Filed Jan. 29, 1949.

SUBPOENA  
Filed January 29, 1949

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, TO WIT:

Seal's Place

TO Julia Mabel Ringgold Norman and Harrison T. Norman of  
Stevensville, Queen Anne's County, Maryland

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of February next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Mary R. Ringgold, widow, Shephardstown, West Virginia against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable J. Owen Knotts, Chief Judge of the Second Judicial Circuit of Maryland, the 3rd. day of January, 1949.

Issued the 25th day of January, 1949.

TO THE DEFENDANTS(S):

You are required to file your answer or other defense in the Clerk's Office within fifteen days after the return day named in the above subpoena. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, Complaint(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complanant(s)



or interest in the subject land as that knowledge is stated in said paragraph SEVENTH of the Second Amended Bill but allege on their own behalf that they, nor any of them, have any knowledge or notice of any claims advanced, or which may be advanced, to any right, title or interest therein by any person or persons in addition to those listed by the complainant in the aforesaid paragraph SEVENTH of said Second Amended Bill of Complaint.

EIGHTH: That these respondents are also desirous that this Honorable Court will assume jurisdiction in the manner and for the purposes set forth in paragraph EIGHTH of said Second Amended Bill of Complaint.

NINTH: That they admit the matters and things set forth in paragraph NINTH of said Second Amended Bill of Complaint.

And they pray to be hence dismissed with their costs.

And as in duty bound, etc.

GOULD & EDMONDSON

By WM. D. GOULD  
William D. Gould  
Solicitors for the above named  
Answering Respondents

Filed Feb. 17, 1949.

ANSWER  
Feb. 22, 1949

MARY R. RINGGOLD, widow	:	IN THE
vs.	:	
ARNOLD W. CARVEL, and CLARA N. CARVEL, his wife, EMAJEAN CARVEL, single woman ELBERT N. CARVEL, and ANNE V. CARVEL, his wife, GENEVIEVE C. LAND, and JAMES LAND, her husband, LOUISE HILL ENGLE, Executrix of J. H. HILL, deceased, and SAMUEL COOK RINGGOLD, and CARRIE KERSEY RINGGOLD, his wife MARY ELLEN RINGGOLD HOPKINS, her husband, JULIA MABEL RINGGOLD NORMAN, and HARRISON T. NORMAN, her husband	:	CIRCUIT COURT  FOR  QUEEN ANNE'S COUNTY  IN EQUITY
	:	CHANCERY NO. 3491

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ANSWER TO SECOND AMENDED BILL OF COMPLAINT

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Answer of Samuel Cook Ringgold, and Carrie Kersey Ringgold, his wife, Mary Ellen Ringgold Hopkins and Harrison Tucker Hopkins, her husband, and Julia Mabel Ringgold Norman and Harrison T. Norman, her husband, six of the Respondents herein to the Second Amended Bill of Complaint respectfully shows unto your Honors:-

1. Answering Paragraph 1 of the said Second Amended Bill of Complaint these Respondents admit the allegations set forth in said Paragraph 1 of said Second Amended Bill of Complaint.

2. Answering Paragraph 2 of the said Second Amended Bill of Complaint, these Respondents admit the allegations set forth in said Paragraph 2 of said Second Amended Bill of Complaint.

3. Answering Paragraph 3 of the said Second Amended Bill of Complaint, these Respondents neither admit nor deny the allegations of Paragraph 3 of said Second Amended Bill of Complaint, but demand strict proof thereof.

4. Answering Paragraph 4 of the said Second Amended Bill of Complaint, these Respondents neither admit nor deny the allegations of Paragraph 4 of said Second Amended Bill of Complaint, but demand strict proof thereof.

5. Answering Paragraph 5 of the said Second Amended Bill of Complaint, these Respondents neither admit nor deny the allegations of Paragraph 5 of said Second Amended Bill of Complaint, but demand strict proof thereof.

6. Answering Paragraph 6 of the said Second Amended Bill of Complaint, these Respondents admit the allegations set forth in said Paragraph 6 of said Second Amended Bill of Complaint.

7. Answering Paragraph 7 of the said Second Amended Bill of Complaint, these Respondents have no knowledge of the allegations therein set forth.

8. Answering Paragraph 8 of the said Second Amended Bill of Complaint, these Respondents are also desirous that this Honorable Court will assume jurisdiction in the manner and for the purpose set forth in Paragraph 8 of said Second Amended Bill

of Complaint.

9. Answering Paragraph 9 of the said Second Amended Bill of Complaint, these Respondents neither admit nor deny the allegations of Paragraph 9 of said Second Amended Bill of Complaint, but demand strict proof thereof.

And having fully answered said Second Amended Bill of Complaint, these Respondents pray that the same may be dismissed with their proper costs.

AND, AS IN DUTY BOUND, ETC.

TURNER & TURNER  
Turner & Turner  
SOLICITORS FOR THE ABOVE NAMED  
ANSWERING RESPONDENTS

Service of copy made by mailing same to K. Thomas Everngam, Esq., Solicitor for Complainant, Denton, Maryland, this twenty-first day of February, 1949.

TURNER & TURNER  
Turner & Turner  
SOLICITORS FOR THE ABOVE NAMED  
ANSWERING RESPONDENTS.

Filed Feb. 22, 1949.

ANSWER  
Filed Feb. 23, 1949

MARY R. RINGGOLD, widow

VS.

ARNOLD W. CARVEL, and  
CLARA N. CARVEL, his wife  
EMAJEAN CARVEL, singlewoman,  
ELBERT N. CARVEL, and  
ANNE V. CARVEL, his wife,  
GENEVIEVE C. LAND, and  
JAMES LAND, her husband,  
LOUISE HILL ENGLE, Executrix  
of J. H. Hill, deceased, and  
SAMUEL COOK RINGGOLD, and  
CARRIE KERSEY RINGGOLD, his wife,  
MARY ELLEN RINGGOLD HOPKINS, and  
HARRISON TUCKER HOPKINS, her husband,  
JULIA MABEL RINGGOLD NORMAN, and  
HARRISON T. NORMAN, her husband

X IN THE CIRCUIT COURT  
X  
X FOR QUEEN ANNE'S COUNTY,  
X  
X IN EQUITY.  
X  
X CHANCERY NO. 3491  
X

A N S W E R

TO THE HONORABLE, the Judges of said Court:

THE ANSWER of Louise Hill Engle, Executrix of J. H. Hill, deceased, by Thomas J. Keating, Jr., her Attorney, respectfully sets forth:

(1) THAT your Respondent neither admits nor denies any of the allegations of the Second Amended Bill of Complaint herein filed against her as she has no personal knowledge thereof but she consents to the passage of such Decree as may be right and proper in the premises and prays that her rights therein may be protected.

AND AS IN DUTY BOUND, etc.

THOS. J. KEATING, JR.  
(Thos. J. Keating, Jr.)  
ATTORNEY FOR RESPONDENT.

THIS IS TO CERTIFY that I served upon Thomas K. Everngam, Esq., Attorney for the Plaintiff, and upon William D. Gould, Esq., Attorney for the remaining Defendants, copies of the foregoing Answer by mailing same to them on the 21st day of February 1949, addressed to their respective offices at Denton, Maryland, and Cambridge, Maryland, with sufficient postage affixed.

THOS. J. KEATING JR.  
(Thos. J. Keating Jr.)  
ATTORNEY for Louise Hill Engle,  
DEFENDANT.

Filed Feb. 23, 1949.

OPINION OF COURT  
Filed December 6, 1949

MARY R. RINGGOLD,

vs.

ARNOLD W. CARVEL, et. al.

X In the Circuit Court for  
X Queen Anne's County  
X in Equity.  
X  
X No. 3491.

## OPINION

The Complainant, Mary R. Ringgold, by a special case stated, against the respondents, Arnold W. Carvel, et al., seeks a construction of the terms and provisions of the last will and testament of Thomas R. Carville, late of Queen Anne's County, Maryland, deceased, and the legal effect thereof with respect to the present ownership of the tract of land or farm hereinafter described, under the provisions of Section 227 of Article 16 of the Annotated Code of Maryland, commonly known as the 45th General Equity Rule.

THE BILL

The Complainant, by her second amended bill, in substance, states: (1) That Thomas R. Carville died in 1883 seized and possessed of the farm known as the "Chew Farm", or "Kent Fort Manor", containing 400 acres of land, more or less, situate on Kent Island, in the Fourth Election District of Queen Anne's County, Maryland; (2) That said Thomas R. Carville devised said farm by the provisions of Item II of his will, dated March 24th, 1883; (3) That Mary R. Ringgold is the widow, sole devisee, and executrix of Rowland Carville Ringgold, late of Jefferson County, State of West Virginia, who died on April 19th, 1947; (4) That said Mary R. Ringgold claims a fee simple estate in said farm, pursuant to the provisions of the will of Thomas R. Carville, as the sole devisee and widow of Rowland Carville Ringgold, who died without ever having any children; that the respondents, Arnold W. Carvel, Clara N. Carvell, Emajean Carvel, Elbert N. Carvel, Anne V. Carvel, Genevieve C. Land and James Land, (said Elbert N. Carvel and Genevieve C. Land being the only children of Arnold W. Carvel), likewise claim a fee simple interest in said farm; and that the respondent, Louise Hill Engle, Executrix of J. H. Hill, deceased, claims an interest therein as a judgment creditor of Rowland Carville Ringgold; (5) That Julia A. Carville, named in his will as the wife of Thomas R. Carville, died in 1904, without remarriage and without having any children other than a daughter, Florence Z. Carville Ringgold, who died in 1883 (before her father, Thomas R. Carville), and a son, Thomas W. Carville, who died in 1919, having as his sole heirs-at-law a widow, Emma J. T. Carville, who died without remarriage in 1935, a son, Arnold W. Carvel, and a daughter, Emajean Carvel; (6) That after the death of Florence Z. Carville Ringgold (the daughter of Thomas R. Carville and the mother of Rowland Carville Ringgold) her surviving husband, Samuel Charles Ringgold, married Ida Matilda Cook, and of this marriage three children were born, namely, Samuel Cook Ringgold, Mary Ellen Ringgold Hopkins, and Julia Mabel Ringgold Norman, who with their respective spouses are made respondents; Samuel Charles Ringgold, the husband of Florence Z. Carville Ringgold, died in 1893, and his widow, Ida Matilda Cook Ringgold, died in 1944; (7) That all of the parties who claim or might have any right, title or interest in said farm, or claim of right, title or interest therein are the parties (specifically repeated in the bill with their respective addresses) hereinbefore mentioned; (8) That it is the desire of the plaintiff that this Court assume jurisdiction in the premises under the provisions of law mentioned, to construe the effect of said wills and determine the legal ownership of said farm; and (9) That the parties hereto are all over 21 years of age and sui juris. The prayers for relief are (a) for the assumption by this Court of jurisdiction under the provisions of law mentioned, and a construction of the will of Thomas R. Carville as it affects said farm, and a determination of the legal ownership thereof; and (b) for further relief.

THE ANSWER

The respondents, Arnold W. Carvel and Clara N. Carvel, his wife, Emajean Carvel, Elbert N. Carvel and Anne V. Carvel, his wife, and Genevieve C. Land and James Land, her husband, by their answer, admit the material allegations of the bill, and allege, by way of supplement, (a) that Arnold W. Carvel and Emajean Carvel were also the children of Emma J. T. Carvel (or Carville), widow of Thomas W. Carville, and her sole heirs-at-law; and (b) that there were three children born of Florence Z. Carville Ringgold and Samuel Charles Ringgold, her husband, namely, Rowland Carville Ringgold, a son mentioned in paragraph 6 of the bill; James Dixon Ringgold, who died September 11th, 1881, at the age of 8 months and 11 days; and Millard Wrightson Ringgold, who died October 13th, 1878, at the age of 11 months and 13 days.

The respondent, Louise Hill Engle, executrix of J. H. Hill, deceased, by her answer, neither admits nor denies any of the allegations of the bill, having no knowledge thereof, but consents to the passage of such decree as may be right and proper to protect her rights.

The respondents, Samuel Cook Ringgold and Carrie Kersey Ringgold, his wife, Mary Ellen Ringgold Hopkins and Harrison Tucker Hopkins, her husband, and Julia Mabel Ringgold Norman and Harrison T. Norman, her husband, by their answer, either admit or neither admit nor deny the material allegations of the bill.

WILL OF THOMAS R. CARVILLE

The last will and testament of Thomas R. Carville, hereinafter often referred to as the "testator", provided, among other things, the following: Item I devised the farm called "Coppage's Range," containing 300 acres of land, to his son, Thomas W. Carville, for life, and no longer, and from and after his death, to his children living at the time of his death, as tenants in common, in fee simple; Item III bequeathed all household furniture to his wife, Julia A. Carville; Item IV bequeathed the rest and residue of the personal estate to the son, Thomas W. Carville; and the testator appointed his son (Thomas W. Carville) as executor, without bond. There was also a codicil, executed on the same day as the will, but as it did nothing more than modify the provisions of Item I of the will, the Court is not concerned with its provisions in this proceedings.

It is with Items II and V and the note inserted after Item V that the Court is presently concerned. These items and note provide, in part, as follows:

"Item II. I give and devise the farm known as 'The Chew Farm'\*\*\*, and containing 400 acres of land, more or less; \*\*\*, to my wife Julia A. Carville, for and during the term of her natural life, and no longer, and from and after her death, to my grandson, Rowland Carville Ringgold, for and during the term of his natural life, and no longer, and from and after his death, to his children living at the time

of his death, as tenants in common, in fee simple.\*\*\*."

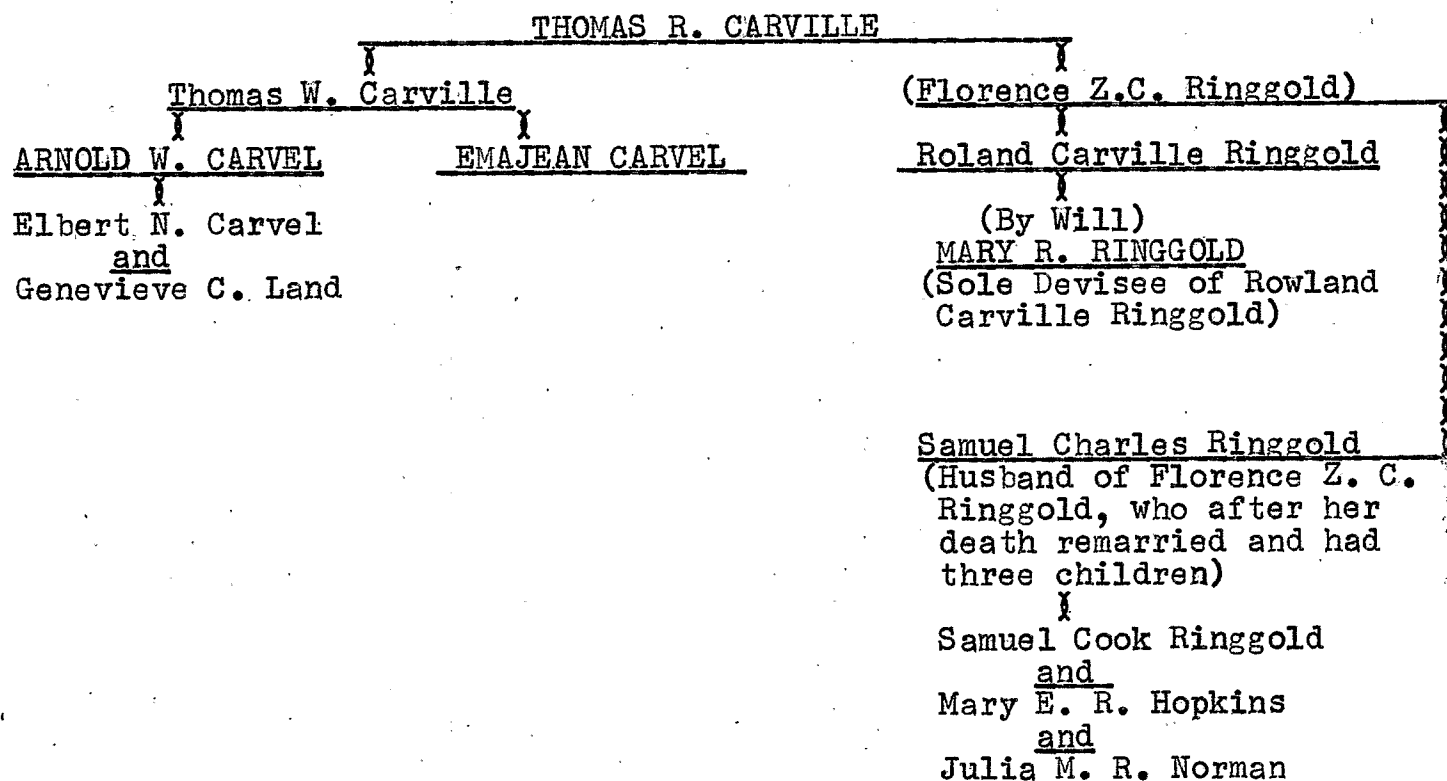
"Item V. The rest and residue of my real estate I give and devise to my said son, for and during the term of his natural life, and no longer, and from and after his death, to his children living at the time of his death, as tenants in common, in fee simple."

"Note. The term children wherever it occurs above, is intended to include grandchildren."

The terms and provisions of the will with which the Court is here concerned are clear and unambiguous. The questions of law which confront the Court in this case arise not so much from the language used in the will as from the alleged uncertainty of the present ownership of the farm in question because the grandson, Rowland Carville Ringgold, died without either children or grandchildren, he never having had any of either. This situation, it is contended, involves the application of one of at least three rules of law which must be considered by the Court in order to reach a determination of the present ownership of said farm.

#### RELATIONSHIP CHART

Before proceeding further it seems obvious that a chart or table showing the relationship of the principal parties to this suit to the testator should prove helpful, thus:



From the above chart, and the bill and answers, the following undisputed facts are deduced:

1. Thomas R. Carville, the testator, died in 1883, leaving surviving him Julia A. Carville, his wife, one son, Thomas W. Carville, and one grandson, Rowland Carville Ringgold.

2. Thomas W. Carville, the son of the testator, died in 1919, leaving surviving him Emma J. T. Carville (or Carvel), his wife, who died in 1935, a son, Arnold W. Carvel, who is living, and a daughter, Emajean Carvel, also living; Arnold W. Carvel are also the only heirs-at-law of Emma J. T. Carvel.

3. Arnold W. Carvel, a grandson of the testator, by a previous marriage, had two children, namely, a son, Elbert N. Carvel, and a daughter, Genevieve C. Land, both of whom are living.

4. Florence Z. C. Ringgold, a daughter of the testator, predeceased her father in 1883, leaving surviving her Samuel Charles Ringgold, her husband, who died in 1893, and a son, Rowland Carville Ringgold, two other sons, namely, Millard Wrightson Ringgold and James Dixon Ringgold, predeceased their mother as well as their grandfather, the testator.

5. Rowland Carville Ringgold died in 1947 leaving surviving him Mary R. Ringgold, his wife, who is living, and whom he made his sole devisee, but leaving no children or grandchildren, not having had any of either.

6. After the death of Florence Z. C. Ringgold, her husband, Samuel Charles Ringgold, married Ida Matilda Cook, who died in 1944, by whom he had three children, namely, a son Samuel Cook Ringgold, a daughter, Mary E. R. Hopkins, and a daughter, Julia M. R. Norman, all of whom are living.

#### CLAIM OF MARY R. RINGGOLD

Rowland Carville Ringgold, grandson of the testator, and only child of Florence Z. C. Ringgold, who survived her as well as his grandfather, devised all of his property and estate to his wife, Mary R. Ringgold (called in his will Mary Grove Shepherd Ringgold), by the first item of his last will and testament; thus: "All of my property and estate of every kind and description, real, personal and mixed, and wheresoever situate, now in my possession or which I may at any time hereafter acquire, or to which I may at any time hereafter become entitled, I give, devise and bequeath unto my wife, Mary Grove Shepherd Ringgold, absoluteley."

By virtue of her husband's will, the complainant advances three alternative rules of law under which she claims title to all or part of the farm in question, that is to say: (a) the Rule in Shelley's Case, by which she claims title to the whole farm on the theory that Rowland Carville Ringgold, her husband, had had



a fee simple title to said farm from the date of the death of his grandfather; or if that rule is not applicable, then the application of (b) the Rule Against Perpetuities, by which she claims title to the whole farm on the theory that the devise of said farm to Rowland Carville Ringgold for life with remainder to his children, including grandchildren, was against this rule, and that her husband had had a fee simple title to said farm from the date of the death of his grandfather; or if neither of said rules hereinbefore mentioned are applicable, then the application of (c) the rules of law governing the devolution of title when a devise is void or fails, by which she claims title to a one-half interest in said farm on the theory that the will of her husband passed to her what she calls his "possibility of reverter" by virtue of the provisions of Chapter 84 of the Laws of 1908, now codified as Section 332 of Article 93 of the Annotated Code of Maryland.

CLAIM OF ARNOLD W. CARVEL, ET AL.

Arnold W. Carvel and Emajean Carvel, son and daughter, respectively of Thomas W. Carville, deceased, and Elbert N. Carvel and Genevieve C. Land son and daughter, respectively, of Arnold W. Carvel, besides contending that the Rule in Shelley's Case and the Rule Against Perpetuities have no application to the will of Thomas R. Carville, advance two alternative reasons why they claim title to the whole farm to the exclusion of all other parties, that is to say: (a) that the terms and provisions of the residuary clause pertaining to real estate (Item V of the will) of the testator, they are entitled thereto as the children and grandchildren of Thomas W. Carville, now deceased, living at the time of his death; or if said residuary clause is not applicable, then (b) that they are entitled thereto as the only heirs-at-law of Thomas R. Carville, the testator, on the theory that such heirs should be selected as of the date of the death of Rowland Carville Ringgold, the life tenant, upon whose death the remainder to his children failed, and the reversion took place.

CLAIM OF CHARLES COOK RINGGOLD, ET AL.

Charles Cook Ringgold and his sisters have advanced no claim to any interest in the farm in question, nor is it stated that they have any interest or claim in the bill, and their answer does nothing more than admit the allegations in the bill, which, as stated, do not allege that they have any interest or claim. It is difficult to understand why these parties were made parties at all. Even if it is held that the residuary clause pertaining to the real estate in the testator's will is not applicable, and that as to the farm in question the testator died intestate, the fact remains that the first wife of their father, Florence Z. C. Ringgold, died before the testator leaving Rowland Carville Ringgold as her only heir-at-law. Under such circumstances their father would not even have had an estate by curtesy in the farm since his first wife never had seizin thereof, and even if he had, it would have expired at his death, an estate by curtesy being only a life estate.

CLAIM OF LOUISE HILL ENGLE, EXECUTRIX OF J. H. HILL, DECEASED

On January 25th, 1940, J. H. Hill, an individual trading under the name of Hill's Pharmacy, secured a judgment absolute for the sum of \$1,873.41, with interest and costs, upon a non-resident attachment against the land of Rowland C. Ringgold, that is, against the interest and estate of said Rowland C. Ringgold in and to the farm in question. Subsequently J. H. Hill died, leaving a last will and testament, by which he appointed Anna Louise Hill Engle as the executrix thereof. The executrix, who was made a party respondent to this suit, claims the amount of her decedent's judgment, with interest and costs, against such interest and estate as said Rowland Carville Ringgold may have had in said farm at the time of his death, if any.

RULE IN SHELLEY'S CASE

In *William vs. Armiger*, 129 Md. 222, 226, the Rule in Shelley's Case is defined thus: "When a person takes an estate of freehold, legally or equitably, under a deed, or will or other writing, and in the same instrument there is a limitation by way of remainder, either with or without the interposition of another estate, of an interest of the same legal or equitable quality, to his heirs, or heirs of his body, as a class of persons to take in succession from generation to generation, the limitation to the heirs entitled the ancestor to the whole estate".

The rule was abolished in Maryland by Chapter 144 of the Laws of 1912 (now codified as Section 348 of Article 93 of the Annotated Code of Maryland). but it is still in full force and effect so far as the will now under consideration is concerned if it is applicable to the language used in Item II of said will.

By said Item II the testator devised his grandson, Rowland Carville Ringgold, after a preceding life estate in his grandmother, an estate for life, with remainder to his children, including grandchildren, living at the time of his death as tenants in common in fee simple. It is obvious that the "note," which directed that "children \*\*\* is intended to include grandchildren" is the only basis for claiming that the Rule in Shelley's Case is applicable to this case. Ordinarily the word "children" is one of purchase and not of limitation, unless the word, instead of designating the persons to take, is used to describe the estate given. *Miller, Construction of Wills*, sec. 360, p. 1016. And in *Halstead vs. Hall*, 60 Md. 209, 212, it was held that the words "children" and "grandchildren" are "in their usual sense, words of purchase and not of limitation, and are to be always so regarded unless the testator has unmistakably used them otherwise."

The point then, is whether the words "children" and "grandchildren" as used in this will did thereby designate the persons to take upon the termination of the preceding life estates, or did thereby describe the estate given to such children and grandchildren. To determine what the testator meant when he employed such words, particular regard must be given to the superadded words, "living at the time of his (grandson's) death." Clearly, by the use of these words, the testator was designating the persons to take upon the termination of the life estates, and not describing the estate given. Moreover, is it not logical to assume that the testator in providing that "children" should include "grandchildren" meant that only the grandchildren whose parents were dead should take along with the living children

When the life estate of the testator's grandson terminated? In this connection see *Halstead vs. Hall*, *supra*, p. 214. The use of the expression, "children\*\*\* is intended to include grandchildren" is far different from saying "children and grandchildren," which might imply under some circumstances not present here that the testator meant "heirs." Even if it be assumed that the testator's direction that "Children" should include "grandchildren" also had the effect of enlarging the words used to mean "heirs", this additional constrained construction would only resolve into there being two possible constructions. And under such circumstances, the Court would be required to adopt the restrictive construction which would give effect to the natural meaning of the words rather than the arbitrary rule laid down in *Shelley's Case*. *Miller, Construction of Wills*, sec. 360, p. 1918; *Reilly vs. Bristow*, 105 Md. 326, 333; *Williams vs. Armiger*, *supra*, p. 228.

To sum up, this Court is of the opinion that the words employed, obviously those of a skilled scrivener, were such as would be adopted to avoid the Rule in *Shelley's Case*, to the end that the children, including grandchildren, who survived the life tenant, if any, should take the remainder as purchasers.

#### RULE AGAINST PERPETUITIES

In *Graham vs. Whitridge*, 99 Md. 248, 274, Judge McSherry, discussing the terms and application of the rule against perpetuities, said: "The period fixed and prescribed by law for the future vesting of an estate or interest, is a life or lives in being at the time of its commencement and twenty one years and a fraction of a year beyond to cover the period of gestation; and where property is rendered inalienable or its vesting is deferred for a longer period, the law denounces the devise, the bequest or the grant as a perpetuity and declares it void."

In this case the remainder after the death of the grandson was devised "to his (the grandson's) children, (including grandchildren), living at the time of his (the grandson's) death, as tenants in common in fee simple." The future interests here devised were to commence at the death of the grandson of the testator. The object of the rule against perpetuities is to prevent the limitation of estates for future vesting upon contingencies which are not certain to occur within the period allowed by the rule. *Gambrill vs. Gambrill*, 122 Md. 563, 568. The devise now being considered limited the children, including grandchildren, who were to take to such as were living at the time of the death of the second named life tenant, who was the testator's grandson. There is nothing uncertain as to when the contingent estate devised was to vest, if at all. It was upon the death of the Testator's grandson.

The instant case is not one in which the contingency might or might not happen during a life or lives in being and twenty one years and nine months thereafter. *Graham vs. Whitridge*, *supra*, p. 275. Here the contingent event, the death of the testator's grandson leaving children or grandchildren living at the time of his death, must happen, if it happens at all, within the life time of the grandson. The only children or grandchildren of the testator's grandson who could have taken had there been any of either, were those who were living on the date of his death.

It is perhaps needless to observe that in determining the question of remoteness, regard must be given to possible, not actual events. The fact that the grandson of the testator had neither children or grandchildren at the time of his death is unimportant. The test is whether or not it was possible for the grandson to have had either children or grandchildren before the rule would operate to declare the devise to them invalid. Obviously it would have been possible for him to have had both children and grandchildren within the time limited, although, actually, he did not.

For the reasons assigned, this Court is of the opinion that the limitation to the children, including grandchildren, living at the time of the death of the testator's grandson was valid under the rule against perpetuities.

#### THE REVERSIONARY INTEREST

The testator, by Item II of his will, as hereinbefore stated, devised the remainder in "Kent Fort Manor," after the death of his wife and grandson, both of whom had estates for life only, to the children, including grandchildren, of the grandson living at the time of the death of the grandson. The testator made no devise over of the remainder in the event of his grandson should die without children or grandchildren living at the time of the grandson's death. However, by Item V of his will, the testator devised the rest and residue of his real estate to his son (Thomas W. Carville) "for and during the term of his natural life, and no longer, and from and after his death, to his (the son's) children, (including grandchildren) living at the time of his (the son's) death as tenants in common, in fee simple.

As hereinbefore stated, the grandson (Rowland Carville Ringgold) died without children or grandchildren, not having had any of either. And the Court, having decided that neither the Rule in *Shelley's Case* or the Rule Against Perpetuities is applicable to the devise made by Item II, it is incumbent upon this Court to determine who is now entitled to the fee in the farm mentioned. One of two alternatives is possible: (a) either the farm passed under the residuary clause (Item V) to the children of Thomas W. Carville or to his children and grandchildren, or (b) to the heirs-at-law of the testator.

The complainant contends that the residuary clause in the testator's will is not sufficient to pass title to the farm in question to the residuary devisees named therein, and further that she is entitled to a one-half interest and estate in said farm under the provisions of her husband's will on the theory that the devise to the children, including grandchildren, of the testator's grandson having filed the farm now passes to those persons who were the heirs of the testator at the time of his death, or those who are now entitled thereto by descent or devise.

In this case considerable confusion has arisen because

there has been, or so it seems to the Court, some misconception as to the difference between a reversion and a possibility of reverter.

In Restatement of the Law, Property, Vol. II, sec. 154e, p. 531, in which the classification of reversionary interests is discussed, it is said: "Sometimes reversionary interests are indefeasibly vested, as for example, when A, having complete property in a thing, transfers an interest therein measured in duration by the life of the transferee. Sometimes a reversionary interest is defeasibly vested, as for example, when a transferor, who has an estate in fee simple absolute transfers an estate for life plus a remainder in fee simple absolute subject to a condition precedent,\*\*\*. Sometimes a reversionary interest is subject to a condition precedent, as for example, when the created interests can exhaust the full interest had by the transferor prior to his transfer, but upon the occurrence of a stipulated event, will sooner end, leaving a balance to be enjoyed by the original transferor. Reversionary interests of the first two types are designated reversions, while reversionary interests of the third type are designated possibilities of reverter." Obviously, the reversionary interest the Court is concerned with in this case is the second type described above. In other words, the Court here is dealing with an absolute reversion and not a mere possibility of reverter. Here the devise failed to take effect because the persons to take upon the death of the grandson (life tenant) were not in esse and never had been, that is, it was a contingent remainder which never vested. And when a contingent remainder in fee is created by a devise, the reversion, until the contingency happens and the remainder vests, is in the testator's heirs, or residuary devisees. Tiffany, Real Property (2nd Edition), sec. 141, p. 509; Miller, Construction of Wills, sec. 222, p. 614; also sec. 223, note 3, p. 616; Crisfield vs. Starr, 36 Md. 129; Conner vs. Waring, 52 Md. 724; Reid vs. Walbach, 75 Md. 205.

The complainant relies principally on Evans vs. Safe Deposit and Trust Co., 58 A (2D) 649, to establish that she is entitled to a one-half interest and estate in the farm in question on the theory that her husband's will passed to her what she calls his "possibility of reverter," but in that case the Court of Appeals held that the reversionary interest was an equitable reversion, not a mere possibility of reverter. In this case the reversionary interest is clearly an absolute reversion, a vested estate, which would pass to the testator's heirs as of the date of his death, or to his residuary devisees, depending on whether or not his will is sufficiently comprehensive to pass it.

It is true that in Maryland, according to the rule laid down in Tongue vs. Nutwell, 13 Md. 415, following the decision in Ligan vs. Carroll, 3 H. & McH. 333, a void devise of real estate passes to the heirs of the testator and not to his residuary devisees. The real as stated was approved in several subsequent decisions, including Deford, 36 Md. 179, Orrick vs. Boehm, 49 Md. 72, and Rizer vs. Perry 58 Md. 112, cited by the complainant. And in Rizer vs. Perry, supra, quoting from the opinion of the chancellor below, in which the Court of Appeals concurred as to the conclusions reached, it is said at page 119: "The heir is not to be excluded in favor of \*\*\* the residuary legatee, by mere implication or intendment. Nothing less than clear, substantive and undeniable intent on the part of the testator will exclude him,\*\*\*." The reason for the decisions in those cases in which this rule was applied is based on the theory that the testator, having intended to fully dispose of the land in question, thereby manifested an intention not to devise the property to the residuary devisees. But is this rule applicable here? In this case there was a failure of the contingency upon which the future estate was limited. That which was a contingent remainder until the death of the life tenant has been converted into an absolute reversion in the testator by operation of law because of the absence of remainder men to take the remainder devised. Where a devise, as in this case, creates a life estate with remainder to unborn children, including grandchildren, of the life tenant living at the time of the death of the life tenant, and there was never any of either, the reversion thus left in the testator undisposed of passes under the residuary clause of the testator's will, if there is one, instead of descending to the heirs of the testator, unless the testator has manifested an intention that such reversion should not pass under the residuary clause, provided, of course, the residuary clause is broad enough to include the real estate involved. That, this Court believes, is the rule of law that must be followed here. The rule last stated has been recognized in Barnum vs. Barnum, 42 Md. 312, Fulton vs. Harman, 44 Md. 251 (in which the underdisposed of interest after the life estate was not devised), Reid vs. Walbach, 75 Md. 205, and, as to personalty, in Holmes vs. Mackenzie, 118 Md. 210.

Whether or not the residuary clause in this will operates to pass title to the farm to the children, including grandchildren, of the testator's son, Thomas W. Carville, must depend upon an interpretation of the will of the testator. In this case there are two residuary clauses. One disposed of the rest and residue of the testator's personal estate. The other disposed of the rest and residue of his real estate. Perhaps it is difficult to say with certainty what the testator had in mind when he wrote the two separate residuary clauses into his will. He may have had more than one reason. His grandson at the time the will was executed was only about six or seven years old, and two older brothers of the grandson had died before that time in babyhood. It is not known with certainty whether or not the testator had any real estate other than the two farms mentioned in his will, but even if he did it would make no difference. But, regardless of the physical facts on the date of the execution of the will, it is undeniable, and his will clearly so indicates, that the testator intended his son to have all of his property that he had not bequeathed and devised to his wife, or to his grandson and the grandson's children or grandchildren, should the grandson have any of either. Moreover, the testator must have known that there was more than a possibility that this grandson might not reach maturity and have children and grandchildren. In the instant case it appears that the testator has manifested a "clear, substantive and undeniable intent" to exclude his heirs.

Courts are reluctant to construe wills so as to declare an intestacy when the will contains a clause disposing of the rest and residue of the estate of the testator as the will now under consideration unmistakably does. In Holmes vs. Mackenzie, 118 Md. 210, 215, it was said: "The principle is elementary that a general residuary clause will be held to preclude intestacy as to any part of the estate, unless the clear intent of the will prevents such a construction. As the words 'rest and residue' are in themselves comprehensive enough to include any interest in the estate of the testator not previously devised or bequeathed, 'the safest course,'

to use the language of Lord Eldon, 'is to abide by the words unless upon the whole will there is something amounting almost to demonstration that the plain meaning of the words is not the meaning of the testator.'

Inasmuch as the devise to his grandson's children, including grandchildren, never vested, and the interest devised to them was never disposed of by the testator, why does not the reversion left in the testator pass under the residuary clause pertaining to his real estate to the persons therein specifically designated? In *Reid vs. Walbach*, 75 Md. 205, in which the testatrix devised certain real estate in trust to a daughter for life with remainder in trust to the daughter's children, or their issue, living at the time of the daughter's death, but failed to make any provision for the contingency of all the children dying in the life time of the mother leaving no issue, the contingent reversionary interest was held to remain in the testatrix and to pass under the residuary clause of her will. The Court, at p. 216, said: "Should that condition of things occur it is evident that the fee-simple in these three pieces of real estate are undisposed of by the testatrix unless that contingent interest passed under the residuary clause of the will." And, at p. 217: "This is a case where the testatrix, having failed to dispose of a certain contingent, and possible interest in the estate by special gift, we are asked to decide whether she is to be regarded as having died intestate thereof, or shall be regarded as having disposed of the same by the residuary clause of the will. In *Booth v. Booth*, 4 Ves. 407, Lord Alvanly says, 'Every intendment is to be made against holding a man to die intestate who sits down to dispose of the residue of his property.' And this view is adopted by this Court in *Dulaney v. Middleton*, 72 Md. 76. In *Barnum v. Barnum*, 42 Md. 312, this court expressly decided that undisposed-of property will pass under a residuary clause of a will, no matter how it happens that any part of the property is not disposed of by the special provisions of the will. It may be that the testator may not know that he or she is leaving any thing unprovided for. Even if the testator does not know that the property undisposed of actually belongs to him, it will pass by a residuary clause sufficiently comprehensive in language to embrace it."

Thus, it must be concluded that while void devises pass to the testator's heirs-at-law, and undisposed-of interest will pass to the residuary devisees when the residuary clause is sufficient to embrace it, as the Court does in this case. *Barnum vs. Barnum*, *supra*, and *Reid vs. Walbach*, *supra*, have not been overruled. And the Court has been unable to find any Maryland decision, which, in its opinion, would render inconsistent the conclusion it has reached in this case. Consistently, the decisions seem to be that regardless of whether the devise is absolute or in trust, if a part of the fee remains undisposed of the residuary devisee takes, but if the full fee is disposed of, although partially ineffectively, the heir-at-law will take either by way of a resulting trust or under the rule of intention laid down in *Lingan vs. Carroll*, *supra*. *Maryland Law Review*, Vol. 2, p. 146.

For the reasons assigned, this Court is of the opinion that "Kent Fort Manor" passed under the residuary clause of the testator's will pertaining to real estate to those persons now entitled thereto in accordance with the provisions of said residuary clause. Inasmuch as the Court has decided that the farm in question passes under the residuary clause of the testator's will, it is unnecessary to determine who would be the persons entitled to it in the event there had been an intestacy. And, needless to say, the Court is of the further opinion that neither the complainant, Mary R. Ringgold, the executrix of J. Harry Hill, deceased, nor the children of Samuel Charles Ringgold by his second wife have any interest in said farm.

WHAT WAS MEANT BY THE EXPRESSION "CHILDREN \*\*\* IS INTENDED TO INCLUDE GRANDCHILDREN?"

One other question remains to be determined. As to it the Court has already indicated in its remarks as to the Rule in Shelley's Case what its decision might be. Thomas W. Carville, the son of the testator, died in 1919 before the falling in of the life estate of Rowland Carville Ringgold. Thomas W. Carville, at the time of his death, had two children, namely, Arnold W. Carvel, a son, and Emajean Carvel, a daughter. He was also survived by two grandchildren, who are the only children of said Arnold W. Carvel, namely, Elbert N. Carvel, a grandson, who is the present Governor of the State of Delaware, and Genevieve C. Land, a granddaughter. The question is whether or not the farm in question is now owned by Arnold W. Carvel and Emajean Carvel, as tenants in common, in fee simple, or by Arnold W. Carvel, Emajean Carvel, Elbert N. Carvel and Genevieve C. Land, as tenants in common, in fee simple?

Ordinarily the word "children" means the immediate offspring of a person, and does not include grandchildren. However, the testator by express words in the "note" to his will provided that "children\*\*\* is intended to include grandchildren." What did the testator intend by writing this expression into his will? Did he intend that the children and grandchildren of his son living at his son's death should take per capita, that is, by the head in equal parts? Or did he intend that the grandchildren, who were the children of a deceased child of his son, should take the parents share per stirpes, that is, by representation only in the event the parent was dead?

The inclusion of the "note" which contains the expression referred to could have been either deliberate or an afterthought, but, in either case, the result of an interpretation of his intent would be the same. The word "children" in 1883, when the will was executed, as it does now, meant immediate offspring and did not include grandchildren. The testator must have known or have been advised what would happen should a child of his son die leaving issue before the son's death. Apparently, the testator then had no great-grandchildren, and it does not certainly appear that he even had grand-children by his son, Thomas W. Carville. Thus, it is more than likely that the testator intended the expression to be only in guide in determining his intent as to the devolution of title in the event a child

of his son should die before the son leaving issue. Such an interpretation would not be inconsistent with the estate given. Tenants in common, since they hold it separate interests, need not have equal shares in the property. Moreover, the absence of the words "share and share alike" or "in equal parts" may be significant.

On the other hand, there is some doubt that what has been previously said is consistent with what the testator actually intended to provide. A Court in construing a testator's intent may not engage in speculation, but must confine itself to ascertaining the intent of the testator from the language used in the will, and the words employed in framing the will must be given their ordinary meaning. The ordinary definition of the word "include" is "to comprise as a component part," but it may also mean "to take or reckon in" and "to embrace." It may even mean "and". In 42 C.J.S., p. 526, of the word "including," which is the participial form of the verb "include," it is said: "The term may also be used as a word of addition, in the sense of "and" or "also" or "comprising", rather than one of specification, that is, it sometimes is used to add to the general class a species which does not naturally belong to it, or to indicate something not otherwise included." Moreover, the term "including" is a word of enlargement rather than a word of limitation.

There is a paucity of decisions as to the meaning of an expression containing the word "include" such as was used in this will. In fact there is none so far as this Court has been able to find in which the word "include" had reference to persons who are to take a devise or legacy.

Unless it is assumed that "include" means "and", for which there is no apparent justification in this case the Court might conclude that the interpretation first herein expression is the most logical in this case. However, the solicitor for all of the interested parties did not mention this point either in his oral argument or in his brief. For this reason the Court has determined that it will reserve a decision as to this question to afford the interested parties an opportunity to be heard. It is possible that the interested parties may be able to agree among themselves, and file in this case a stipulation embodying their agreement. If so, the Court will not need to be further concerned. If not, the interested parties, who desire to be heard, shall be so heard, after which the Court will render its decision as to this point.

A decree in conformity with this opinion will be passed when presented as soon as the question last mentioned has been determined, either by agreement of the interested parties, or by the Court, as the case may be, but, in either event, the determination of the question shall be had promptly. In the decree to be finally passed the Court will require the complainant to pay the costs of this proceeding which have accrued to the date of the filing of this opinion.

WM. R. HORNEY  
Judge

Filed Dec. 6, 1949

STIPULATION  
Filed Mar. 24, 1950.

Mary R. Ringgold, widow	:	In Equity, in the Circuit
		Court for Queen Anne's County,
Vs.	:	Maryland
Arnold W. Carvel et al.	:	No. 3491 Chancery
	:	

-----  
STIPULATION

It is hereby stipulated and agreed by and between Arnold W. Carvel and Clara N. Carvel, his wife, Emajean Carvel, Elbert N. Carvel and Ann V. Carvel, his wife, and Genevieve C. Land and James Land, her husband, being among those named respondent in the above proceedings, as follows:

1. That they constitute all of the parties hereto claiming herein as descendants of Thomas W. Carville, deceased, or as holders of inchoate dower rights by virtue of marriage to one of such descendants.

2. That these respondents signing this stipulation have agreed as to a division among themselves of any and all interests or estates in the lands known as the "Chew Farm" to which this Honorable Court may decide any or all of them may be entitled under the terms of the will herein sought to be interpreted.

3. That by reason of this agreement among them, it would seem unnecessary to determine their respective individual interests or estates in said Chew Farm as those interests or estates may be in conflict one with the other.

4. That this stipulation does not indicate any opinion or thought on the part of the signers hereof of a lack of need for an interpretation of the will of Thomas R. Carville in order that the ownership of said Chew Farm may be determined as between them and the other parties hereto.

Dated this 20th day of March, 1950.

ARNOLD W. CARVEL  
Arnold W. Carvel

CLARA N. CARVEL

Clara N. Carvel

EMAJEAN CARVEL

Emajeau Carvel

ELBERT N. CARVEL

Elbert N. Carvel

ANN V. CARVEL

Ann V. Carvel

GENEVIEVE C. LAND

Genevieve C. Land

JAMES LAND

James Land.

Gould & Edmondson

By WILLIAM D. GOULD  
William D. Gould  
Solicitors for Stipulating  
Respondents.

Filed Mar. 24, 1950.

DECREE

Filed Mar. 24, 1950

Mary R. Ringgold, widow

vs.

Arnold W. Carvel et al.

: In Equity, in the Circuit  
: Court for Queen Anne's County,  
: Maryland  
:  
: No. 3491 Chancery

DECREE

This cause standing ready for hearing and being submitted and the proceedings having been read and considered; in conformity with the opinion of this Court herein filed on the 6th day of December, 1949, and the stipulation made and entered into by and between the Respondents, Arnold W. Carvel, Clara N. Carvel, Emajeau Carvel, Elbert N. Carvel, Ann V. Carvel, Genevieve C. Land and James Land dated March 20, 1950, and filed herein on March 24th, 1950.

It is thereupon, this 24th day of March, in the year nineteen hundred and fifty, by the Circuit Court for Queen Anne's County, sitting as a Court of Equity, ADJUDGED, ORDERED and DECREED that the lands designated as "The Chew Farm" in Item II of the Last Will and Testament of Thomas R. Carville, late of Queen Anne's County, deceased, upon the death of Roland Carville Ringgold, the last life tenant designated in said Item II to take said lands, passed under Item V of the Last Will and Testament aforesaid unto the children, including grandchildren, of Thomas W. Carville, deceased, the son of the testator, Thomas R. Carville, which "children" of the said Thomas W. Carville are to be found among the four Respondents, Arnold W. Carvel, Emajeau Carvel, Elbert N. Carvel and Genevieve C. Land, who by the aforesaid stipulation herein filed have made it unnecessary for this Court to determine just which of said four Respondents last named constitute the persons now entitled to take under Item V of said Last Will and Testament to the possible exclusion of some of the others of the four said Respondents last above named.

And it is further ordered that the costs of these proceedings be paid by the Complainant.

Filed Mar. 24, 1950

WM. R. HORNEY  
William R. Horney  
Chief Judge

APPEAL

Filed Mar. 30, 1950

MARY R. RINGGOLD

VS.

ARNOLD W. CARVEL, et al.

: IN THE CIRCUIT COURT  
:  
: FOR QUEEN ANNE'S COUNTY  
:  
: IN EQUITY, CHY. NO. 3491

MR. CLERK:

Please enter an appeal for the Complainant, Mary R. Ringgold, from the decree in this case dated the 24th day of March, 1950.

K. THOMAS EVERNGAM  
K. Thomas Everngam

CLARENCE E. MARTIN  
Clarence E. Martin

STATE OF WEST VIRGINIA:

COUNTY OF BERKELEY:

ss:

I hereby certify that on this 29th day of March, 1950, before me, the subscriber, a notary public in and for the state and county aforesaid, personally appeared Mary R. Ringgold, Complainant in the above-entitled cause and made oath in due form of law that this appeal is not taken for the purpose of delay.

Witness my hand and notarial seal the day and year first above written.

CATHERINE WATSON  
Notary Public

Notary  
Public  
Seal.

My Commission expires  
February 6, 1960.  
Filed March 30, 1950

DESIGNATION FOR RECORD ON APPEAL  
March 30, 1950

MARY R. RINGGOLD : IN THE CIRCUIT COURT  
VS. : FOR QUEEN ANNE'S COUNTY  
ARNOLD W. CARVEL, et al. : IN EQUITY; CHY. NO. 3491

DESIGNATION FOR RECORD ON APPEAL

The Appellant, Mary R. Ringgold, hereby designates the following portions of the record and proceedings to be contained in the record on appeal, to wit:

1. The Second Amended Bill of Complaint;
2. Exhibits A, B, and C to Bill of Complaint;
3. Answer of Arnold W. Carvel, et al, Respondents to Second Amended Bill of Complaint;
4. Answer of Remaining Respondents to Second Amended Bill of Complaint;
5. Opinion of the Court;
6. Stipulation of Respondents, dated March 20, 1950;
7. Decree of Court, dated March 24, 1950;
8. Notice of Appeal.

K. THOMAS EVERNGAM  
K. Thomas Everngam  
Attorney for Appellant

Filed Mar. 30, 1950

MANDATE

Filed Dec. 6, 1950.

MANDATE

COURT OF APPEALS OF MARYLAND

No. 15, OCTOBER TERM, 1950

Mary R. Ringgold, widow	)	Appeal from the Circuit Court for
vs.	)	Queen Anne's Co.
Arnold W. Carvel, et al	)	Filed: March 31, 1950
	)	(Cont'd from No. 215, Oct. Term,
	)	1949)
	)	Nov. 3, 1950, Decree affirmed, with costs.
	)	Opinion filed. Op. Delaplaine, J.

APPELLANT'S COST IN THE COURT OF APPEALS OF MARYLAND,

Clerk's Cost	10.00	
Brief	226.87	
Appearance Fee	10.00	
Continuance fee	5.00	\$251.87

APPELLEE'S COST IN THE COURT OF APPEALS OF MARYLAND,

Brief	\$	89.72		
Appearance Fee		10.00	99.72	\$351.59

STATE OF MARYLAND, Sct:

I, Maurice Ogle, Clerk of the Court of Appeals of Maryland, do hereby certify that the foregoing is truly taken from the record and proceedings of the said Court of Appeals.

In testimony whereof, I have hereunto set my hand as Clerk and affixed the seal of the Court of Appeals, this fourth day of December A. D. 1950

Seal's Place.

MAURICE OGLE Clerk  
of the Court of Appeals of Maryland.

Costs shown on this mandate are to be settled between counsel and NOT THROUGH THIS

OFFICE



CAUSE NO. 3618

HARVEY JACKSON : IN THE  
 :  
 vs. : CIRCUIT COURT  
 :  
 LEONARD COFFMAN : FOR  
 LAUREL ETHEL COFFMAN : QUEEN ANNE'S COUNTY  
 :  
 : IN EQUITY  
 :  
 : #3618  
 .....

TO THE HONORABLE, THE JUDGES OF SAID COURT;

The return of Oscar W. Tarr, former Sheriff of Queen Anne's County, Maryland, respectfully shows, THAT by virtue of a Writ of Fieri Facias issued out of the Circuit Court for Queen Anne's County, In Equity, Cause No. 3618, in the suit of Harvey Jackson vs. Leonard Coffman and Laurel Ethel Coffman, said writ of execution was directed to Oscar W. Tarr, as Sheriff of Queen Anne's County, Maryland, and in obedience of the commands of said Writ contained, the said Oscar W. Tarr, former Sheriff as aforesaid, seized, entered upon and levied upon and took possession of all the right, title, interest and estate of the said Leonard Coffman in and to the following described real estate, to wit:

All those two tracts, lots or parcels of land situate, lying, and being in the First Election District of Queen Anne's County, Maryland, near Peter's Corner, and more particularly described as follows, to wit:

Lot No. 1- Situate on the public road leading from Millington to Peter's Corner and about two miles from the latter place, bounded on the South by the lands of, or formerly of, Mrs. Trimble, on the West by the Henry View lot of Harvey Jackson, on the North by the Frisby lot and on the East by the aforesaid public road, containing four (4) acres of land, more or less.

Lot No. 2- Situate in the rear of the lot of land known as the Henry View lot of Harvey Jackson, and bounded by the aforesaid Henry View lot on the East, on the South by the Trimble lands, on the West by the woodlands formerly of R. Bruce Massey and on the North by the Sallie Johnson lands, containing five (5) acres of land, more or less.

Being the same property conveyed unto Leonard Coffman by Sadie Groves by deed dated November 2, 1946, and recorded among the Land Records of Queen Anne's County in Liber A. S. G. Jr., No. 15, folio 553.

AND having given public 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 (20) days previous to the day of the sale, as shown by the certificate of the printers, and a copy of the advertisement attached hereto, and asked to be taken a part hereof, and by notice posted on the Court House door in the town of Centreville, Maryland, for more than twenty (20) days previous to the day of sale, the said Oscar W. Tarr, former Sheriff as aforesaid, offered all the right, title, interest and estate of the said Leonard Coffman of, in and to the said lots or parcels or tracts of land, at public sale in front of the Court House door in the Town of Centreville, Maryland, on Tuesday, the 14th day of November, 1950, beginning at the hour 1:30 P.M., for cash, and then and there sold the same unto Harvey Jackson, who was then and there the highest bidder therefore, and for the sum of One Hundred and Fifteen Dollar therefore, and for the sum of One Hundred and Fifteen Dollars (\$115.00), which said sum was paid in cash as per the terms of sale; and the real estate was sold to pay and satisfy the said Writ to the extent of the proceeds of said sale, interest and costs thereon, and the judgment or decree on which the same was issued to the extent of the net proceeds of sale as applied on account thereof.

OSCAR W. TARR  
 Oscar W. Tarr, former Sheriff  
 of Queen Anne's County, Maryland

STATE OF MARYLAND )  
 ) to wit:  
 COUNTY OF QUEEN ANNE'S )

I HEREBY CERTIFY, that on this 20th day of January, 1951, before me, the subscriber, Clerk of the Circuit Court for Queen Anne's County, Maryland, personally appeared Oscar W. Tarr, former Sheriff of Queen Anne's County, as aforesaid, and made oath in due form of law that the matters and things abovesaid are true to the best of his knowledge and belief and that the sale was fairly made.

IN TESTIMONY WHEREOF, the Clerk of Court for Queen Anne's County, Maryland, has hereunto subscribed his name.

T. SORDEN PIPPIN  
 Clerk of Court for Queen Anne's  
 County, Maryland

Filed Aug. 16, 1951

I, James Elmer Anthony, auctioneer, by these presents do hereby certify that on Tuesday, November, 14, 1950, at public sale, before the Court House

Door in the Town of Centreville, two parcels of land, described as follows, to wit:

All the right title, interest and estate of Leonard Coffman in and to all those two tracts, lots or parcels of land, situate, lying and being in the First Election District of Queen Anne's County, Maryland, near Peter's Corner, and more particularly described as follows, to wit:

Lot No. 1.- Situate on the public road leading from Millington to Peter's Corner and two miles from the latter place, bounded on the South by the lands of, or formerly of, Mrs. Trimble, on the West by the Henry View lot of lot of Harvey Jackson, on the North by the Frisby lot and on the East by the aforesaid public road, containing four (4) acres of land, more or less.

Lot No. 2.- Situate in the rear of the lot of land known as the Henry View Lot of Harvey Jackson, and bounded by the aforesaid Henry View lot of Harvey Jackson on the East, on the South the Trimble lands, on the West by the woodland formerly of R. Bruce Massey and on the North by the Sallie Johnson lands, containing five (5) acres of land, more or less was sold by me, as auctioneer for the sum of One Hundred and Fifteen Dollars (\$115.00) unto Harvey Jackson, who was then and there the highest bidder therefore.

As witness my hand.

J. ELMER ANTHONY  
Auctioneer.

Filed Aug. 13, 1951

(FI FA)

THE STATE OF MARYLAND

Seal's Place

To the Sheriff of Queen Anne's  
County, Greeting:

WHEREAS, at a Circuit Court for Queen Anne's County in Equity, begun and held at Centreville in said county on this 19th. day of April in the year of our Lord, one thousand nine hundred and fifty, a certain Harvey Jackson, Millington, Maryland, Decree and Injunction of the same Court, recovered against a certain Leonard Coffman, Millington, Maryland, as well the sum of ninety four dollars and fifty cents, his costs and charges by him about his suit laid out and expended, whereof the said Leonard Coffman is convict, as it appears of record:

THEREFORE, you are hereby commanded, that of the goods and chattels, lands and tenements of the said Leonard Coffman being in your bailiwick, you cause to be made and levied the debt, costs and charges aforesaid, and have you those sums before the said Circuit Court, to be held at Centreville, in the said County, on the First Monday of November next, to render unto the said Harvey Jackson the debts, costs and charges, aforesaid

Hereof, fail not at your peril, and have you then and there this writ:

WITNESS, the Honorable Wm. R. Horney Chief Judge of our said Court, the 4th day of September in the year of our Lord, nineteen hundred and fifty.

Issued this 12th day of October 1950

NELLIE B. WHITELEY Clerk

Attorney for Plaintiff  
John Palmer Smith  
Centreville, Maryland

Filed Aug. 13, 1951

A SCHEDULE of the goods and chattels, lands and tenements of Leonard Coffman seized and levied upon and taken in execution under and by virtue of a writ of fieri facias issued out of the Circuit Court for Queen Anne's County, in Equity and to me directed at the suit of Harvey Jackson, vs. Leonard Coffman

I have seized and levied on the following property to wit:

All those 2 tracts, lots or parcels of land, situate, lying and being in the First Election District of Queen Anne's County, Maryland, and more particularly described as follows:

Lot No. 1.- Situate on the public road leading from Millington to Peter's Corner and about 2 miles from the latter place, bounded on the south by the lands of or formerly of Mrs. Trimble, on the west by the Henry View Lot of Harvey Jackson, on the north by the Frisby lot and on the east by the aforesaid public road, and containing 4 acres of land; and

Lot No. 2 - Situate in the First Election District of Queen Anne's County in the rear of the lot of land known as the Henry View lot of Harvey Jackson, and bounded by aforesaid Henry View lot on the east, on the south by the Trimble lands, on the west by the woodland formerly of R. Bruce Massey and on the north by the Sallie Johnson lands, containing 5 acres of land.

Being the same property conveyed unto Leonard Coffman by Sadie Groves, by deed dated Nov. 2, 1946, and recorded in Liber A. S. G. Jr., No. 15, folio 553.

Levied upon and scheduled this 13th day of October, 1950, at 11.15 A.M.

OSCAR W. TARR  
Sheriff.

Filed Aug. 13, 1951

## SHERIFF'S SALE

Of Valuable

IN SUDLERSVILLE DISTRICT  
NEAR PETER'S CORNER

Under and by virtue of a writ of Fieri Facias issued out of the Circuit Court of Queen Anne's County, in Equity, at the suit of Harvey Jackson vs. Leonard Coffman. I have seized levied upon and taken into execution all the right, title, interest and estate of the said Leonard Coffman of, in and to the following described real estate, as follows, to wit:

ALL those 2 tracts, lots or parcels of land situate, lying and being in the First Election District of Queen Anne's County, Maryland, near Peter's Corner, and more particularly described as follows:

LOT NO. 1 - Situate on the public road leading from Millington to Peter's Corner and about 2 miles from the latter place, bounded on the south by the lands of or formerly of Mrs. Trimble, on the west by the Henry View Lot of Harvey Jackson, on the north by the Frisby lot and on the east by the aforesaid public road, containing 4 acres of land; and

Lot No. 2 - Situate in the rear of the lot of land known as the Henry View lot of Harvey Jackson, and bounded by aforesaid Henry View lot on the east, on the south by the Trimble lands, on the west by the woodland formerly of R. Bruce Massey and on the north by the Sallie Johnson lands, containing 5 acres of land.

Being the same property conveyed unto Leonard Coffman by Sadie Groves by deed dated November 2nd., 1946, and recorded among the land records of Queen Anne's County in Liber A.S.G.Jr., No. 15, folio 553, etc.

AND I HEREBY GIVE NOTICE that I will sell the above described real estate in front of the Court House Door in the Town of Centreville, in Queen Anne's County, Maryland, on TUESDAY, NOV. 14, 1950 Beginning at the hour of 1:30 P. M., to the highest bidder, for cash.

OSCAR W. TARR.

Sheriff of Queen Anne's County  
Maryland.

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. November 28 1950

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Sheriff's Sale in the case/estate of Harvey Jackson vs Leonard Coffman 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 14th day of November 1950, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 19th day of October 1950, and the last insertion on the 9th day of November 1950.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANYBy Charlotte M. Mears

Filed Aug. 13, 1951.



## CAUSE NO. 1917

Petition  
Filed January 11, 1919.

In the Matter of the	)	In the Circuit Court
Trust under the will of	)	for Queen Anne's County
Lucy J. Denney, Deceased.	)	In Equity, Cause No. 1917.

To the Honorable the Judges of said Court;-

Your petitioner, Edwin H. Brown Jr. Trustee, respectfully sets forth;-

First;- That by an order of this court dated the 29th day of August, in the year nineteen hundred and twelve your petitioner was appointed Trustee in this cause to succeed James E. Kirwan, resigned, and that he has complied with all the requirements of said order as will fully appear from these proceedings.

Second;- That at the time of the appointment of your petitioner as trustee that the corpus of the estate which came into his hands, as will appear from these proceedings, was as follows;-

A house and lot in Stevensville near the property of Mrs. Porter and one Benjamin Lee, colored estimated to be worth \$1000.00

A house and lot in Stevensville on the road to the station where Lucy J. Denney lived at the time of her death and then occupied by Annie W. Denney and estimated to be worth about 800.00

A house in Dominion on Kent Island Queen Anne's County estimated to be worth 500.00  
\$2300.00

and that there was no money or personal property turned over to him by the said James E. Kirwan, but on the other hand there had been an over payment made by said James E. Kirwan in the performance of his trust as will fully appear from these proceedings.

Third;- That in pursuance of the authority conferred on your petitioner under the will of the said Lucy J. Denny and of an order of this Court dated August 29th. 1912 your petitioner sold the house and lot in Stevensville near the property of Mrs. Porter and reported same to this court, which said sale was duly ratified, all of which will fully appear from these proceedings.

Fourth;- That it will appear from an audit filed in these proceedings on March 21st. 1917 of this trust while under the management of the said James E. Kirwan that there was a balance due the said James E. Kirwan of one hundred and ninety dollars and thirty eight cents, and that it will appear from an audit also filed in these proceedings of the sale of the real estate made by your petitioner and referred to in paragraph Third of this petition, that after the payment of all costs incident to said sale and the said balance due the said James E. Kirwan there remained in the hands of your petitioner for the support and maintenance of Annie W. Denny under the terms of will of the said Lucy J. Denny the sum of seven hundred and nine dollars and ninety six cents.

Fifth;- That your petitioner was unable to invest the said sum of seven hundred and nine dollars and ninety six cents because the income from said sum and the small rent from the house and lot at Dominion on Kent Island would not be sufficient to maintain and support the said Annie W. Denny, and that said

sum had to be constantly used for the support and maintenance of the said Annie W. Denny.

Sixth;- That the said Annie W. Denny developed a cancer of the face and constantly needed medical attention and that it was impossible to get her in any institution for treatment and that the only way she could live was to remain in the house in Stevensville and be supported and maintained there, said house being a part of the corpus of the estate which came into your peititoners hands.

Seventh;- That under the Second Item of the will of the said Lucy J. Denny the trustee under said will is directed to sell all the real estate of said Lucy J Denny if it is necessary for the comfort, maintenance and support of the said Annie W. Denny.

Eighth;- That by the Third Item of the said will of Lucy J. Denny the real estate therein mentioned is devised to sundry persons therein specified, but the will further says that "the devises herein are subject to my primary wish and desire expressed in the Second Item of this will and the power and authority therein confereed on said Trustee; and said Trustee is charged with the duty of seeing that my said niece has a proper burial in my said lot and her grave properly marked with tomb stones, and my aforesaid property left in Trust as aforesaid is chargeable with such expenses as though such expenses were for her support &c as aforesaid.

Ninth;- That in the support, maintenance and comfort of the said Annie W. Denny, with which your petitioner was charged under the will of the said Lucy J. Denny, your petitioner has expended the entire sum of seven hundred and nine dollars and ninety six cent, and an additional sum of six hundred and one dollars and seventy eight cents; (this sum is only approximate as the exact amount cannot be ascertained until an adult is stated) said expenditures include taxes and insurance of the real estate.

Tenth;- That your petitioner in carrying out the charge placed on him under the Third Item of the said will of Lucy J. Denny has expended approximately for the funeral and burial expenses of the said Annie W. Denny the sum of one hundred and fifty dollars, she having died sometime during the last part of November, nineteen hundred and eighteen.

Eleventh;- That the expenditures over and above the amount that your trustee had in hand as set forth in paragraph nine and the funeral expenses set forth in paragraph Tenth of this petition, were advanced out of the personal funds of your petitioner, as your petitioner did not feel that he could maintain and support the said Annie W. Denny in the manner that he was charged withdoing under the will in any other way than by keeping her in the house in Stevensville in which she was living and providing her with the necessities of life; and further because it was simply impossible to get her in any institution where she would be cared for and properly maintained, and if your petetioner had sold the house in which the said Annie W. Denny qw living during her lifetime, which he had the authority to do, she would have simply been turned out in the world with no place to go and the money your petitioner would have realized from the sale of said house would not have been sufficient to support and maintain the said Annie W. Denny even if he could have found a place for her to go, which was impossible and that in the judgment of your petitioner the manner in which he has conducted said trust was the only way in which to carry out the wishes

of the said Lucy J. Denny as expressed in her said will and to look after the comfort, maintenance and support of the said Annie W. Denny and to give her a proper burial, with all of which he was charged.

Your petitioner therefore prays this honorable Court to pass an order authorizing and directing him to sell the house and lot in Stevensville on the road to the station, where Lucy J. Denny lived at the time of her death and which was occupied during her life by Annie W. Denny (the house in Dominion not being subject to sale by the trustee under a codicil to the will of the said Lucy J. Denny, as will appear by reference thereto) and to apply the proceeds after paying the expenses of said sale, to reimbursing your petitioner for such sums as he expended for the comfort, maintenance and support of the said Annie W. Denny, and for the taxes and insurance on the real estate in said Trust, and for the money expended by him for the funeral expenses of said Annie W. Denny, all of which sums are to be ascertained by the auditor of this court, to which the papers and vouchers will be submitted.

And as in duty &c.

EDWIN H. BROWN JR.  
Trustee

STATE OF MARYLAND,

QUEEN ANNE'S COUNTY, TO WIT:-

I hereby certify that on this eleventh day of January, in the year nineteen hundred, before me the Clerk of the Circuit Court for Queen Anne's County, State of Maryland, personally appeared the said Edwin H. Brown Jr. and made oath in due form of law that the matters and things set forth in the above petition are true and correct as therein set forth.

J F ROLPH, Clerk

In the Matter of the Trust	)	In the Circuit Court
Estate Under the Will of	)	for Queen Anne's
Lucy J. Denny, Deceased	)	County, in Equity.

On the foregoing petition and under the authority conferred by the will of Lucy J. Denny, it is on this twentieth day of January in the year nineteen hundred and nineteen, by the Circuit Court for Queen Anne's County, In Equity, ordered, directed and decreed that Edwin H. Brown Jr. Trustee, be and he is hereby authorized, empowered and directed to sell the house and lot in Stevensville on the road to the station, where Lucy J. Denny lived at the time of her death and which was occupied during her life by Annie W. Denny, for the purpose of repaying to the said Edwin H. Brown Jr. Trustee such sums as he has expended for the comfort, maintenance and support of the said Annie W. Denny and for her funeral expenses; and the said Trustee is hereby directed after paying the cost incident to said sale to repay to himself such sums as he has used for the comfort, maintenance and support of the said Annie W. Denny and for her funeral expenses and for the taxes, insurance and the necessary repairs to said real estate, said sums not to be paid until they have ascertained by an audit to be stated in this cause, and the trustee is hereby directed to submit all papers and vouchers relating to said trust to the auditor of this court for the purpose of making and staying an audit. The said Edwin H.

Brown Jr. Trustee is hereby ordered and directed to sell said house and lot at public sale upon giving at least three weeks previous notice thereof, in some newspaper published and printed in Queen Anne's County, State of Maryland and upon the following terms-one half of the purchase money to be paid in cash on the day of sale, and the balance in eight months from the day of sale, the said deferred payment with interest thereon from the day of sale to be secured to the satisfaction of the Trustee making sale, or all the purchase money in cash upon the final ratification of the sale by this court, and the said Trustee is to report said sale to this Court for its ratification in the manner usual in cases of sales made under its decrees, unless good cause for not selling said property be shown by Mary C. Miller, Maraia L. Miller and Ella J. Miller on or before the fifteenth day of February, nineteen hundred and nineteen; provided a copy of the foregoing petition and of this decree be served on them on or before the first day of February, nineteen hundred and nineteen.

Filed January 20th 1919

PHILEMON B. HOPPER

Petition and Decree  
Filed January 28, 1919

In the Matter of the	)	In the Circuit Court
Trust under the will of	)	for Queen Anne's County
Lucy J. Denney, Deceased.	)	In Equity, Cause No. 1917

To the Honorable the Judges of said Court:-

Your Petitioner, Edwin H. Brown, Jr. Trustee, respectfully sets forth:-

First;- That by an order of this court dated the 29th day of August, in the year nineteen hundred and twelve your petitioner was appointed Trustee in this cause to succeed James E. Kirwan, resigned, and that he has complied with all the requirements of said order as will fully appear from these proceedings.

Second;- That at the time of the appointment of your petitioner as trustee that the corpus of the estate which came into his hands as will appear from these proceedings, was as follows:-

A house and lot in Stevensville near the property of Mrs. Porter and One Benjamin Lee, colored estimated to be worth	\$1000.00
A house and lot in Stevensville on the road to the station where Lucy J. Denney lived at the time of her death and then occupied by Annie's W. Denney	\$800.00
A house in Dominion on Kent Island Queen Anne's County estimated to be worth	\$500.00
	<hr/> \$2300.00

and that there was no money or personal property turned over to him by the said James E. Kirwan, but on the other hand there had been an overpayment made by said James E. Kirwan in the preformance of his trust as will fully appear from these proceedings.

Third;- That in pursuance of the authority conferred on your petitioner under the will of the said Lucy J. Denny and of an order of this Court dated August 29th. 1912 your petitioner sold the house and lot in Stevensville near the property of Mrs. Porter and reported same to this court, which/<sup>said</sup> sale was duly



ratified, allof which will fully appear from these proceedings.

Fourth;- That it will appear from an audit filed in these proceedings on March 21st. 1917 of this trust while under the management of the said James E. Kirwan that there was a balance due the said James E. Kirwan of one hundred and ninety dollars and thirty eight cents, and that it will appear from an audit also filed in these proceedings of the sale of the real estate made by your petitioner and refered to in paragraph Third of this petitione, that after the payment of all costs incident to said sale and the said balance due the said James E. Kirwan there remained in the hands of your petitioner for the support and maintenance of Annie W. Denny under the terms of the will of the said Lucy J. Denny the sum of seven hundred and nine dollars and ninety six cents.

Fifth;- That your petitioner was unable to invest the said sum of seven hundred and nine dollars and ninety six cents because the income from the said sum and the small rent from the house and lot at Dominion on Kent Island would not be sufficient to maintain and support the said Annie W. Denny, and that said sum had to be constantly used for the support and maintenance of the said Annie W. Denny.

Sixth;- That the said Annie W. Denny developed a cancer of the face and constantly needed medical attention and that it was impossible to get her in any institution for treatment and that the only way she could live was to remain in the house in Stevensville and be supported and maintained there, said house being a part of the corpus of the estate which came into your petitioners hands.

Seventh;- That under the second Item of the will of the said Lucy J. Denny the trustee under said will is directed to sell all the real estate of said Lucy J. Denny if it is necessary for the comfort, maintenance and support of the said Annie W. Denny.

Eighth;- That by the Third Item of the said will of Lucy J. Denny the real estatetherein mentioned is devised to sundry persons therein subject to my primary wish and desire expressed in the Second Item of this will and the power and authority therein conferred on said Trustee; and said Trustee is charged with the duty of seeing that my said niece has a proper burial in my said lot and her grave properly marked with tomb stones, and my aforesaid property left in trust as aforesaid is chargeable with such expenses as though such expenses were for her support &c. as aforesaid.

Ninth;- That in the support, maintenance and comfort of the said Annie W. Denny, with which your petitioner was charged under the will of the said Lucy J. Denny, your petitioner has expended the entire sum of seven hundred and nine dollars and ninety six cents, and an additional sum of six hundred and one dollars and seventy eight cents; (this sum is only approximate as the exact amount cannot be ascertained until an audit is stated) said expenditures include taxes and insurance of the real estate.

Tenth;- That your petitioner in carrying out the charge placed on him under the Third Item of the said will of Lucy J. Denny has expended approximately for the funeral and burial expenses of the said Annie W. Denny the sum of one hundred and fifty dollars, she having died some time during

the last part of November, nineteen hundred and eighteen.

Eleventh;- That the expenditures over and above the amount that your trustee had in hand as set forth in paragraph nine and the funeral expenses as set forth in paragraph Tenth of this petitioner, were advanced out of the personal funds of your petitioner, as your petitioner did not feel that he could maintain and support the said Annie W. Denny in the manner that he was charged with doing under the will in any other way then by keeping her in the house in Stevensville in which she was living and providing her with the necessities of life; and further because it was simply impossible to get her in any institution where she would be cared for and properly maintained, and if your petitioner had sold the house in which the said Annie W. Denny was living during her lifetime, which he had the authority to do, she would have simply been turned out in the world with no place to go and the money your petitioner would have realized from the sale of said house would not have been sufficient to support and maintain the said Annie W. Denny even if he could have found a place for her to go; which was impossible and that in the judgment of your petitioner the manner in which he has conducted said trust was the only way in which to carry out the wishes of the said Lucy J. Denny as expressed in her said will and to look after the comfort, maintenance and support of the said Annie W. Denny and to give her a proper burial, with all of which he was charged.

Your petitioner therefore prays this honorable Court to pass an order authorizing and directing him to sell the house and lot in Stevensville on the road to the station, where Lucy J. Denny lived at the time of her death and which was occupied during her life by Annie W. Denny (the house in Dominion not being subject to sale by the trustee under a codicile to the will of the said Lucy J. Denny, as will appear by reference thereto) and to apply the proceeds after paying the expenses of said sale, to reimbursing your petitioner for such sums as he expended for the comfort, maintenance and support of the said Annie W. Denny and for the taxes and insurance on the real estate in said trust, and for the money expended by him for the funeral expenses of said Annie W. Denny, all of which sums are to be ascertained by the auditor of this court, to which the papers and vouchers will be submitted.

And as in duty &c?

(Signed) Edwin H. Brown Jr.

Trustee.

STATE OF MARYLAND,

QUEEN ANNE'S COUNTY, To wit;-

I hereby certify that on this eleventh day of January, in the year nineteen hundred and nineteen, before me the Clerk of the Circuit Court for Queen Anne's County, State of Maryland, personally appeared the said Edwin H. Brown Jr. and made oath in due form of law that the matters and things set forth in the above petition are true and correct as therein set forth.

(Signed) J. F. Rolph, Clerk.

In the Matter of the Trust  
Estate under the will of  
Lucy J. Denny, Deceased

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

On the foregoing petition and under the authority conferred by the will of Lucy J. Denny, it is on this twentieth day of January in the year nineteen hundred and nineteen, by the Circuit Court for Queen Anne's County, in Equity, ordered, directed and decreed that Edwin H. Brown Jr. Trustee, be and he is hereby authorized, empowered and directed to sell the house and lot in Stevensville on the road to the station, where Lucy J. Denny lived at the time of her death and which was occupied during her life by Annie W. Denny, for the purpose of repaying to the said Edwin H. Brown Jr. Trustee such sums as he has expended for the comfort, maintenance and support of the said Annie W. Denny and for her funeral expenses; and the said Trustee is hereby directed after paying the cost incident to said sale to repay to himself such sums as he has used for the comfort, maintenance and support of the said Annie W. Denny and for her funeral expenses and for taxes, insurance and the necessary repairs to said real estate, said sums not to be paid until they have been ascertained by an audit to be stated in this cause, and the trustee is hereby directed to submit all papers and vouchers relating to said trust to the auditor of this court for the purpose of making and stating an audit. The said Edwin H. Brown Jr. Trustee is hereby ordered and directed to sell said house and lot at public sale upon giving at least three weeks previous notice thereof, in some newspaper published and printed in Queen Anne's County, State of Maryland and upon the following terms—one half of the purchase money to be paid in cash on the day of sale, and the balance in eight months from the day of sale, the said deferred payment with interest thereon from the day of sale to be secured to the satisfaction of the Trustee making sale, or all the purchase money in cash upon the final ratification of the sale by this court, and the said Trustee is to report said sale to this Court for its ratification in the manner usual in cases of sales made under its decrees unless good cause for not selling the said property be shown by Mary C. Miller, Maria L. Miller and Ella J. Miller on or before the fifteenth day of February, nineteen hundred and nineteen; provided a copy of the foregoing petition and of this decree to be served on them on or before the first day of February, nineteen hundred and nineteen.

(Signed) Philemon B. Hopper

Filed January 20, 1919

True Copy  
 Test: J. F. Rolph

NISI RATIFICATION OF AUDIT.  
 February 18, 1918.

In the Matter of the Trust  
 under the will of Lucy J. Denny, Deceased

) In the Circuit Court for Queen  
 )  
 ) Anne's County, in Equity, Case No.  
 )  
 ) Case No. 1917.

ORDERED, This 23rd day of March, in the year 1917, 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 18th day of April, 1917; provided a copy of this order be published once a week in each of two successive weeks before the 9th day of April, 1917, in some newspaper printed and published in Queen Anne's County.

WM. F. WATSON, Clerk

True Copy--  
 Test---WM. F. WATSON, Clerk.

Filed March 23, 1917.

THE CENTREVILLE RECORD

CENTREVILLE, MD. Feb. 18th, 1919

THE CENTREVILLE RECORD PUBLISHING CO. hereby certifies that the nisi audit in the matter of the Trust under the will of Lucy J. Denny, deceased Chy. 1917, a true copy of which is hereto annexed, was inserted in The Centreville Record, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland once a week in each of successive weeks, before the 9th day of April in the year 1917

THE CENTREVILLE RECORD PUBLISHING CO.

By E. H. BROWN JR.  
 President

ANSWER

Filed February 14, 1919.

In the Matter of the Trust  
under the Will of Lucy J.  
Denny, deceased.

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

Cause No. 1917.

To the Honorable, the Judges of said Court:-

The Answer of Mary C. Miller and Maria L. Miller to the Petition of Edwin H. Brown, Jr., Trustee, filed in this cause on January 11, 1919, respectfully shows:-

1. That by an order and decree passed in this cause on January 20, 1919, by this Honorable Court on the aforesaid Petition of Edwin H. Brown, Jr., Trustee, the said Edwin H. Brown, Jr., Trustee as aforesaid, was authorized, empowered and directed to sell "the house and lot in Stevensville on the road to the station where Lucy J. Denny lived at the time of her death and which was occupied during her life by Annie W. Denny", for the purpose and in the manner therein set forth, unless good cause for not selling the said property be shown by your respondents, Mary C. Miller and Maria L. Miller, and by Ella J. Miller, on or before the time therein named.

2. That by Item Third of the last will and testament of Louisa J. Denny, late of Queen Anne's County aforesaid, deceased, a certified copy of which is filed in these proceedings, the said testatrix did will, devise and direct that the trust estate created by said will should cease and determine at and upon the death of her niece, Annie W. Denny, and upon said termination, did will and devise the said house and lot in Stevensville above mentioned unto your respondents, Mary C. Miller and Maria L. Miller, and to one Ella J. Miller, as tenants in common in fee; that the said Ella J. Miller, who was a sister of your respondents, departed this life in the month of July, in the year nineteen hundred and eleven.

3. That answering the said Petition of Edwin H. Brown, Jr., Trustee as aforesaid, your respondents admit that the said Edwin H. Brown, Jr. was, on August 29, 1912, appointed by this Honorable Court Trustee in this cause in the place and stead of James E. Kirwan, who resigned said trust, and that he duly qualified as such Trustee, as set forth in the first paragraph of said Petition; that at the time of such appointment, the corpus of the estate which came into the hands of said Trustee consisted of the three houses and lots mentioned and described in the second paragraph of said Petition; and that the said Edwin H. Brown, Jr., Trustee as aforesaid, made sale of the house and lot situate in Stevensville near the property of Mrs. Porter and that said sale was reported to and ratified by this Honorable Court, as set forth in the Third paragraph of said Petition.

4. That answering generally the remaining allegations of said Petition, your respondents admit that by the said last will and testament of Louisa J. Denny it was provided that the Trustee under said will should "have the right to use from time to time such parts of the corpus" of the personal and real estate of the testatrix as may be necessary for the comfort, maintenance and support of Annie W. Denny, the niece of said testatrix, and that if the income and corpus of the personalty should be inadequate, that said Trustee should, if necessary for the purposes aforesaid, sell the house and lot in Stevensville adjoining Mrs. Porter, Benjamin Lee and others, and then, if necessary, sell the residue of the said real estate, using the proceeds of the sales thereof for the purposes aforesaid; and these respondents further admit that said testatrix charged her property with the expenses incident to the proper burial of her said niece, Annie W. Denny, including the cost of tombstones with which to mark her grave, as set forth in Item Third of said will.

5. That your respondents cannot either admit or deny the allegations of said Petition as to the insufficiency of the income from said trust estate and of the proceeds from the sale of the house and lot sold by said Trustee as aforesaid to provide for the support and maintenance of the said cestui que trust, Annie W. Denny; that the audits filed in this cause on March 21, 1917, and on March 23, 1917, respectively, have never been ratified by this Court; that the said allegations as to the insufficiency of said income and proceeds of sale for the purposes aforesaid are indefinite and incomplete, not being accompanied by a fully and particular account of the disbursements made thereout by said Trustee or by a full and particular account of the moneys which the said Trustee alleges to have advanced out of his personal funds; and that your respondents respectfully aver that, assuming that there is, under the terms and provisions of said last will and testament, any power or authority conferred upon said Trustee to sell any of the real estate of said testatrix after the death of said cestui que trust, Annie W. Denny, and the termination of the trust, for the purpose of providing money to reimburse him for money advanced and expended by him out of his personal funds for the support and maintenance of said Annie W. Denny, the said allegations in said Petition, unaccompanied by any account of the disbursements of said net proceeds of the sale of said house and lot and of said moneys so alleged to have been advanced by him, are too indefinite as a basis upon which to ask for the passage by this Honorable Court of the order prayed in said Petition.

6. That your respondents are advised and charge that the said testatrix, Louisa J. Denny, by the terms of her said last will and testament, did clearly and definitely will, devise and direct "that said trust shall cease and determine at and upon the death" of her said niece, Annie W. Denny, and upon said termination did devise the said house and lot in Stevensville where she

resided to your respondents and their said deceased sister, Ella J. Miller, as tenants in common in fee, and any and all power or authority conferred by said will to said Trustee to sell said said real estate ceased and terminated at and upon the termination of said trust, that is to say; at and upon the death of the said Anne W. Denny, which occurred some time in the month of November, in the year nineteen hundred and eighteen; and your respondents respectfully aver that this Honorable Court is without power to authorize the said Trustee to exercise any power or authority to sell said real estate conferred by said last will and testament, or to pass the order prayed in said Petition.

For the reasons and causes hereinbefore set forth in this their Answer to said Petition, your respondents therefore pray that this Honorable Court may revoke and rescind the order and decree passed by it in this cause on January 20, 1919, authorizing, empowering and directing the said Edwin H. Brown, Jr., Trustee as aforesaid, to sell the said house and lot of land in Stevensville described in said order and decree.

And as in duty bound, &c.,

J. FRANK HARPER

Solicitor for Mary C. Miller and  
Maria L. Miller, respondents.

The foregoing answer having been read and considered, it is adjudged to show no good cause why the property mentioned in these proceedings should not be sold to reimburse the trustees for expenditures made for and on account of the cesuque trust, for the reasons stated in the trustees petition filed on January 11th, 1919, Therefore, it is, this nineteenth day of February, in the year nineteen hundred and nineteen, ordered that the said trustee be, and he is hereby authorized and empowered to sell the said property in accordance with the decree of sale passed in this cause on the twentieth day of January, in the year nineteen hundred and nineteen.

PHILEMON B. HOPPER

Filed February 18, 1919

TRUSTEE'S SALE  
of a Valuable  
HOUSE AND LOT  
Situate in Stevensville, Queen  
Anne's County, Maryland

Under and by virtue of the power contained in the last will and testament of Lucy J. Denny, deceased, late of said county, and in pursuance of a decree of the Circuit Court for Queen Anne's County, passed on the twentieth day of January, in the twentieth day of January, in the year nineteen hundred and nineteen, in a case therein entitled "In the Matter of the Trust Under the Will of Lucy J. Denny, Deceased," said case being No. 1917 on the docket of said Court the undersigned, as Trustee, will sell at public sale in front of the Stevensville Bank of Maryland, in Stevensville, Queen Anne's County, Maryland, on SATURDAY, MARCH 22, 1919 at 2:30 o'clock, P. M.

ABL THAT VALUABLE HOUSE AND LOT situate, lying and being in the Fourth Election District of Queen Anne's County, State of Maryland, in or near the village of Stevensville, lying on the west side of the public road leading from and through the village of Stevensville to Love Point, bounded on the north by the property formerly owned by Ocella G. Legg, deceased, on the east by said public road, on the south by the property of Mrs. Edward M. Legg, and on the west by the property of George E. Calloway.

Improved by a 2-STORY FRAME DWELLING and necessary outbuildings, and being the property which was occupied by Annie M. Denny just prior to her death, and being part of the property of which the said Lucy J. Denny died seized and possessed.

TERMS OF SALE--One half of the purchase money to be paid in cash on day of sale, the said deferred payment, with interest thereon from the day of sale, to be secured to the satisfaction of said trustee, or all the purchase money in cash upon the final ratification of said sale by the court.

EDWIN H. BROWN JR.,  
Trustee.

Geo. A. Whiteley, Auct.

THE CENTREVILLE RECORD

CENTREVILLE, MD. March 24, 1919

THE CENTREVILLE RECORD PUBLISHING CO. hereby certifies that the advertisement in the matter of the Trust under the Will of Lucy J. Denny, Chancery, No. 1917 a true copy of which is hereto annexed, was inserted in THE CENTREVILLE RECORD, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland, once a week for four successive weeks before the 22nd day of March in the year 1919.

THE CENTREVILLE RECORD PUBLISHING CO.

BY E. M. FORMAN  
Associate Editor

REPORT OF SALE  
Filed March 24, 1919.

In the Matter of the  
Trust under the Will of  
Lucy J. Denny

) In the Circuit Court for  
) Queen Anne's County, in Equity  
) Cause No. 1917.  
)

To the Honorable the Judges of said Court;-

The Report of Edwin H. Brown Jr. Trustee, respectfully sets forth;-

Under and by virtue of the power of sale contained in the last Will and Testament of the said Lucy J. Denny and in pursuance of an order of the Circuit Court for Queen Anne's County, in Equity, passed in this cause on the twentieth day of January in the year nineteen hundred and nineteen, the said Edwin H. Brown Jr. Trustee, after giving notice of the time, place manner and terms of sale by advertisement in the Centreville Record, a newspaper printed and published in Centreville, Queen Anne's County, Maryland, for more than three successive weeks previous to the day of sale, did pursuant to said notice attend in front of the Stevensville Bank of Maryland, in Stevensville, Queen Anne's County, Maryland, on Saturday, March the twenty second, in the year nineteen hundred and nineteen, at the hour of two thirty o'clock P. M. and did then and there proceed to sell said real estate, as follows, to wit; All that valuable house and lot situate, lying and being in the fourth Election District of Queen Anne's County, State of Maryland, in or near the village of Stevensville, lying on the west side of the public road leading from and through the village of Stevensville to Love Point, bounded on the north by the property formerly owned by Ocella G. Legg, deceased, on the east by said public road, on the south by the property of Mrs. Edward M. Legg and on the west by the property of George E. Calloway, and being one of the pieces of property of which the said Lucy J. Denny died seized and possessed, and which was occupied by Annie M. Denny just prior to her death, and sold same to one Bertha E. White, she being then and there the highest bidder therefor at and for the sum of twelve hundred and fifty dollars.

That the said Bertha E. White has paid in cash to your trustee the sum of twelve hundred and fifty dollars, being the full amount of the purchase money.

Your trustee files herewith a certified copy of the advertisement.

All of which is respectfully submitted

EDWIN H. BROWN JR.  
Trustee

STATE OF MARYLAND

QUEEN ANNE'S COUNTY: TO WIT: 3/4

I hereby certify that on this 24th day of March in the year nineteen hundred and nineteen before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared the said Edwin H. Brown Jr. Trustee 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 said sale was fairly made.

J. F. ROLPH Clerk

NISI  
Filed March 24, 1919.

IN THE MATTER OF THE TRUST	)	IN THE CIRCUIT COURT
UNDER THE WILL OF LUCY J.	)	FOR QUEEN ANNE'S COUNTY
DENNY VS.	)	IN EQUITY
	)	CHANCERY NO. <u>1917.</u>

ORDERED, This 24th day of March A. D. 1919, that the sale of the real estate and made and reported in this cause by Edwin H. Brown Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 30th 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 30th day of April next.

The Report states the amount of sales to be \$1250.

J F ROLPH Clerk.

Filed March 24th 1919.

Certificate of Publication  
of Order Nisi  
Filed June 13, 1919

NISI

In the Matter of the Trust under the	)	In the Circuit Court for
Will of Lucy J. Denny.	)	Queen Anne's County in Equity,
	)	Chancery No. 1917.

Ordered, this 24th day of March A. D. 1919, that the sale of the real estate made and reported in this cause by Edwin H. Brown, Jr., Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 30th 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 30th day of April next.

The report states the amount of sales to be \$1250.

J.F. ROLPH Clerk.  
True Copy--Test:

J. F. ROLPH, Clerk.

Filed March 24th. 1919.

THE CENTREVILLE RECORD

CENTREVILLE? MAD June 13, 1919

THE CENTREVILLE RECORD PUBLISHING CO. hereby certifies that the nisi order of ratification in the case of the Estate under the will of Lucy J. Denny a true copy of which is hereto annexed, was inserted in The Centreville Record, a weekly newspaper printed and published at Centreville, Queen Anne's County, Maryland once a week for Four successive weeks before the 30th day of April in the year 1919.

THE CENTREVILLE RECORD PUBLISHING CO.

By E. W. FORMAN  
Associate Editor

ORDER OF COURT  
June 13, 1919.

In the Matter of the	)	In the Circuit Court for Queen
Trust Under the Will of	)	Anne's County, in Equity.
Lucy J. Denny	)	Cause No. 1917

Ordered this 13th day of June, in the year nineteen hundred and nineteen, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that the same made and reported by Edwin H. Brown Jr. Trustee in the within and aforesaid report of sale 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 in the preceding order.

The said Trustee is allowed the usual Trustee's commissions and all expenses not personal.

PHILEMON B. HOPPER

REPORT AND ACCOUNT OF THE  
AUDITOR.  
Filed March 6, 1923

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

Cause  
No.  
1917

In the Matter of the Trust created by the will of  
Lucy J. Denney..... )

To the Honorable, the Judges of said Court:

The report of Madison Brown, Auditor, unto Your Honors respectfully sets forth:

That in the first section of the within account, Edwin H. Brown, jr., trustee of the cause, is charged with the balance due by him by the preceding audit of the cause and with certain rents collected by him set out in the report filed by him 18 Feb., 1919; that he then allowed all disbursements claimed by him in said report (save fifteen cents occurring in report as an error), in accordance with vouchers filed by him (vouchers being filed for each disbursements save one tax account). That the trustee is allowed in this section ten per cent. commissions on the rents charged to him, and bond costs.

That the said section shows an overpayment due to the trustee as the result of the charges and allowances so made.

That in the next section of the account the trustee is charged with the gross sale of certain real estate made by him and is then thereout allowed commissions for making the sale according to the rule allowing trustees commissions on real estate sold under decree of this court, costs incident to the sale including the costs of the clerk of the court for recording proceedings relating to the land sale.

That a balance of \$1082.35 is ascertained in this section as the net sale of the real estate mentioned.

That in next section of account, the trustee is charged with this balance, and is thereout allowed the over-payment mentioned, costs of J. F. Rolph, clerk, per his bill, costs of advertising order nisi to be passed in relation to this account, costs of the bond filed herein for years 1919 and 1920, an account due Dr Snyder for medical attention to Annie W. Denney not yet paid, auditor's fee.

That by this section a balance due the estate of \$154.94 is shown.

That in next section of within account the trustee is charged with the balance last mentioned and is allowed thereout 5 per cent. commissions on \$1838.34, amount of disbursement made by him per first page of this account and the collateral inheritance hereinafter mentioned and interest on said tax.

That the allowances so made exceed the amount of balance, so that an over-payment due to the trustee is shown.

As to the collateral inheritance tax: it appears that the trustee is also executor of will of Lucy J. Denney (see copy filed filed); that the land sold passed under will to collaterals and was subject to the tax known as "the collateral inheritance tax" that no such tax was collected by the executor nor paid by the collaterals receiving the land sold; that no appraisalment of the land to ascertain value of same to base tax on was ever made; that the trustee states that he feels the tax should be paid and that the way now to ascertain same is to take to net sales of each lot of land sold by him as shown by the audits of this cause; that the best way now to collect the tax is to allow the trustee to retain the amount of same as ascertained in manner indicated out of the sales of land now in hand, together with the interest thereon. That for these reasons the tax is allowed.

That the allowance of commissions on amount expended seems right to auditor and is allowed at request of trustee.

Respectfully submitted,

MADISON BROWN  
AUDITOR

March  
2  
1923

The proceeds of the trust estate created by the last will and testament of Lucy J. Denney.....in account with Edwin H. Brown, Junior, trustee appointed in the place of James E. Kirwan, resigned trustee, to carry out said trust.

Cr.

By balance due by the trustee by the report and account of the auditor filed in said cause 23 March, 1917, as net sale of certain real estate sold 21 September, 1912, to wit:.....	\$709.96
By Gross rents collected as income from real estate of testatrix for years 1912 1918, inclusive, per report of the trustee filed 18 Feb., 1919, to wit:	289.97
	\$ 999.93

Dr:

To Edwin H. Brown, Jr. trustee as aforesaid, for the following disbursements made by him in behalf of said Annie W. Denney and of the trust



created by said will, per his report filed Feb. 18, 1919, ::::::::::: as follows:

For wood, coal and provisions furnished Annie W. Denney by Jas. E. Kirwan, and for costs of repairs and insurance made by him, on trust property, at request of Edwin H. Brown, Jr., trustee, to wit:	\$678.80	
For cash by said trustee to Annie W. Denney during year 1912-1918, inclusive, to wit:	830.00	
For taxes on trust property for years 1913-1917, inclusive, to wit:	82.91	
For costs of trustee's bond for years 1912-1918, inclusive, to wit:	84.00	
For amounts paid W. E. Denney for advances to Annie W. Denney for support \$39.16, and for part of funeral expenses, \$3.47, to wit:	42.63	
For amount paid for funeral expenses of Annie W. Denney, to wit:	120.00	\$1838.34
To Edwin H. Brown, Jr., trustee, for his commissions on \$289.97 charged above:.....		29.00
By balance charged to trust-hereinafter overpayment.....		<u>\$867.41</u>
		\$1867.34 \$1867.34

The proceeds of the trust estate created by the last will and testament of Lucy J. Denney for the benefit of Annie W. Denney, in account with Edwin H. Brown, Jr., present trustee of said estate.

Cr:

1919, Mar. 22

By gross sale made this date, per report of sale filed Mar. 24, 1919, to wit:	\$1250.00
---	-----------

Dr:

To Edwin H. Brown, Jr. for his commissions for making said sale, to wit:	\$82.50	
To do., for costs of advertising sale in Centreville Observer, per accounty.....	15.00	
To do., for amount paid G. A. Whitely for auctioneering property sold,.....	12.50	
To do., for advertising sale and order nisi thereon in Centreville Record, per bill:.....	26.25	
To do., for the costs due J. F. Rolph, clerk, for recording proceedings relating to sale, per bill of costs:.....	20.00	
To balance credited estate below.....	<u>\$1082.35</u>	
	\$1250.00	\$1250.00

1923  
Mar.  
2;

Cr:

By balance brought down, to wit:.....	\$1082.35
---------------------------------------	-----------

Dr.

To Edwin H. Brown, Jr., for the over-payment shown due to him by the preceding page, the sum of.....	\$867.41	
To do., for additional costs due J. F. Rolph, clerk, per bill of costs .....	7.50	
To do., for costs of advertising order nisi to be passed as to this account.....	3.00	
To do., for costs of bond filed by him for 1919 and 1920, to wit:	24.00	
To do., for amount of claim of Dr. Charles Snyder for services rendered Annie W. Denney, omitted from previous statement.	12.00	
To Madison Brown, auditor, for stating this account, to wit:	13.50	
To balance carried forward as credit;	<u>154.94</u>	\$1082.35
	\$1082.35	

The proceeds of the trust estate created by the last will and testament of Lucy J. Denney for the benefit of Annie W. Denney, in account with Edwin H. Brown, Junior, trustee.....

1923  
Mar.  
3/

Cr:

By Balance brought forward from page 2.....	154.94
---	--------

Dr.

To Edwin H. Brown, Junior, Trustee, for 5 per commissions on \$1838.34, amount of disbursements made by him (see page 1 of account) for Annie W. Denny and trust property, the sum of	91.92
To do., to be paid to the State of Maryland, as the collateral inheritance tax on the two lots of land sold by him, (see statement below the sum of.....	89.62
To do., to be paid to the State of Maryland as the interest due on said collateral inheritance tax, see statement below, the sum of.....	34.50
By balance charged to trust estate below.....	61.10
	<u>\$216.04</u> <u>216.04</u>

Dr:

To balance due Edwin H. Brown, junior.....	61.10
--	-------

Statement of Collateral Inheritance Tax.

There being no appraisal for purpose of ascertaining value of property sold, the tax for purpose of this account is based on the net sales of each lot of land sold by Edwin H. Brown, jr., trustee, as ascertained by the audits filed in this cause:

Net sale of the land first sold, per audit filed Mar. 23, 1917,	\$709.96
Net Sale of the land next sold, per above audit,	<u>1082.35</u>
	\$1792.31
5 per cent. thereon.....	89.62
Interest thereon 12 years 5 mos.	34.50

March 2, 1923

MADISON BROWN  
Auditor.

In the Matter of the Trust	)	In the Circuit Court for
Estate Created under the	)	Queen Anne's County, in Equity
Will of Lucy J. Denny	)	Cause No. 1917.

Ordered this twenty sixth day of April in the year nineteen hundred and twenty three by the Circuit Court of Queen Anne's County, in Equity that the within and foregoing report of Madison Brown Auditor be and the same is hereby finally ratified and confirmed, no cause to the contrary thereof having been ob-  
sistence: with the exception of the commission of five per cent allowed on the dif-  
ference between the sum of \$1838.34 and the sum of \$1082.35, that is to say on  
\$755.99 and that the commission on this sum, to wit, the sum of \$37.80 shall be  
applied on the balance due Edwin H. Brown junior, reducing said sum of \$23.30.  
It appears that the nisi ratification of audit was duly published.

THOMAS J. KEATING

Filed Apr. 28, 1923

C A U S E N U M B E R 3502

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 Fifth day of October, in the year nineteen hundred and forty six, the following CREDI-TORS' BILL OF COMPLAINT was filed for record, to wit:

EDGAR L. LANE, ) IN THE CIRCUIT COURT FOR
COMPLAINANT, ) QUEEN ANNE'S COUNTY, IN
VS. ) EQUITY,
THE UNKNOWN HEIRS ) CHANCERY NO. 3502
OF )
ROBERT HENRY WRIGHT, )
late of Queen Anne's )
County, deceased, )
and )
KATIE WRIGHT, )

\*\*\*\*\*

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Orator, who sues as well for himself as for all other credi-tors of Robert Henry Wright, late of Queen Anne's County, Maryland, deceased, who will come in and contribute to the expenses of this suit, complaining, says:

1. That Robert Henry Wright, late of Queen Anne's County afore-said, departed this life on the 5th day of February, 1943, at his residence near Price's Station in Queen Anne's County, Maryland, intestate, and leaving no personal property to pay his debts, your Orator being advised that he left no personal property and no administration has ever been granted.

2. That your Orator is an undertaker who owns and operates an undertaking establishment and whose place of business is at Church Hill, Maryland, and he was directed to take charge of the remains of said deceased, Robert Henry Wright, and buried the same, furnishing the casket, embalming and other necessary things to give decent burial to the remains of said deceased, for which services and materials provided, the estate of the said deceased became indebted unto your Orator in the sum of One Hundred and Seventy-five Dollars (\$175.00, as will appear by his itemized sworn account filed herewith marked "Exhibit No. 1" and prayed to be taken as a part of this Bill.

3. That the said Robert Henry Wright died seized and possessed, intestate, of the following real estate, to wit:

Parcel No. 1.

A sole full fee simple interest and title in and to ALL that lot, tract or part of a tract of land, situate, lying and being in the Second Election Dis-trict of Queen Anne's County, State of Maryland, on the east side of the Queen Anne's & Kent Railroad, and adjoining the lands of the heirs of Isaac Hayden on the south, the lands of or formerly of James Brice and lands of or formerly of Edwin B. Walls on the east, and contained within the following metes and bounds, to wit: BEGINNING FOR the same at a stone along the line of the lands of the heirs of the said Isaac Hayden, which said stone is south 81 deg. 15 min. east, 57 feet and 6 inches from the 7-mile post along said railroad, said 7-mile post being a corner for the said Hayden land, and running with said Hayden land

South 81 deg. 15 min. east, 31-1/4 perches to a stone along the said line of the Hayden line; thence

North 30 deg. east, 29 perches to a stone; thence

North 66 deg. 15 min. west, 21-2/10 perches to a stone along the railroad right of way; thence with said right of way of said railroad

South 43 deg. west, 36-5/10 perches to the place of beginning, containing Four (4) Acres and two (2) Rods of land, more or less; being the same and all the property conveyed unto the said Robert Henry Wright and Bertie Wright, his wife, as tenants by the entireties, in fee simple, by Henry T. Deaver, by deed dated October 6th, 1923, and recorded among the land records of Queen Anne's County in Liber J. F. R. #11, folio 315, etc; and being the same property of which the said Robert Henry Wright became solely vested as the surviving husband upon the death of the said Bertie Wright, his wife, who pre-deceased him.

Certified copy of which aforesaid deed is filed herewith as Ex-hibit No. 2 and prayed to be taken as part of this Bill.

Parcel No. 2.

An undivided one-fourth part, interest and estate in and to All that lot of land, it being a part of the Waters Land, lying on the public road from Price's Station to Ashland, in the Second Election District of Queen Anne's County, Maryland, along the Queen Anne's & Kent Railroad, and lying on the west side of said Railroad and of said public road, and BEGINNING at a small bridge on said public road and running thence

North 5 deg. west, 44-1/3 perches; thence

North 84-1/4 deg. east, 43 perches to said road; then with said road

South 39 deg. west, 69-9/10 perches to the place of beginning, con-taining Six (6) Acres of land, more or less. Being the same property conveyed unto Serlina Wright by Isaac Hayden and Elizabeth A. Hayden, his wife, by deed dated Nov-ember 25th, 1878, and recorded among the land records of Queen Anne's County in Lib-er J. W. No. 9, folio 8, Certified copy of which said deed is filed herewith marked "Exhibit No. 3" and prayed to be taken as part of this Bill; and which said property

is the same property of which the said Serlina Wright, late of Queen Anne's County, deceased, died seized and possessed, intestate, and leaving no widower, but leaving surviving her as her next of kin and only heirs at law, the following children, viz:

1. Robert Henry Wright, adult, her son, who, after the death of his said mother, Serlina Wright, departed this life intestate, on February 5th, 1943, as aforesaid, leaving no widow, and no children as aforesaid, but leaving a sister, Katie Wright, adult, and the unknown heirs of Eleanors W. Gibbs and Thomas Wright, his brother and sisters.
2. Katie Wright, adult, her daughter, who is now living.
3. Thomas Wright, adult, who survived his said mother, Serlina Wright,
4. Eleanora Wright Gibbs, nee Eleanora Wright, adult, her daughter, who was intermarried with one Samuel Gibbs, who, after the death of her said mother, departed this life, intestate, a widow.

4. That the said Robert Henry Wright, being so indebted as aforesaid unto your Orator and also unto divers other persons and having no personal property, but having the above described real estate designated as Parcel No. 1, and having an undivided one-fourth interest in said Parcel No. 2, departed this life as aforesaid on February 5th, 1943, intestate, and leaving no widow, and no children, but left surviving him a sister, the said Katie Wright, adult, unmarried, who now resides in Queen Anne's County, Maryland; that the said Eleanora Wright Gibbs, nee Eleanora Wright, a sister, who intermarried with one Samuel Gibbs is dead and so is the said Samuel Gibbs, and that it is unknown whether the said Eleanora Wright Gibbs left any heirs surviving her; that as to the said Thomas Wright, adult, brother of the said Robert Henry Wright, it is unknown whether the said Thomas Wright is living or dead, and if dead, it is unknown whether or not he left any heirs surviving him.

5. That your Orator is advised that as there is no personal estate of the said Robert Henry Wright, deceased, your Orator and his other creditors are entitled to have their claims paid out of the real estate of said deceased.

TO THE END THEREFORE:

1. That the said real estate of the said Robert Henry Wright, deceased, or so much thereof as may be necessary for the purpose, may be sold for the payment of the claims of your Orator and those of the other unsatisfied creditors of said deceased.

2. 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, directed to the said Katie Wright, adult, residing at Church Hill, Queen Anne's County, Maryland,

AND

MAY IT PLEASE YOUR HONORS to pass an Order of Publication according to law, requiring the unknown heirs of Robert Henry Wright to be and appear in this Court, on some certain day to be named in said Order, to answer the premises and abide by and perform such decree as may be passed therein.

And as in duty bound, etc.,

EDGAR L. LANE  
Complainant.

JOHN PALMER SMITH  
Solicitor for Complainant.

Filed Oct. 5th, 1946.

EXHIBIT NO. 1  
Filed Oct. 7th, 1946.

Church Hill, Maryland, Oct 1 - 1946

M Estate of Robert Henry Wright

Burial of Robert Henry Wright - Feb. 7 - 1943

TO EDGAR L. LANE, Dr.

FUNERAL DIRECTOR

Cloth covered hard-wood casket, extension  
bar handles, engraved name plate, pillow  
and mattress, pine outside case, embalming,  
hearse and services  
Suit  
Opening grave

\$ 160.00  
10.00  
5.00

\$ 175.00

State of Maryland, Queen Anne's County, Sect:

I HEREBY CERTIFY that on this 2nd day of October, in the year nineteen hundred and 46, before me, the subscriber, the Clerk of the Circuit Court of Queen

Anne's County, personally appeared Edgar L. Lane and made oath in due form of law that no part of the money intended to be secured by the annexed account has been received, or any security or satisfaction given for the same, except what (if any) is credited, to the best of his knowledge and belief.

Seal's  
Place.

A. SYDNEY GADD, Jr.  
Clerk of the Circuit Court for Queen Anne County.

EXHIBIT NO. 2.  
Filed Oct. 5th, 1946.

#10,216

One - fifty cent Internal Revenue Stamp

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the eighth day of October, in the year nineteen hundred and twenty three, the following Deed was brought to be recorded, to wit:-

THIS DEED, made this sixth day of October, in the year nineteen hundred and twenty three, by Henry T. Deaver (single man) of Queen Anne's County, in the State of Maryland.

WITNESSETH, that in consideration of the sum of five hundred dollars the receipt whereof is hereby acknowledged, the said Henry T. Deaver, single man, does grant and convey unto Robert H. Wright and Bertie Wright, his wife, as tenants by the entireties, their heirs and assigns forever, in fee simple, all that lot, tract or part of a tract of land situate, lying and being in the second election district of Queen Anne's County, State of Maryland, on the east side of the Queen Anne's and Kent Railroad, and adjoining the lands of the heirs of Isaac Hayden, on the south the lands of James Brice and the other lands of the said Edwin B. Walls on the east, and contained within the following metes and bounds, to wit: Beginning for the same at a stone along the line of the lands of the heirs of the said Isaac Hayden, which said stone is south 81 degrees 15 minutes east, 57 feet and 6 inches from the (7) mile post along said railroad, said 7 mile post being a corner for the said Hayden Land, and running with said Hayden land south 81 degrees 15 minutes east, 31 and 1/4 perches to a stone along the said line of the said Hayden line; thence north 31 degrees east 29 perches to a stone; thence north 66 degrees and 15 minutes west, 21 and 2/10 perches to a stone along the railroad right of way; thence with said right of way of said rail road, 43 degrees west, 36 and 5/10 perches to the place of beginning, containing 4 acres and 2 roods of land by a survey made the 15th day of February, 1909, by S. Chester Coursey, county surveyor of said county, and the land intended to be herein conveyed, is the same land as that described in the deed from Robert H. Wright and Bertie Wright, his wife to the said Henry T. Deaver, bearing even date herewith, and intended to be recorded among the land record books of Queen Anne's County immediately preceding this deed, and is also the same land as that described in the deed from Edwin B. Walls and wife to said Robert H. Wright dated April 26, 1909, and recorded in Liber S.S. No. 6, folios 250, a land record book for Queen Anne's County, Maryland, to both of which deeds especial reference is hereby made for an accurate description of the land intended to be herein conveyed.

Together with the buildings and improvements thereupon, and all the rights, roads ways, waters, privileges appurtenances and advantages to the same belonging or in anywise appertaining. And the said Henry T. Deaver covenants that he will warrant specially the property hereby conveyed and that he will execute such further assurances of title thereto as may be requisite.

Witness his hand and seal.

Test: E. M. Forman.

Henry T. Deaver.

(SEAL)

STATE OF Maryland, Queen Anne's County, to wit:-

I hereby certify that on this 6th day of October, in the year nineteen hundred and twenty three, before me, the subscriber, a Justice of the Peace of the State of Maryland, in and for Queen Anne's County aforesaid, personally appeared Henry T. Deaver (single man) and acknowledged the foregoing deed to be his act and deed.

Ezediel 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. 11, folios 315, 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 fourth day of October in the year nineteen hundred and forty six.

Seal's  
Place.

A. Sydney Gadd, Jr.  
Clerk.

EXHIBIT NO. 3.  
Filed Oct. 5th, 1946.

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the twenty ninth day of November, in the year Eighteen hundred and Seventy eight, the following deed was brought to be recorded, to wit:

THIS DEED, made this twenty fifth day of November, Eighteen hundred and seventy eight by us Isaac Hayden and Elizabeth A. Hayden, his wife, of Queen Anne's County, State of Maryland.

WITNESSETH, that for and in consideration of the sum of three hundred dollars the said Isaac Hayden and Elizabeth A. Hayden, his wife, do grant bargain and sell to Serlina Wright, colored, all of that lot of land it being a part of the Waters land, lying on the New Public road from Price's Station to Ashland along the Q.A. & K. R.R. Beginning at a small bridge on said road and runs north five degrees west forty four and one third perches, then north eighty four & a quarter degs. East forty three perches to said road, then with said road South thirty nine degrees west sixty nine and nine tenth perches to the beginning, containing six acres of land, and we the said Isaac Hayden and Elizabeth A. Hayden his wif\_ do further covenant and agree to make any and every such further deed or asurance as may be necessary for the more fully conveying and assuring to the said Sirlina Wright full right and title to the said lot of land.

WITNESS our hands and seals

Test:  
G. A. T. Wright

Isaac Hayden (SEAL)

Elizabeth A. Hayden (SEAL)

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I HEREBY CERTIFY that on this twenty fifth day of November, Eighteen hundred and seventy eight, before the subscriber a Justice of the Peace of the State of Maryland in and for Queen Anne's County personally appeared Isaac Hayden and Elizabeth A. Hayden, his wife and did each acknowledge the foregoing deed to be their respective act.

Acknowledged before

G. A. T. Wright, 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. 9, folios 8, 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 fourth day of October in the year nineteen hundred and forty six.

Seal's  
Place

A. SYDNEY GADD, Jr.  
Clerk.

ORDER OF PUBLICATION  
Filed Oct. 5th, 1946.

ORDER OF PUBLICATION

Edgar L. Lane, Complainant,

vs.

The unknown heirs of  
Robert Henry Wright,  
late of Queen Anne's  
County, Maryland,  
deceased, and  
Katie Wright.

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY,

IN EQUITY.

CHANCERY NO. 3502.

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The object of this suit is to procure a decree for the sale of the real estate of which Robert Henry Wright died seized and possessed, or so much thereof as may be necessary to pay and satisfy the claim of the Plaintiffs and other creditors of the said Robert Henry Wright who will come in and contribute to the expenses of this suit.

The Bill of Complaint states that the Plaintiff claims there is due him the sum of \$175.00 for funeral expenses of the deceased; that Robert Henry

Wright died in Queen Anne's County, Maryland, on February 5th, 1943, intestate, leaving no personal property and that no letters of administration on his estate have been granted; that Robert Henry Wright died seized and possessed of the following real estate, to wit: Parcel No. 1. being a tract of land of 4 acres and 2 roods, located on the east side of the Queen Anne's & Kent Railroad and the public road leading from Price to Ashland, in the Second Election District of Queen Anne's County, Maryland; and Parcel No. 2, being a tract of land of 6 acres lying on the west side of the Queen Anne's & Kent Railroad and the public road leading from Price to Ashland, in the Second Election District of Queen Anne's County, Maryland, in which said Parcel No. 2, the said Robert Henry Wright had an undivided one-fourth interest; and having in Parcel No. 1 a full, sole fee simple title; that he left surviving him a sister, one Katie Wright, who is a adult, unmarried, and who lives at Church Hill, Maryland; that he had a brother named Thomas Wright and a sister named Eleanora Wright Gibbs; that Thomas Wright as far as is known by the Plaintiff, may be living, but this is unknown, and if he is dead, it is unknown who his heirs at law are; that Eleanora Wright Gibbs is dead and so is her husband, Samuel Gibbs, and it is unknown who Eleanora Wright Gibbs' heirs are; that the 6 acre tract of land descended unto the heirs at law of Serlina Wright, they being Robert Henry Wright, Thomas Wright, Katie Wright and Eleanor Wright Gibbs; that the plaintiff is advised that as there is no personal estate of Robert Henry Wright, deceased, he has a right and is entitled to apply and have his claim and that of the other creditors paid out of the real estate of Robert Henry Wright, and the Plaintiff prays that the unknown heirs of Robert Henry Wright may be proceeded against as non-residents of the State of Maryland.

IT IS THEREUPON, this 5th day of October, 1946, Ordered by the Circuit Court for Queen Anne's County, in Equity, that the Plaintiff, by causing a copy of this Order to be inserted in some newspaper printed & published in said Queen Anne's County, Maryland, once in each of four successive weeks before the 9th day of November, 1946, give notice to the unknown heirs of Robert Henry Wright, late of Q. A. Co. Md. deceased, of the object and substance of this Bill, warning them to appear in this Court in person or by solicitor, on or before the 23rd day of November, 1946, to show cause, if any they have, why a decree ought not to be passed as prayed.

A. SYDNEY GADD, Jr.  
Clerk.

Filed: Oct. 7th, 1946.

SUBPOENA FOR RESPONDENT TO  
APPEAR AND ANSWER.  
Filed Oct. 11, 1946.

Queen Anne's County, to wit:

The State of Maryland

TO

Katie Wright

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 November next, to answer the complaint of Edgar L. Lane against you in said court exhibited.

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

WITNESS, The Honorable J. Owen Knotts, Chief Judge of our said Court, the First Monday of October 1946  
Issued the Seventh day of October 1946

JOHN PALMER SMITH

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.

A. SYDNEY GADD, Jr. Clerk

to wit:-

And on the back of the foregoing is the following Endorsement,

Summons by reading same to Katie Wright and leaving copy of same with her October 10 1946 LOUIS B. PERKINS Sheriff

ANSWER OF KATIE WRIGHT  
Filed Oct. 11, 1946.

EDGAR L. LANE,  
COMPLAINANT,  
VS.

THE UNKNOWN HEIRS  
OF  
ROBERTH HENRY WRIGHT,  
late of Queen Anne's County,  
deceased,  
and  
Katie Wright,

IN THE CIRCUIT COURT  
FOR

QUEEN ANNE'S COUNTY,  
IN EQUITY.

Chancery No. \_\_\_\_\_

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A N S W E R.

TO THE HONORABLE, THE JUDGES OF SAID COURT:-

The Answer of Katie Wright, adult, to the Bill of Complaint of Edgar L. Lane, complainant, above named, against her and others in this Court exhibited:

This Defendant, being an adult, admits the matters and facts set forth in said Petition and does consent to the passage of such decree or order as may be passed in the premises; this Defendant does hereby waive notice of the taking of testimony in this case and agrees that depositions in said case be taken at any time by one of the Standing Examiners of this Court as she does not choose to appear to offer evidence in the premises; and this Defendant does hereby submit the papers in the cause for a Decree forthwith, hereby waiving the time within which the evidence shall remain in Court prior to decree.

AND as in duty bound, etc.,

Witness to mark  
of Katie Wright:-

LILLIE BOILY

HENRY DODL

her  
KATE WRIGHT  
Katie X Wright  
mark.

Certificate Publication  
Order of Publication  
Filed Dec. 13, 1946.

ORDER OF PUBLICATION

Edgar L. Lane, Complainant,  
vs.

The unknown heirs of Robert Henry Wright, late of Queen Anne's County, Maryland, deceased, and Katie Wright.

IN THE CIRCUIT COURT FOR  
QUEEN ANNE'S COUNTY  
IN EQUITY,  
Chancery No. 3502

The object of this suit is to procure a decree for the sale of the real estate of which Robert Henry Wright did seized and possessed, or so much thereof as may be necessary to pay and satisfy the claim of the Plaintiffs and other creditors of the said Robert Henry Wright who will come in and contribute to the expenses of this suit.

The Bill of Complaint states that the Plaintiff claims there is due him the sum of \$175.00 for funeral expenses of the deceased, that Robert Henry Wright dies in Queen Anne's County, Maryland, on February 5th, 1943, interstate, leaving no personal property and that no letters of administration on his estate have been granted; that Robert Henry Wright died seized and possessed of the following real estate, to wit: Parcel No. 1, being a tract of land of 4 acres and 2 woods, located on the east side of the Queen Anne's & Kent Railroad and the public road leading from Price to Ashland, in the Second Election District of Queen Anne's County, Maryland, and Parcel No. 2, being a tract of land of 6 acres lying on the west side of the Queen Anne's & Kent Railroad and the public road leading from Price to Ashland, in the Second Election District of Queen Anne's County, Maryland, in which said Parcel No. 2, the said Robert Henry Wright had an undivided one-fourth interest, and having in Parcel No. 1, a full, sole fee simple title; that he left surviving him a sister, one Katie Wright, who is a adult, unmarried, and who lives at Church Hill, Maryland; that he had a brother named Thomas Wright and a sister named Eleanora Wright Gibbs; that Thomas Wright is far as is known by the Plaintiff, may be living, but this is unknown, and if the is dead, it is unknown who his heirs at law are; that Eleanor Wright Gibbs is dead and so is her husband, Samuel Gibbs, and it is unknown who Eleanor Wright Gibb's heirs are; that the 6 acre tract



of land descended unto the heirs at law of Serlina Wright, they being Robert Henry Wright, Thomas Wright, Katie Wright and Eleanor Wright Gibbs; that the plaintiff is advised that as there is no personal estate of Robert Henry Wright, deceased, he has a right and is entitled to apply and have his claim and that of the other creditors paid out of the real estate of Robert Henry Wright, and the Plaintiff prays that the unknown heirs of Robert Henry Wright may be proceeded against as non-residents of the State of Maryland.

IS IS THEREUPON, this 5th day of October, 1946, Ordered by the Circuit Court for Queen Anne's County, in Equity, that the Plaintiff, by causing a copy of this Order to be inserted in some newspaper published in said Queen Anne's County, Maryland, once in each of four successive weeks before the 9th day of November, 1946, give notice to the said absent and unknown 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 23rd day of November, 1946, to show cause, if any they have, why a decree ought not to be passed as prayed.

A. SYDNEY GADD, JR.  
Clerk.

Filed October 7th, 1946.

The Queenstown News

Queenstown, Md. October 31, 1946

THE QUEENSTOWN NEWS, trading as a co-partnership between Michael W. Aker and George J. Steinfeld, do hereby certify that the Order of Publication in the case of Edgar L. Lane Vs. Unknown heirs of Robert Henry Wright and Katie Wright Chancery No. 3502 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 9th day of Nov. 1946, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 11th day of Oct. 1946.

THE QUEENSTOWN NEWS

By GEORGE J. STEINFELT

Filed Dec. 13th, 1946.

PETITION FOR DECREE PRO CONFESSO.  
Filed Dec. 13th, 1946.

Edgar L. Lane, Complainant,

vs.

The unknown heirs of  
Robert Henry Wright,  
late of Queen Anne's  
County, Maryland,  
deceased, and  
Katie Wright.

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY

IN EQUITY

Cause No. 3502

\*\*\*\*\*

TO THE HONORABLE, THE JUDGES OF SAID COURT: -

The petition of Edgar L. Lane, the complainant in this cause, by John Palmer Smith, his solicitor, to your Honors, respectfully shows: -

1. That the absent and unknown defendants, being the unknown heirs of Robert Henry Wright, have been duly served by the publication of the Order of Publication as evidenced by the certificate of this publication filed in this Cause; that although said publication has run and the said absent and unknown defendants commanded to appear before this Court on or before the 23rd day of November, 1946, to answer the complaint of the complainant, Edgar L. Lane, the said absent and unknown defendants have not entered their appearance, either in person or by solicitor, nor filed any answer herein.

2. That your complainant is advised and alleges that he has the right to secure a DECREE PRO CONFESSO against the absent and unknown defaulting defendants, and that the papers by submitted to an examiner in order that your complainant may offer testimony to support the allegations in the Bill of Complaint.

TO THE END THEREFORE:

1. That a DECREE PRO CONFESSO may be granted by this honorable court against the absent and unknown defendants, being the unknown heirs of Robert Henry Wright.

2. That the papers in this cause may be submitted to one of the standing examiners of this court so that the complainant may take testimony in the support of the allegations of the Bill of Complaint.

3. That your complainant may have such other and further relief as his case may require.

And as in duty bound, etc.

Filed Dec. 13th, 1946

JOHN PALMER SMITH  
Solicitor for Complainant

ORDER OF PUBLICATION REISSUED  
Filed Dec. 13, 1946.

ORDER OF PUBLICATION

Edgar L. Lane, Complainant

vs.

The unknown heirs of Robert  
Henry Wright, late of Queen  
Anne's County, Maryland,  
deceased, and Katie Wright.

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY,

IN EQUITY

Chancery No. 3502

\*\*\*\*\*

The object of this suit is to procure a decree for the sale of the real estate of which Robert Henry Wright died seized and possessed, or so much thereof as may be necessary to pay and satisfy the claim of the Plaintiffs and other creditors of the said Robert Henry Wright who will come in and contribute to the expenses of this suit.

The Bill of Complaint states that the Plaintiff claims there is due him the sum of \$175.00 for funeral expenses of the deceased; that Robert Henry Wright died in Queen Anne's County, Maryland, on February 5th, 1943, intestate, leaving no personal property and that no letters of administration on his estate have been granted; that Robert Henry Wright died seized and possessed of the following real estate, to wit: Parcel No. 1. being a tract of land of 4 acres and 2 roods, located on the east side of the Queen Anne's & Kent Railroad and the public road leading from Price to Ashland, in the Second Election District of Queen Anne's County, Maryland; and Parcel No. 2, being a tract of land of 6 acres lying on the west side of the Queen Anne's & Kent Railroad and the public road leading from Price to Ashland, in the Second Election District of Queen Anne's County, Maryland, in which said Parcel No. 2, the said Robert Henry Wright had an undivided one-fourth interest; and having in Parcel No. 1 a full, sole fee simple title; that he left surviving him a sister, one Katie Wright, who is an adult, unmarried, and who lives at Church Hill, Maryland; that he had a brother named Thomas Wright and a sister named Eleanora Wright Gibbs; that Thomas Wright as far as is known by the Plaintiff, may be living, but this is unknown, and if he is dead, it is unknown who his heirs at law are; that Eleanora Wright Gibbs is dead and so is her husband, Samuel Gibbs, and it is unknown who Eleanora Wright Gibbs's heirs are; that the 6 acre tract of land decended unto the heirs at law of Serlina Wright, they being Robert Henry Wright, Thomas Wright, Katie Wright and Eleanora Wright Gibbs; that the Plaintiff is advised that as there is no personal estate of Robert Henry Wright, deceased, he has a right and is entitled to apply and have his claim and that of the other creditors paid out of the real estate of Robert Henry Wright, and the Plaintiff prays that the unknown heirs of Robert Henry Wright may be proceeded against as non-residents of the State of Maryland.

IT IS THEREUPON, this 13th day of December, 1946, Ordered by the Circuit Court for Queen Anne's County, in Equity, that the Plaintiff, by causing a copy of the Order to be inserted in some newspaper, printed and published in said Queen Anne's County, Maryland, once in each of four successive weeks before the 18th day of January, 1947, give notice to the unknown heirs of Robert Henry Wright, late of Queen Anne's County, Maryland, deceased, of the object and substance of this Bill. warning them to appear in this Court in person or by solicitor, on or before the 4th day of February, 1947, to show cause, if any they have, why a decree ought not to be passed as prayed.

A. SYDNEY GADD, Jr.  
Clerk

Filed: Dec. 13th, 1946.

Certificate of Publication of Second  
Order of Publication.  
Filed Feb. 4, 1947.

ORDER OF PUBLICATION

Edgar L. Lane, Complainant

vs.

The unknown heirs of Robert Henry  
Wright, late of Queen Anne's County,  
Maryland, deceased, and Katie Wright.

IN THE CIRCUIT COURT FOR QUEEN ANNE'S  
COUNTY, IN EQUITY  
Chancery No. 3502

The object of this suit is to procure a decree for the sale of the real estate of which Robert Henry Wright died seized and possessed, or so much thereof as may be necessary to pay and satisfy the claim of the Plaintiffs and other creditors of the said Robert Henry Wright who will come in and contribute to the expenses of this suit.

The Bill of Complaint states that the Plaintiff claims there is due

him the sum of \$175.00 for funeral expenses of the deceased; that Robert Henry Wright died in Queen Anne's County, Maryland, on February 5th, 1943, intestate, leaving no personal property and that no letters of administration on his estate have been granted; that Robert Henry Wright died seized and possessed of the following real estate; to wit: Parcel No. 1. being a tract of land of 4 Acres and 2 rods, located on the east side of the Queen Anne's & Kent Railroad and the public road leading from Price to Ashland, in the Second Election District of Queen Anne's County, Maryland; and Parcel No. 2, being a tract of land of 6 acres lying on the west side of the Queen Anne's & Kent Railroad and the public road leading from Price to Ashland, in the Second Election District of Queen Anne's County, Maryland, in which said Parcel No. 2, the said Robert Henry Wright had an undivided one-fourth interest; and having in Parcel No. 1 a full, sole fee simple title; that he left surviving him a sister, one Katie Wright, who is an adult, unmarried, and who lives at Church Hill, Maryland; that he had a brother named Thomas Wright and a sister named Eleanora Wright Gibbs; that Thomas Wright as far as is known by the Plaintiff, may be living, but this is unknown, and if he is dead, it is unknown who his heirs at law are; That Eleanora Wright Gibbs is dead and so is her husband, Samuel Gibbs, and it is unknown who Eleanora Wright Gibbs's heirs are; that the 6 acre tract of land descended unto the heirs at law of Serlina Wright, they being Robert Henry Wright, Thomas Wright, Katie Wright and Eleanora Wright Gibbs; that the Plaintiff is advised that as there is no personal estate of Robert Henry Wright, deceased, he has a right and is entitled to apply and have his claim and that of the other creditors paid out of the real estate of Robert Henry Wright, deceased, he has a right and is entitled to apply and have his claim and that of the other creditors paid out of the real estate of Robert Henry Wright, and the Plaintiff prays that the unknown heirs of Robert Henry Wright may be proceeded against as non-residents of the State of Maryland.

IT IS THEREUPON, this 13th day of December, 1946, Ordered by the Circuit Court for Queen Anne's County, in Equity, that the Plaintiff, by causing a copy of the Order to be inserted in some newspaper, printed and published in said Queen Anne's County, Maryland, once in each of four successive weeks before the 18th day of January, 1947, give notice to the unknown heirs of Robert Henry Wright, late of Queen Anne's County, Maryland, deceased, of the object and substance of this Bill, warning them to appear in this Court in person or by solicitor, on or before the 4th day of February, 1947, to show cause if any they 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 13th, 1946.

The Queenstown News

Queenstown, Md. Jan. 31, 1947

THE QUEENSTOWN NEWS, trading as a co-partnership between Michael W. Aker and George J. Steinfeld, do hereby certify that the Order of Publication in the estate of Robert Henry Wright, Deceased, Edgar L. Lane, Vs. Unknown Heirs of Robert Henry Wright, Chancery No. 3502 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 18th day Jan. 1947, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 20th day of December 1946

THE QUEENSTOWN NEWS

By GEORGE J. STEINFELT

Filed Feb. 4, 1947

PETITION FOR DECREE PRO CONFESSO  
Filed Feb. 26, 1947.

Edgar L. Lane, Complainant,

vs.

The unknown heirs of  
Robert Henry Wright,  
late of Queen Anne's  
County, Maryland,  
deceased, and  
Katie Wright.

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY

IN EQUITY

Cause No. 3502

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TO THE HONORABLE, THE JUDGES OF SAID COURT: -

The petition of Edgar L. Lane, the complainant in this cause, by John Palmer Smith, his solicitor, to your Honors, respectfully shows: -

1. That the absent and unknown defendants, being the unknown heirs of Robert Henry Wright, have been duly served by the publication of the Order of Publication as evidenced by the certificate of this publication filed in this Cause; that although said publication has run and the said absent and unknown defendants commanded to appear before this Court on or before the 4th day of February, 1947, to answer the complaint of the complainant, Edgar L. Lane, the said absent and unknown defendants

have not entered their appearance, either in person or by solicitor, nor filed any answer herein.

2. That your complainant is advised and alleges that he has the right to secure a DECREE PRO CONFESSO against the absent and unknown defaulting defendants, and that the papers be submitted to an examiner in order that your complainant may offer testimony to support the allegations in the Bill of Complaint.

TO THE END THEREFORE:

1. That a DECREE PRO CONFESSO may be granted by this honorable court against the absent and unknown defendants, being the unknown heirs of Robert Henry Wright.

2. That the papers in this cuase may be submitted to one of the standing examiners of this court so that the complainant may take testimony in the support of the allegations of the Bill of Complaint.

3. THAT your complainant may have such other and further relief as his case may require.

And as in duty bound, etc.

JOHN PALMER SMITH  
Solicitor for Complainant

Filed Feb. 26th, 1947.

ORDER OF COURT GRANTING  
DECREE PRO CONFESSO  
Filed Feb. 26th, 1947.

Edgar L. Lane, Complainant,

vs.

The unknown heirs of  
Robert Henry Wright,  
late of Queen Anne's  
County, Maryland,  
deceased, and  
Katie Wright.

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY

IN EQUITY

Cause No. 3502.

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ORDER OF COURT

The foregoing petition having been read and considered, and it appearing that the absent and unknown defendants, the unknown heirs of Robert Henry Wright, late of Queen Anne's County, deceased, have been duly warned by publication and failed to appear, either in person or by solicitor, to the Bill of Complaint filed herein; it is therefore this 26th day of February, 1947, by the Circuit Court for Queen Anne's County, in Equity, and by the authority thereof, adjudged, ordered and decreed that the plaintiff is entitled to relief in the premises, and that the Bill of Complaint be and is hereby taken PRO CONFESSO against the absent and unknown defendants; 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 allegations of the Bill of Complaint.

Wm. R. HORNEY.  
Judge

Filed Feb. 26th, 1947.

REPORT OF EXAMINER AND DEPOSITIONS.  
Filed March 3, 1947.

Edgar L. Lane,  
Complainant,

vs.

The Unknown Heirs of Robert  
Henry Wright, late of Queen  
Anne's County, deceased,  
and Katie Wright.

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IN THE CIRCUIT COURT

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FOR

#

QUEEN ANNE'S COUNTY,

#

IN EQUITY.

#

Cause No. 3502.

Report of Examiner and Depositions.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your examiner at the request of John Palmer Smith, Attorney for Plaintiff, met with the plaintiff and Ralph E. Swan, a witness for the Plaintiff, and the attorney for the Plaintiff at the Office of the Examiner, in Centreville, on Friday February 28th., 1947, at 2.30 o'clock and proceeded to take the testimony of the Plain-

tiff and witness, after swearing same, they deposed and stated as herein set forth. Then at the request of said attorney, the examiner, at his office on Saturday, March 1st., 1947, at 10 o'clock A.M. took the testimony of L. Tilghman Hayden, he first having been sworn, as herein set forth.

RICHARD T. EARLE  
One of Standing Examiners.

1st. Int. State your name, age, residence and occupation

A. Edgar L. Lane, 46 Years of age, I reside at Church Hill, Maryland, and am engaged in the undertaking business.

2nd. Int. Did you know the parties to this suit or any of them?

A. I am the plaintiff, I knew Robert Henry Wright, I was advised that his wife died several years ago, I know Katie Wright sister of Robert Henry Wright, I do not know of any other heirs of Robert Henry Wright.

3rd., Are you familiar with the property mentioned and described in this Bill of Complaint, First, I hand you Exhibit No. 2, can you identify same or not?

A. Yes, I know the tract described in Bill of Complaint as Tract No. 1, it is on the right hand side of the road from Centreville to Price, about one mile and a half from Price, adjoins the lands known as The Hayden Land, Randolph Murphy's, John Williams, deceased, property and the railroad property, appears to contain 4 acres of land, more or less, has a two room frame dwelling thereon, and is worth between \$400.00 and \$600.00, it is the same property where Robert Henry Wright died.

4th. Int. Can you describe the 2nd. parcel of land described in the Bill of Complaint?

A. Yes, this parcel of land lays on the other side of the railroad opposite parcel No. 1, and contains about 6 acres of land, more or less, The tracts known as Parcel No. 1 and Parcel No. 2, from my description above, are the same parcels of land as set forth in Exhibit No. 2 and No. 3.

5th. Int. I now hand you Exhibit No. 1, can you identify same?

A. Yes that is an itemized statement of my bill for furnishing casket, taking care of the remains of Robert Henry Wright and his interment.

When did Robert Henry Wright die, do you know if he left personal property or not?

A. Robert Henry Wright died February 7th., 1943, I have been advised that he left no personal estate and no administration has been taken out on his personal estate, there was nothing in the house of any practical value.

6th. Int. What is the value of Parcel No. 2?

A. I would think it was worth between \$200.00 and \$250.00

Examiner's Special.

Ans. No.

EDGAR L. LANE

The Next Witness called upon the part of the Plaintiff, was Ralph E. Swan of lawful age, being duly sworn, deposes and states.

1st. Int. State your name, age, residence and occupation?

A. My name is Ralph E. Swan, I am 53 years of age, reside at Price, Maryland, I am engaged in the mercantile business.

2nd. Int. Do you know the parties to this suit or any of them, this is a suit brought by Edgar L. Lane vs. Unknown Heirs of Robert Henry Wright, and Katie Wright.

A. I knew Robert Henry Wright and have known him for about 20 years, he died in February, 1943, I also know Katie Wright, his sister, who lives in Church Hill, I have known her for about 20 years, she is of considerable age, I should think at least 60 years of age. I did not know Thomas Wright or Elenora Gibbs.

3rd. Is Robert Henry Wright living or dead, if dead, when did he die, did he leave any personal estate or not?

Robert Henry Wright died in February, 1943, he left nothing that I know of except the land described herein, he left no will and no letters of administration have been granted on his estate.

4th. Int. I now hand you Plaintiff's Exhibit No. 2, can you identify the land described therein and if so, the value thereof?

A. I am familiar with the land described therein, having a two room frame dwelling thereon and about 4 acres of land, more or less, situate about one and one half miles from Price, adjoining the lands of the Railroad, Randolph Murphy's Land, the Hayden Land and on the right side of the public road from Centreville to Price, the same is worth between \$500.00 and \$600.00.

5th. Int. I now hand you Plaintiff's Exhibit No. 3, can you identify this land and give the value thereof?

A. Parcel No. 2, contains 6 acres, more or less, situate opposite parcel No. 1, that is across the railroad from same and adjoins the Hayden Land and the land of Henry Furbush and is worth between \$200.00 and \$250.00, and is unimproved.

6th. Do you know if Robert Henry Wright left any personal estate or not?

A. He had no personal property that I know of, nothing except his household furniture that had practically no value, no letters of administration have been granted on his estate.

7th., Int. Did you know Bertie Wright, wife of Robert Henry Wright, is she living or dead?

A. Yes, she is dead she died many years prior to Robert Henry Wright.

Examiners Special.

A. No.

RALPH E. SWAN

The next witness produced on the part of the Plaintiff was L. Tilghman Hayden, who being sworn deposes and states.

1st. Int. State your name, age, residence and occupation.

A. My name is L. Tilghman Hayden, I am 68, I live in Centreville, I am retired but manage several farms.

2nd. Int. This is a suit brought by Edgar L. Lane vs. Unknown Heirs of Robert Henry Wright and Kattie Wright, do you know them or any of them?

A. I knew Robert Henry Wright and I knew his wife, she died before Robert Henry Wright, and Robert Henry Wright is now dead. I also know Kattie Wright.

3rd. Int. Did you know Salina Wright and her childred?

A. Yes, I knew Salina Wright, she has been dead for more than 10 years, she had several children, I remember Robert Henry and Kattie, I am not so certain about the others.

4th. Int. Did you know if Robert Henry Wright left a will, did he leave any personal property?

Answer Int. I never heard of any will left by Robert Henry Wright and if he had any personal it was of very little value.

4th. Int. I know hand you Plaintiff's exhibit No. 2, are you familiar with this land, if so, give a description of it, and the value thereof?

A. It is bounded on one side of the Railroad, it is known as The E. B. Walls Property, joins my land on the South and joins the Railroad propety and the property of Randolph Murphy, is improved by a two story, two room frame dwelling house, and has about 4 acres of land, more or less, worth about \$400.00

5th. Int. I now hand you Plaintiff's exhibit No. 3, are you familiar with this land, if so, give a description thereof and value of same?

A. The land described in the Exhibit, joins me on three sides, the county road and side the railroad on the other side., and contains about 6 acres of land, more or less, this piece has very little if any value, land is very poor.

Examiner's Special.

No.

L. TILGHMAN HAYDEN

The attorney for the plaintiff stated that he desired to introduce no further depositions.

Witnesses waived their expense and fees.

Richard T. Earle, Examiner-----\$8.00

Respectfully submitted.

RICHARD T. EARLE  
One of Standing Examiners

Filed Mar. 3rd. 1947.

DECREE  
Filed April 5, 1947

EDGAR L. LANE	*	IN THE CIRCUIT COURT
	*	FOR
VS.	*	QUEEN ANNE'S COUNTY
	*	
THE UNKNOWN HEIRS	*	IN EQUITY
OF	*	
ROBERT HENRY WRIGHT,	*	
LATE OF QUEEN ANNE'S COUNTY,	*	
DECEASED, AND	*	
KATIE WRIGHT	*	

DECREE

This cause standing ready for hearing and being submitted and the proceedings read and considered.

IT IS THEREUPON, this 5th day of April, 1947, by the Circuit Court for Queen Anne's County, in Equity, ADJUDGED, ORDERED AND DECREED that the real estate of Robert Henry Wright, deceased, or so much thereof as may be necessary for the payment of his debts, be sold; and that John Palmer Smith, of Centreville, Queen Anne's County, Maryland, be and he is hereby appointed Trustee to make said sale or sales thereof; and that the course and manner of his proceedings shall be as follows; he shall, before he proceeds to make such sale or sales, first file with the Clerk of the Circuit Court for Queen Anne's County, a bond in the penalty of One Thousand Dollars if corporate surety be given or in double that amount if personal sureties be given, 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 or decree passed in the premises, which said bond shall be approved by the Clerk of the Circuit Court for Queen Anne's County. The said Trustee shall then proceed to make said sale or sales, having given at least three weeks previous notice by advertisement inserted in some newspaper or newspapers printed and 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 as follows: One half of the purchase money to be paid in cash on day of sale, balance thereof in sixty days, or all cash on day of sale at the option of the purchaser or purchasers, the credit payments, if any, to bear interest from the day of sale, and to be secured by the note or notes of the purchaser or purchasers, with surety or sureties to be approved by the Trustee. That as soon as convenient after such sale or sales, 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 or sales. 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 or deeds, acknowledged and recorded according to law, to convey to the purchaser or purchasers, his her or their heirs, the property and estate so sold, to him, her or them, free, clear and discharged from all claims of the parties to this Cause or any of them.

AND the said Trustee shall bring into Court the money arising from the sale or sales 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 and fidelity wherewith he shall appear to have discharged his trust.

AND at the time of advertising said sale or sales the said Trustee is directed to give notice to the creditors of the said Robert Henry Wright, deceased, to file their claims, with the vouchers thereof, with the Clerk of this Court within 90 days from the day of sale or sales.

Wm. R. HORNEY  
Judge

Filed April 5, 1947

CERTIFIED COPY OF BOND  
Filed April 7, 1947.

QUEEN ANNE'S COUNTY, to wit: Be it remembered that on this seventh day of April, in the year nineteen hundred and forty seven, the following Bond was brought to be recorded, to wit:

KNOW ALL MEN BY THESE PRESENT: That we, John Palmer Smith, of Centreville, Queen Anne's County, Maryland, as Principal, and Maryland Casualty Company, a body corporate of the State of Maryland, 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 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, 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 seventh day of April, 1947.

WHEREAS, by a decree of the Circuit Court for Queen Anne's County, in Equity, passed on the 5th day of April, 1947, in a Cause pending in said Court in which Edgar L. Lane is the Plaintiff and Katie Wright and the Unknown Heirs of Robert Henry Wright, deceased, are the defendants, the same being Cause No. 3502 in said Court, the said John Palmer Smith was appointed Trustee to make sale of the real estate mentioned and described in said proceedings.

NOW, THEREFORE, THE CONDITION OF THE ABOVE OBLIGATION is such, that if the above bounded, John Palmer Smith, shall well and faithfully perform the trust reposed in him by said Decree or which may be reposed in him by any future decree or order in the premises, and shall in all respects well and truly execute the duties of such Trustee, when the above obligation to be null and void; otherwise to be and remain in full force and virtue in law.

TEST:-

Howard Wood 3rd

JOHN PALMER SMITH (SEAL)  
John Palmer Smith

ATTEST:-

Howard Wood, 3rd

MARYLAND CASUALTY COMPANY

By Dorothy E. Connolly  
Attorney-in-fact

And on the back of the foregoing Bond is the following endorsement,  
to wit:

Bond filed and Security approved this 7th day (CORPORATE SEAL)  
of April, 1947.

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 A.S.G., Jr. #1, folio 7, a Bond Record Book for Queen Anne's County.

Seal's  
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 April in the year nineteen hundred and forty seven.

A. SYDNEY GADD, Jr.  
Clerk

REPORT OF SALE  
Filed May 21, 1947.

EDGAR L. LANE,  
Complainant,  
Vs.

The Unknown Heirs of  
Robert Henry Wright, et al.,  
etc.,

IN THE CIRCUIT COURT  
FOR  
QUEEN ANNE'S COUNTY,  
IN EQUITY.  
Chancery No. 3502.

\*\*\*\*\*

REPORT OF SALE.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Trustee, after complying with all other pre-requisites of the Decree passed in this Cause, and having advertised the real estate mentioned herein for four successive weeks in The Queen Anne's Record-Observer, before the day of sale, as per certificate of publication of said Notice of Sale, did, on May 6th, 1947, being Tuesday, May 6th, 1947, beginning at the hour of 1.30 P. M., attend said sale in Centreville, Queen Anne's County, Maryland, in front of the Court House Door, and after reading said advertisement of sale, he then and there through J. Elmer Anthony offered for sale the following real estate, to wit:

PARCEL NO. 1.

All that lot, tract or part of a tract of land, improved by a frame dwelling house and outbuildings, near Price Station, situate, lying and being in the Second Election District of Queen Anne's County, Maryland, on the east side of the Queen Anne's & Kent Railroad, and adjoining the lands of the heirs of Isaac Hayden or formerly of Edwin B. Walls on the east, and contained within the following metes and bounds, to wit: BEGINNING for the same at a stone along the line of the lands of the heirs of the said Isaac Hayden, which said stone is South 81 deg. 15 min. east, 57 feet and 6 inches from the 7 mile post along said railroad, said 7 mile post being a corner for the said Hayden land, and running with said Hayden land

South 81 deg. 15 min. east, 31-1/4 perches to a stone along the said line of the Hayden line; thence  
North 30 deg. east, 29 perches to a stone; thence  
North 66 deg. 15 min. west, 21-2/10 perches to a stone along the railroad right of way; thence with said right of way of said railroad  
South 43 deg. west, 36-5/10 perches to the place of beginning; and  
Containing Four (4) Acres and Two (2) Roods of land, more or less; and

And being the same property conveyed to Robert Henry Wright by Henry T. Deaver by deed dated Oct. 6th, 1923, and recorded in Liber J. F. R. #11, folio 315, etc., a land record book for Queen Anne's County;

And your Trustee sold the above described property unto G. Edward Furbush and Elsie B. Furbush, his wife, as tenants by the entireties, at and for the sum of Six Hundred and Fifty Dollars, (\$650.00), they being there and then the highest bidders therefor.

Parcel No. 2.

Your Trustee then offered for sale Parcel No. 2 described in the advertisement, but failing to receive any bids therefor withdrew the same, and did not sell the same.

Your Trustee further reports that the said G. Edward Furbush and Elsie B. Furbush, his wife, the purchasers of Parcel No. One, elected to pay cash for the full purchase money of \$650.00, and they have paid the full purchase price.

Respectfully submitted,

JOHN PALMER SMITH  
Trustee.

Attached hereto:-

Certificate of Notice of Sale advertisement.  
Certificate of Auctioneer.

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

I hereby certify, that on this 21st day of May, 1947, before the Subscriber, Clerk of the Circuit Court for Queen Anne's County, personally appeared John Palmer Smith, Trustee, 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 to the best of his knowledge and belief, and that the sale so made and reported was fairly made.

A. SYDNEY GADD, Jr.  
Clerk.

Filed May 21, 1947



CERTIFICATE OF J. ELMER ANTHONY, AUCTIONEER  
Filed May 21, 1947.

Centreville, Maryland.

May 6th, 1947.

THIS IS TO CERTIFY, that on May 6th, 1947, beginning at the hour of 1.30 P. M., in front of the Court House Door at Centreville, Queen Anne's County, Maryland, I offered for public sale to the highest bidder All that lot of land, with buildings thereon, located on the east side of the Queen Anne's and Kent Railroad, in the Second Election District of Queen Anne's County, Maryland, near Price, Maryland, containing 4 Acres and two roods, and being the property described as Parcel No. 1 in the advertisement sale in Chancery Cause No. 3502, and sold the same to G. Edward Furbush and Elsie B. Furbush, his wife, as tenants by the entireties, for the sum of Six Hundred and Fifty Dollars (\$650.00), they being the highest bidder therefor.

I FURTHER CERTIFY, that having no bid on Parcel No. 2 of said advertisement of sale, being a 6 acre tract of land on the west side of said tracks and the public road, same was withdrawn by Mr. Smith, the Trustee.

J. ELMER ANTHONY  
Auctioneer.

Filed May 21, 1947.

CERTIFICATE OF PUBLICATION OF THE  
ADVERTISEMENT OF SALE.  
Filed May 21, 1947.

Public Sales  
TRUSTEE'S SALE  
Of Valuable  
REAL ESTATE  
of  
Robert Henry Wright  
Near Price, Md.

By, through and under a Decree of the Circuit Court for Queen Anne's County, in Equity, passed on the 5th day of April, 1947, in a Cause therein pending in which Edgar L. Lane is the plaintiff, and Katie Wright and the unknown heirs of Robert Henry Wright, deceased, are the defendants, the same being Chancery No. 3502 in said Court, the undersigned was appointed Trustee to make sale of the real estate mentioned and described in said Cause, or so much thereof as may be necessary to pay the debts of Robert Henry Wright, deceased, the undersigned Trustee will offer 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, May 6, 1947 beginning at the hour of 1:30 o'clock P.M. the following property, to wit:

Parcel No. 1

All that lot, tract or part of a tract of land, improved by a frame dwelling house and outbuildings, near Price Station, situate, lying and being in the Second Election District of Queen Anne's County, State of Maryland, on the east side of the Queen Anne's and Kent Railroad, and adjoining the lands of the heirs of Isaac Hayden on the south, the lands of or formerly of James Brice and lands of or formerly of Edwin B. Walls on the east, and contained within the following metes and bounds, to wit:

BEGINNING for the same at a stone along the line of the lands of the heirs of the said Isaac Hayden, which said stone is south 81 deg. 15 min, east, 57 feet and 6 inches from the 7 mile post along said railroad, said 7 mile post being a corner for the said Hayden land, and running with said Hayden land

South 81 degrees 15 min. east, 31-1/4 perches to a stone along the said line of the Hayden line; thence

North 30 deg. east, 29 perches to a stone; thence

North 66 deg. 15 min. west, 21-2/10 perches to a stone along the railroad right of way of said railroad

South 43 deg. west, 36-5/10 perches to the place of beginning, containing Four (4) acres and two (2) roods of land, more or less. Being the same property conveyed to Robert Henry Wright by Henry T. Deaver by deed dated October 6, 1923, and recorded among the land records of Queen Anne's County in Liber J.F.R. No. 11, folio 315.

Parcel No. Two

ALL that undivided one-fourth part in and to all that lot of land,

it being a part of the Water Land, lying on the public road from Price's Station to Ashland, in the Second Election District of Queen Anne's County, Maryland, along the Queen Anne's & Kent Railroad, and lying on the west side of said Railroad and of said public road, and BEGINNING at a small bridge on said public road and running thence

North 5 deg. west 44-1/3 perches; thence

North 84-1/4 deg. east, 43 perches to said road; thence with said road

South 39 deg. west, 69-9/10 perches to the place of beginning, containing Six (6) Acres of land, more or less. Being the same property conveyed unto Serlina Wright by Isaac Hayden and wife by deed dated November 25th, 1878, and recorded among the land records of Queen Anne's County in Liber J. W. No. 9, folio 8, of which said property Robert Henry Wright died, seized and possessed of an one-fourth interest in fee simple.

TERMS OF SALE: One half of the purchase money in cash on day of sale, the balance in 60 days from day of sale, or all cash at the option of the purchaser, credit payments, if any, to bear interest from day of sale and to be secured by note or notes of the purchaser with surety to be approved by Trustee. Taxes and insurance to be admitted to day of sale, title papers and revenue and state stamps to be at the expense of the purchaser.

John Palmer Smith,  
Trustee

Notice to Creditors

Chancery Cause No. 3502

Pursuant to the Decree of said Court passed in said cause, Notice is hereby given to the creditors of Robert Henry Wright, deceased, to file their claims against him, with the proper vouchers thereof, with the Clerk of said Court, within ninety (90) days from May 6th, 1947, the day of sale named in the above advertisement.

John Palmer Smith  
Trustee

4-5-1

QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. May 21, 1947.

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Trustee's Sale of Real Estate and Notice to Creditors in the case of Edgar L. Lane vs. The unknown Heirs of Robert Henry Wright, and Katie Wright, etc., 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 6th day of May 1947, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 10th day of April, 1947, and the last insertion on the 1st day of May 1947.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

By PAUL B. SMITH

Filed May 21, 1947

ORDER NISI ISSUED  
Filed May 21, 1947.

NISI

EDGAR L. LANE,  
Complainant,

VS.

THE UNKNOWN HEIRS OF  
ROBERT HENRY WRIGHT, et al.,  
etc.

) In the Circuit Court  
)  
) for Queen Anne's County  
)  
) In Equity  
)  
) Chancery No. 3502

ORDERED, This 21st. day of May A. D., 1947, that the sale of 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 21st. 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 21st. day of June next.

The Report states the amount of sales to be \$650.00

A. SYDNEY GADD, Jr. Clerk.

Filed May 21, 1947

GERTIFICATE OF PUBLICATION  
OF ORDER NISI  
Filed June 25, 1948.

NISI

In The Circuit Court  
for Queen Anne's County  
In Equity

Edgar L. Lane, Complainant,  
VS  
The Unknown Heirs of  
Robert Henry Wright, et al.,  
etc.

Chancery No. 3502

ORDERED, This 21st. day of May A.D., 1947, that the sale of 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 21st. 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 21st. day of June next.

The Report states the amount of sales to be \$650.00.

A. SYDNEY GADD, Jr., Clerk

Filed: May 21, 1947  
True Copy  
Test: A. Sydney Gadd, Jr., Clerk  
4t-6-12

QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. June 24, 1948 19

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Ordered Nisi in the case/estate of Edgar L. Lane, Complainant VS the Unknown heirs of Robert Henry Wright, et al, etc. Chancery No. 3502 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 21st day of June 1947, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 22nd day of May 1947, and the last insertion on the 12th day of June 1947.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

By CHARLOTTE M. MEARS

Filed June 25, 1948

FINAL ORDER OF RATIFICATION  
Filed June 25, 1948

EDGAR L. LANE

Vs.

Unknown heirs of  
Robert Henry Wright, late  
of Queen Anne's County,  
deceased, and Katie Wright.

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

Cause No. 3502.

FINAL ORDER OF RATIFICATION

ORDERED, this 25th day of June, 1948, 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 by John Palmer Smith, Trustee, 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 order nisi heretofore passed in this cause; and said John Palmer Smith, Trustee as aforesaid, is allowed the usual commissions allowed by this Court upon the sales of real estate and for all expenses, not personal, upon producing the vouchers therefor before the auditor.

Wm. R. HORNEY  
Judge

Filed June 25, 1948

PETITION FOR APPOINTMENT OF  
SPECIAL AUDITOR.  
Filed June 25, 1948.

EDGAR L. LANE

vs.

Unknown heirs of  
Robert Henry Wright, late  
of Queen Anne's County,  
deceased, and Katie Wright

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

Cause No. 3502.

Petition for Appointment of Special Auditor

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of Howard Wood, 3rd, regular Auditor of this Court, unto your Honors, respectfully sets forth:

That your petitioner is disqualified from stating the audit of the proceeds of the sale had in these proceedings because of his employment as regular attorney for Queen Anne's County Welfare Board, an interested party in said proceedings.

Wherefore, your petitioner prays this Honorable Court to pass an order designating some suitable person as a Special Auditor for the purpose of stating the abovementioned audit.

And as in duty bound, etc.,

HOWARD WOOD, 3rd.  
Petitioner.

Filed June 25, 1948

ORDER OF COURT GRANTING PETITION  
FOR APPOINTMENT OF SPECIAL AUDITOR  
Filed June 25, 1948.

ORDER OF COURT

Upon the foregoing petition, IT IS ORDERED, this 25th day of June, 1948, by the Circuit Court for Queen Anne's County in Equity, and by the authority of said Court, that Clayton Cann Carter, be and he is hereby appointed to act as Special Auditor to state an audit of the proceeds of the sale had in these proceedings, and it is further ORDERED, that, upon the qualification of such Special Auditor by taking the oath required by law, the proceedings in the above entitled cause be forthwith referred to him for such purpose.

Wm. R. HORNEY  
Judge

Filed June 25, 1948.

AUDIT  
Filed Sept. 23, 1948

EDGAR L. LANE

vs.

The Unknown Heirs  
of Robert Henry Wright  
et al.

: IN THE CIRCUIT COURT  
:  
: FOR  
:  
: QUEEN ANNE'S COUNTY  
:  
: IN EQUITY  
:  
: Chancery No. 3502

AUDIT

THE THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Clayton C. Carter, Special Auditor, unto Your Honors, respectfully sets forth:

That he was appointed Special Auditor in the above-entitled cause by this Honorable Court by its order dated the 25th day of June, 1948, and that before proceeding to state the audit in this cause, he did on the 21st day of September 1948 take the oath required by law before the Clerk of this Court.

That these proceedings were instituted by the filing of a Creditors' Bill against the unknown heirs of Robert Henry Wright and Katie Wright for the payment of the funeral expenses and debts of Robert Henry Wright, deceased, through a sale of certain real estate of which he died seized and possessed.

That your Special Auditor has stated the annexed account, first charging therein unto John Palmer Smith, the trustee of this cause, the gross amount of the sale of the real estate made by him per his report of sale filed among the these proceedings.

That then your Special Auditor has allowed out of the amount of the sale of the real estate so charged, as follows, to wit:

Unto said Trustee, he has allowed payments by the Trustee per vouchers exhibited: the auctioneer's fee for crying sale, the costs of advertising the sale, the cost of publishing the Order Nisi to the Report of Sale, the premiums on the Trustee's bond, and the costs of publishing two (2) Orders of Publication.

Unto said Trustee, he has allowed his commissions for making the sale per rule of Court, and the cost of publishing the Order Nisi to this audit, and the Court costs assessed in this cause.

Unto the County Treasurer, he has allowed the State and County real estate taxes plus interest to the date of sale, per vouchers exhibited and per Art. 81, Sec. 150 (a) Annotated Code of Maryland (1939) and the decision of the Court of Appeals of Maryland in the case of "Wheeler v Addison", 54 Md. 41.

Unto the Special Auditor, the fee for stating this audit.

Unto Edgar L. Lane, the Petitioning creditor, the amount of his claim, per "Complainant's Exhibit No. 1" in full, as a preferred claim in accordance with Art. 16, Sec. 242 Annotated Code of Maryland (1939).

Unto Queen Anne's County Welfare Board, the balance remaining after satisfying the preferred creditor and the costs of this proceeding, on account of its claim filed in this cause.

Filed Sept. 23, 1948 Clayton C. CARTER Special Auditor

Cause No. 3502

The proceeds of the sale of the real estate of Robert Henry Wright, late of Queen Anne's County, deceased, IN ACCOUNT WITH John Palmer Smith, as the Trustee appointed by the decree of this Court passed in this cause to sell said real estate.

1947 CR.
May 6 By amount of the gross sale of said real estate per report of the Trustee filed, to wit: the sum of..... \$650.00

1947 DR.
May 6 To John Palmer Smith, Trustee, for the Court costs of these proceedings, per statement of Clerk exhibited:
Clerk.....\$49.80
Sheriff..... .75
Examiner..... 8.00
Appearance fee..... 10.00 \$68.55
To do., for his commissions for making sale, per rule of Court..... 44.75
To do, for amount paid J. E. Anthony, auctioneer, for crying sale, per receipted voucher exhibited..... 25.00
To do, for costs of advertising notice of sale in Queen Anne's Record-Observer, per receipted voucher exhibited..... 85.50
To do, for costs of publishing two (2) Orders of Publication in Queenstown News, per receipted vouchers exhibited..... 38.75
To do., for costs of publishing Order Nisi to Report of sale, per receipted voucher exhibited..... 7.50
To do, for premiums on bond of Maryland Casualty Company, per receipted vouchers exhibited..... 20.00
To do., for costs of publishing Audit Nisi in Queenstown News..... 3.50
To County Treasurer of Queen Anne's County for State and County real estate taxes plus interest, to

date of sale, per vouchers exhibited and per terms of sale, to wit:

1944.....	\$4.28	
1945.....	5.39	
1946.....	5.89	
1 Jan. 1947 to 6 May 1947....	<u>1.87</u>	17.43

To Clayton G. Carter, Special Auditor for stating this Audit Account..... 13.50

To Edgar L. Lane, Petitioning Creditor, for funeral expenses of Robert H. Wright, deceased, per "Complainant's Exhibit No. 1" to Bill of Complaint.... 175.00 499.48

BALANCE..... \$ 150.52

To the Queen Anne's County Welfare Board, the Balance is distributed on account of its claim filed in this cause..... 150.52

23 September 1948

CLAYTON G. CARTER  
Special Auditor

Filed Sept. 23, 1948.

NISI RATIFICATION OF AUDIT  
Filed Sept. 23, 1948

Nisi Ratification of Audit

Edgar L. Lane	}	In the Circuit Court
VS		for Queen Anne's County
The Unknown Heirs of Robert Henry Wright, et al.		In Equity
		Cause No. <u>3502</u>

ORDERED, This 23rd. day of September in the year nineteen hundred and forty eight, that the Report and Account filed in these proceedings by Clayton G. Carter Special, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 22nd. day of October, 1948; provided a copy of this order be published once a week in each of two successive weeks before the 15th. day of October, 1948, in some newspaper printed and published in Queen Anne's County.

NELLIE B. WHITELEY Clerk.

Filed Sept. 23, 1948.

CERTIFICATE OF PUBLICATION OF  
NISI RATIFICATION OF AUDIT  
Filed July 20, 1949

NISI RATIFICATION OF AUDIT

EDGAR L. LANE

Vs.

The Unknown Heirs of  
ROBERT HENRY WRIGHT, et al  
IN THE CIRCUIT COURT FOR QUEEN  
ANNE'S COUNTY IN  
EQUITY  
Cause No. 3502

ORDERED, This 23rd day of September in the year nineteen hundred and forty eight, that the Report and Account filed in these proceedings by Clayton G. Carter, Special, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 22nd day of October, 1948; provided a copy of this order be published once a week in each of two successive weeks before the 15th day of October, 1948, in some newspaper printed and published in Queen Anne's County.

NELLIE B. WHITELEY,  
Clerk.

True Copy:

Test: NELLIE B. WHITELEY,  
Clerk.

Filed September 23, 1948.

## The Queenstown News

Queenstown, Md. July 18, 1949

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 Edgar L. Lane vs., Unknown heirs of Robert Henry Wright, et al. Cause No. 3502 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 15 day of October 1948, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 1st day of Oct. 1948

THE QUEENSTOWN NEWS

By GEO. J. STEINFELT

Filed July 20, 1949

PETITION FOR ALLOWANCE OF FEE.  
Filed Oct. 10, 1949.

EDGAR L. LANE,

VS.

THE UNKNOWN HEIRS OF  
ROBERT HENRY WRIGHT, ET AL.,

IN THE CIRCUIT COURT FOR QUEEN

ANNE'S COUNTY, IN EQUITY.

CHANCERY No. 3502.

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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:

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 Robert Henry Wright, deceased, filed in this Cause a Creditors' Bill for the benefit of all the creditors of Robert Henry Wright, deceased, in order to make sale of the real estate in this Cause described, and in order to effect, among other things, the collection or refund of the money for the aid and assistance of the said Robert Henry Wright in his lifetime, by the Queen Anne's County Welfare Board.

That the Audit has been filed in this Cause showing the sum of \$150.52 to be distributed to The Queen Anne's County Welfare Board, and your Petitioner desires to have this Honorable Court pass an Order for the allowance of a reasonable fee for his legal services rendered to The Queen Anne's County Welfare Board \$22.50.

Wherefore your Petitioner prays your Honors to pass an order allowing him a sum of money as a reasonable fee for his services so rendered in this Cause for and on behalf of The Queen Anne's County Welfare Board out of the amount audited to it.

Respectfully submitted,

JOHN PALMER SMITH.  
Petitioner.

Filed Oct. 10, 1949

ORDER OF COURT FINALLY RATIFYING REPORT  
AND ACCOUNT OF SPECIAL AUDITOR, AND ALLOW-  
ING LEGAL FEE.  
Filed Oct. 10, 1949.

EDGAR L. LANE,

VS.

THE UNKNOWN HEIRS OF ROBERT HENRY WRIGHT,  
ET AL.,

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

CHANCERY No. 3502.

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Ordered by the Circuit Court for Queen Anne's County, in Equity, this 10th day of October, 1949, that the within and foregoing account and report filed in these proceedings by Clayton G. Carter, Special Auditor, be and the same is hereby finally ratified and confirmed, no cause to the contrary thereof have been shown, although notice appears to have been given as required by the preceding order nisi; and the Trustee is directed to apply the proceeds of sale accordingly, with a due proportion of interest as the same has been or may be received; and John Palmer Smith, upon his petition filed in this Cause on the 10th day of October, 1949, is hereby allowed a fee of \$22.50 in accordance with the provision of Section 3B (b) of Article 88 A of the Annotated Code of Maryland, for legal services rendered in connection with the creditors' bill filed in this cause and for legal services rendered in behalf of The Queen Anne's County Welfare Board, such fee to be deducted from the sum of \$150.52 distributed in said Audit to the County Commissioners of Queen Anne's County to the use of The Queen Anne's County Welfare Board.

Wm. R. HORNEY  
Judge.

Filed Oct. 10, 1949



## C A U S E N O. 3379

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Twenty Second day of October, in the year nineteen hundred and forty three, the following Order to docket suit and affidavit was brought to be recorded, to wit:-

JOHN PALMER SMITH, ASSIGNEE OF MORTGAGE, vs. WILLIAM D. PRICE and KATE D. PRICE, his wife, MORTGAGORS.	IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY, IN EQUITY.  Chancery No. <u>3379</u>
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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 D. Price and Kate D. Price, his wife, to William W. Story and Fannie E. Story, his wife, dated December 22nd, 1931, and recorded among the land records of Queen Anne's County in Liber B. H. T. No. 14, folio 17, etc, and of the assignment thereof to John Palmer Smith, said assignment bearing date October 21st, 1943, recorded or to be recorded at the foot of said mortgage.

And also file in said cause the accompanying affidavit as to military service.

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 at maturity, and the interest when and as the same became due and payable.

Bond filed herewith.

JOHN PALMER SMITH.  
Solicitor.

JOHN PALMER SMITH  
Assignee of mortgage.

JOHN PALMER SMITH,  
Assignee of Mortgage.  
vs.  
William D. Price  
and  
Kate D. Price, his wife,  
Mortgagors.

In the Circuit Court  
for  
Queen Anne's County,  
in Equity.  
Chy. No. 3379

Affidavit as to Military Service.

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

I hereby certify, that on this 22nd day of October, 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, and I am in attorney at law.

That I am the assignee of the above described mortgage proceedings, being the assignee of the mortgage filed in this cause, and as assignee and as an attorney at law I have made diligent inquiry and have ascertained to the best of my ability that William D. Price, and Kate D. Price, his wife, the mortgagors, are both dead.

JOHN PALMER SMITH  
Assignee of Mortgage.

Subscribed and sworn to before me this 22nd day of October, 1943.

A. SYDNEY GADD, Jr. Clerk.

Filed Oct. 22nd, 1943.

CERTIFIED COPY OF BOND  
Filed October 22, 1943.

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Twenty Second day of October in the year nineteen hundred and forty three, the following Bond was brought to 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, State of Maryland, as Prindpal, and GLENS FALLS INDEMNITY COMPANY, a body corporate of the State of New York and duly authorized to trans-act 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 One Thousand 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, execu-tors, administrators, and successors, jointly and severally, firmly by these presents, sealed with our seals, and dated this 22nd day of October, nineteen hundred and forty three.

WHEREAS, by virtue of a power of sale contained in a mortgage from Wm. D. Price & Katie D. Price, his wife, to Wm. W. Story & Fannie E. Story, bearing date on or about the 22nd day of December nineteen hundred and thirty-one the said John Palmer Smith, as assignee of said mortgage, 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 Wm. W. Story, et al., by duly recorded assign-ment assigned said mortgage unto the said Principal 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 a-bove 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  
Glenn T. James

JOHN PALMER SMITH (SEAL)  
John Palmer Smith

Corporate  
Seals Place

GLENS FALLS INDEMNITY COMPANY  
L. Herman Meredith  
Attorney

Filed October 22, 1943.

And on the back of the foregoing Bond is thus endorsed, to wit:  
Bond filed and Security approved this 22nd day of October, 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 289 A Bond Record Book for Queen Anne's County.

Seal's  
Place

In Testimony Whereof I have hereunto subscribed my name and affix-  
ed the Seal of the Circuit Court for Queen Anne's County in this  
25th day of October in the year nineteen hundred and forty three.

A. SYDNEY GADD, Jr.  
Clerk

CERTIFIED COPY OF MORTGAGE  
Filed Oct. 22, 1943

.....  
#15,310 QUEEN ANNE'S COUNTY, TO WIT: Be  
it remembered that on the twenty fourth day of December, in the year nineteen hundred  
and thirty one, the following Mortgage was brought to be recorded, to wit:-

THIS MORTGAGE, made this 22nd day of December, in the year nineteen  
hundred and thirty one, by William D. Price and Kate D. Price, his wife, of Queen Anne's  
County, State of Maryland.

WHEREAS the said William D. Price is justly indebted unto William  
W. Story and Fannie E. Story, his wife, in the full and just sum of two hundred dollars,  
(\$200.00), for money this day loaned and advanced unto him by them, which said sum of  
two hundred dollars, (\$200.00), is to be repaid at the expiration of three years from  
the date hereof with interest thereon in the meanwhile at the rate of six per centum  
per annum, payable semi-annually.

AND WHEREAS, it was a condition precedent to making the aforesaid  
loan that same was to be secured and the prompt payment thereof, together with all in-  
terest to accrue thereon, was to be assured by the execution and delivery of this mort-  
gage..

NOW, THEREFORE, in consideration of the premises and the sum of one  
dollars, receipt of which is hereby acknowledged, the said William D. Price and Kate D.  
Price, his wife, do hereby grant and convey unto William W. Story and Fannie E. Story,  
his wife, of Queen Anne's County, Maryland, as tenants by the entireties, their heirs,  
and assigns, in fee simple, all the following described real estate, to wit:

ALL that tract, lot or parcel of land improved by frame dwelling  
house, situate, lying and being in the town of Queenstown, in the Fifth Election Dis-

tract of Queen Anne's County, Maryland, on Avenue Number 2 being part of the property known as the Mitchell Lots, having a frontage on said Avenue of one hundred and ten feet, and a depth back from said Avenue of one hundred and fourt feet, said lot and parcel of land hereby granted and conveyed adjoining the land of Mrs. Charles C. Wilson, the land of the heirs at law of Sadie A. Kirby, late of Queen Anne's County, deceased, and the land of others, and being the same land that was conveyed by Jeanie M. Priel to William D. Price by deed dated March twenty-fourth, nineteen hundred and twenty four, and recorded in Liber B.H.T. No. 1 at folio 417, a land record book for Queen Anne's County.

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 D. Price and Kate D. Price, his wife, their heirs, executors, administrators or assigns, shall well and truly pay to the said William W. Story and Fannie W. Story, his wife, their successors executors, administrators or assigns, the aforesaid sum of two hundred dollars, (\$200.00), 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 any of the covenants of this mortgage the said William D. Price and Kate D. Price, his wife, their heirs and assigns, shall possess said property.

AND the said William D. Price and Kate D. Price, his wife, their heirs, executors, administrators and assigns, hereby covenant to and with the mortgagee, his personal representatives, or assigns, 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 W. Story and Fannie E. Story, his wife, their 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, William W. Story and Fannie E. Story, his wife, their 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 monies owing hereunder or secured hereby shall be due and demandable and the said William W. Story and Fannie E. Story, his wife, their successors executors, administrators or assigns, or THOMAS J. KEATING, JR., 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 or parties selling may deem expedient, for cash, or for cash and credit, at the option of the person or persons making the sale, according to such terms as said party shall determine, 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 monies owing hereunder or secured hereby, or to be paid, under the covenants hereof, whether the same shall have then matured or not; and third, the balance to William D. Price and Kate D. Price, his wife, or the person or persons then entitled to the same.

AND it is hereby agreed that, in the event of a sale of any part of the above described property under the power of sale hereinbefore expressed, all annual crops, ptiched, planted or growing upon said property sold at the time of sale shall pass to the purchaser of said property.

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 W. Story and Fannie E. Story, his wife, their executors, administrator, successors or assigns, or the said THOMAS J. KEATING, JR., 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 D. Price and Kate D. Price, his wife, their heirs, executors, administrators and assigns, hereby covenant to pay.

WITNESS our hand and seals the day and year hereinfirst above written.

Witness:  
W. I. TUTTLE

WILLIAM D. PRICE (SEAL)  
KATE D. PRICE (SEAL)

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

I hereby certify that on this twenty second day of December, in the year nineteen hundred and thirty one, before me, the subscriber, a Notary Public

of the State of Maryland, in and for Queen Anne's County, personally appeared William D. Price and Kate D. Price, his wife, and did each acknowledge the within and foregoing mortgage to be their respective act and deed, and at the same time also personally appeared William W. Story, one of the mortgagees, and made oath in due form of law 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 first above written.

WASHINGTON IRVING TUTTLE  
Notary Public

Notary Public  
Seal.

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Nineteenth day of November in the year nineteen Hundred and forty one, the following assignments were brought to be recorded, to wit:

For value received the within and foregoing Mortgage is hereby transferred and assigned by Fannie E. Story (Wm. Wesley Story, her husband, having departed this life leaving the said Fannie E. Story surviving him) unto Thomas J. Keating, Jr.

Witness my hand and seal this 17th day of November in the year 1941.

Witness G. M. Murphy  
G. M. Murphy

FANNIE E. STORY (SEAL)  
Fannie E. Story

For value received, I do do hereby transfer and assigns the within and foregoing Mortgage unto Fannie E. Story and Blanche Gerlach, as joint tenants without recourse or guarantee.

Witness my hand and seal this 19th day of November 1941.

Witness: B. Hackett Turner  
B. Hackett Turner

THOS. J. KEATING JR. (SEAL)

Queen Anne's County, to wit: Be it remembered that on the 22nd day of Oct. 1943 the following Assignment was brought to be recorded, to wit:

For value received, we hereby transfer the within and foregoing mortgage to John Palmer Smith, without recourse, this 21st day of October 1943.

Witness our hand and seal this 21st day of October, 1943.

Witness

W. I. Tuttle  
W. I. Tuttle

Fannie E. Story (SEAL)  
Blanche E. Gerlach (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. 14, folio 17 A Land Record Book for Queen Anne's County.

Seal's  
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 22nd day of October in the year nineteen hundred and forty three.

A. SYDNEY GADD, Jr.  
Clerk

REPORT OF SALE  
CERTIFICATE OF PUBLICATION  
Filed Nov. 22, 1943.

JOHN PALMER SMITH,  
Assignee of Mortgage,  
VS.

WILLIAM D. PRICE  
AND  
KATE D. PRICE, his wife,  
Mortgagors.

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY?

IN EQUITY.

CHY. NO. 3379.

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REPORT OF SALE.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of John Palmer Smith, Assignee of the mortgage from William D. Price and Kate D. Price, his wife, to William W. Story and Fannie E. Story, his wife, dated December 22nd, 1931, and recorded among the land records of Queen Anne's County in Liber B. H. T. No. 14, folio 17, etc., respectfully shows:

That said mortgage was duly assigned by Fannie E. Story and Blanche E. Gerlach, the holders of said mortgage by virtue of mense assignments, said assignment unto John Palmer Smith being dated October 21st, 1943, and recorded at the foot of said mortgage and recorded among the land records aforesaid;

THAT default was made by the mortgagors 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;

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 Queenstown Bank of Maryland, in the town of Queenstown, Queen Anne's County, Maryland, on Saturday, November 20th, 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 tract, lot or parcel of land, improved by a frame dwelling house, situate, lying and being in the town of Queenstown, in the Fifth Election District of Queen Anne's County, Maryland, (known as the "Wm. D. Price Home Property",) on (the south side of) Avenue Number 2, being part of the property known as the Mitchell Lots, having a frontage on said Avenue of one hundred and ten feet, and a depth back from said Avenue of one hundred and four feet, said lot (and parcel of land hereby granted and conveyed) adjoining the land (formerly) of Mrs. Charles C. Wilson, the land of the heirs at law of Sadie A. Kirby, late of Queen Anne's County, deceased, and the lands of others, (but which lot adjoins the properties now of Thomas Swan on the west and the M. E. Parsonage on the east, and being the residence property of the late Wm. D. Price.).

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 Dr. Samuel J. Price and Eva Bailey Price, his wife, as tenants by the entireties, whose address is Queenstown, Maryland, at and for the sum of Nine Hundred and Seventy-five Dollars (\$975.00), 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, and fire insurance premium of insurance now on the property to be adjusted as of day of sale.

All costs of title papers and other expenses incident to the transfer of said property at the expense of purchasers.

The said purchasers have complied with the terms of sale by making payment of one-third of the purchase money.

Respectfully submitted,

JOHN PALMER SMITH  
Assignee of Mortgage.

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

I hereby certify, that on this 22nd day of November, 1943, before the Subscriber, 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 to be 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 the military service filed in this cause on October 22nd, 1943, and that the status of the parties mentioned in said affidavit is the same as it was on Oct. 22nd, 1943.

A. SYDNEY GADD, Jr.  
Clerk.

Filed Nov. 22nd 1943.

Legal Notices  
 ASSIGNEE'S SALE  
 OF  
 Dwelling Property  
 AT QUEENSTOWN, MARYLAND

Default having occurred in the terms of the mortgage from William D. Price and Kate D. Price, his wife, to Wm. W. Story and Fannie E. Story, his wife, dated December 22 1931, and recorded among the land records of Queen Anne's County in Liber B.H.T. No. 14, fol. 17, etc., the undersigned Assignee of said Mortgage will sell at Public Sale to the highest bidder in front of The Queenstown Bank of Maryland, in the town of Queenstown, Queen Anne's County, Maryland, on Saturday, Nov. 29th, 1943 beginning at the hour of 2:00 o'clock P.M. the following property, to wit:

All that tract, lot or parcel of land, improved by a frame dwelling house, situate, lying and being in the town of Queenstown, in the Fifth Election District of Queen Anne's County, Maryland, known as the "Wm. D. Price Home Property," on the south side of Avenue Number 2, being part of the property known as the Mitchell Lots, having a frontage on said Avenue of 110 feet, and a depth back from said Avenue of 104 feet, said lot adjoining formerly the lands of Mrs. Charles C. Wilson, the land of the heirs at law of Sadie A. Kirby, and the land of others, but which lot adjoins the properties now of Thomas Swan on the west and the M. E. Parsonage on the east, and being the residence property of the late Wm. D. Price.

Possession at once.

Terms of sale: One third cash day of sale, balance 60 days after day of sale, unpaid balance to bear interest until paid, or all cash at option of purchaser. Further particulars day of sale.

JOHN PALMER SMITH  
 Assignee of Mortgage

4t-11-18

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 THE ADVERTISEMENT OF ASSIGNEE'S SALE in the case of "JOHN PALMER SMITH, ASSIGNEE OF MORTG. vs. William D. Price and Kate D. Price, 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 published at Centreville in Queen Anne's County, Maryland, once a week for four successive weeks before the 20th 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 18th day of November, 1943.

THE QUEEN ANNE'S RECORD AND OBSERVER  
 PUBLISHING COMPANY

By JOHN H. PRICE

Filed Nov. 22nd 1943.

NISI SALE  
 Filed Nov. 22, 1943.

N I S I

JOHN PALMER SMITH, Assignee	)	In the Circuit Court
	)	
VS.	)	for Queen Anne's County
	)	
WILLIAM D. PRICE AND	)	In Equity
KATE D. PRICE, his wife,	)	
Mortgagors.	)	Chancery No. 3379

ORDERED, This 22nd, day of November 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 24th. 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 23rd day of December next.

The Report states the amount of sales to be \$975.00

A. SYDNEY GADD, Jr. Clerk.

Filed November 22, 1943

CREDITOR'S PETITION.  
Filed Dec. 1st, 1943.

JOHN PALMER SMITH,  
ASSIGNEE OF MORTGAGE.

IN THE CIRCUIT COURT

FOR

VS.

QUEEN ANNE'S COUNTY,

WILLIAM D. PRICE  
AND  
KATE D. PRICE, his wife,

IN EQUITY.

Chancery No. 3379.

MORTGAGORS.

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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 D. Price, 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 D. Price departed this life sometime on or about the month of January, 1943, testate, 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 D. Price by The Queen Anne's County Welfare Board from January 1st, 1937 to February 1st, 1943, in the sum of \$927.50, as will appear by the itemized statement of account filed herewith and marked "Exhibit No. 1", and prayed to be taken as a part of this Petition; and the said William D. Price being also indebted unto sundry other persons in various amounts.

2. That the said William D. Price, deceased, was, at the time of his death aforesaid seized and possessed of certain real estate located in the town of Queenstown, Queen Anne's County, Maryland, consisting of a lot of land on the south side of Avenue Number 2, being part of the Mitchell Lots, having a frontage on said Avenue of 110 feet and a depth of 194 feet, and 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 D. Price, being so seized and possessed of the aforesaid real estate, was seized of no personal property, and departed this life as aforesaid testate, leaving a last will and testament in which he devised the aforesaid real estate sold in these proceedings unto his wife, Katherine DeVay Price, for life, and upon her death unto Samuel J. Price in fee simple; the said Samuel J. Price, being about 50 years of age and a resident of Queen Anne's County, Maryland, and the said Katherine DeVay Price, or Kate D. Price, having pre-deceased the said William D. Price, the testator; certified copy of which said will is filed herewith and prayed to be taken as part hereof and is marked "Exhibit No. 2".

4. That the aforesaid real estate, was, after the death of the said William D. Price, deceased, sold under foreclosure proceedings in the above entitled caused 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 \$975.00, 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 aforesaid William D. Price, 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 D. Price, deceased.

TO THE END THEREFORE,

That the Defendant, Samuel J. Price, of Queenstown, Queen Anne's County, Maryland, may answer this Petition; that the indebtedness of the said William D. Price, deceased, or any balance of indebtedness, that may 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 Dec. 1st. 1943.

PETITIONER'S EXHIBIT NO. 1.  
Filed Nov. 22, 1943.

Mr. William Donaldson Price

To:

Queen Anne's County Welfare Board, Dr.

The Queen Anne's County Welfare Board, upon the application of William Donaldson Price, rendered financial assistance to said William Donaldson Price

in the amounts and at the times as herein stated, to wit:

1937	January 1 to December 31, 12 months @ \$11.50	\$138.00
1938	January 1 to December 31, 12 months @ \$11.50	138.00
1939	January 1 to December 31, 12 months @ \$11.50	138.00
1940	January 1 to December 31, 12 months @ \$11.50	138.00
1941	January 1 to March 31, 3 months @ \$11.50 April 1 to December 31, 9 months @ \$15.50	34.50 139.50
1942	January 1 to December 31, 12 months @ \$15.50	186.00
1943	January 1 to January 31, 1 month @ \$15.50	<u>15.50</u>
	Total . . . . .	\$927.50

On this 22nd day of November, 1943, before the subscriber, the Clerk Circuit Court for Queen Anne's County, personally appeared Katherine 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, Jr. Clerk Cir. Court.  
for Queen Anne's County

Nov. 22nd, 1943.

Filed Nov. 22nd 1943.

PETITIONER'S EXHIBIT NO. 2.  
Filed Dec. 1, 1943.

Last Will and Testament of William D. Price.

In the name of God, Amen. I William D. Price, being in good bodily health, and of sound and disposing mind and memory calling to mind the frailty and uncertainty of human life, and being desirous of settling my worldly affairs, and directing how the estate with which it has pleased God to bless me shall be disposed of after my decease, while I have strength and capacity so to do. do make and publish this my last will and testament, and first I commend my immortal being to Him who gave it, and my body to the earth, to be buried with little expense or ostentation, by my executors hereinafter named.

And as to my worldly estate and all the property, real, personal, or mixed, of which I shall die seized and possessed, or to which I shall be entitled at the time of my decease, I devise, bequeath, and dispose thereof in the manner following, to wit:

My will is that all my debts and funeral charges shall be my executor hereinafter named be paid out of my life insurance by my wife Katherine DeVay Price, to whom in lieu of dower I give. devise and bequeath my house, situated in Queenstown Queen Anne's County, Maryland. with the land and hereditaments thereunto belonging, and the rents, issues, and profits thereof for and during the term of her natural life and from and after the decease of my said wife, I give and bequeath the said house lands. and hereditaments unto my son Samuel J. Price.

To my son Alan D. Price, I give. devise. and bequeath the sum of One Dollar, as he has already had his share of my estate.

I nominate and appoint my wife, Katherine DeVoy Price and my son Samuel J. Price to be the executrix and executor of this my last will and testament, without bond.

In witness whereof I have hereupon set my hand and seal, the nineteenth day of May in the year of our Lord, one thousand nine hundred and thirty three.

The above instrument consisting of one sheet was now here subscribed by William D. Price the testator in the presence of each of us and was at the same time declared by him to be his last will and testament and we at his request sign our names here as attesting witnesses.

W. I. Tuttle, residing at Queenstown, Queen Annes County. Daisy C. McConnor, residing at Queenstown Queen Annes County.

William D. Price



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

On the 17th day of September A.D., 1943, came Samuel J. Price, Custodian of the within and foregoing instrument of writing, purporting to be the last Will and Testament of William D. Price, 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 testator on or about 19th day of May A. D., 1943.

Sworn before

Edward E. Coursey  
Register of Wills of Queen Anne's County,  
Md.

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

On the 23rd day of November 1943, came W. I. Tuttle of Queenstown, Maryland one of the subscribing witnesses to the foregoing last Will and Testament of William D. Price, 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 Daisy C. McConnor 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:

Edward E. Coursey  
Register of Wills of Queen Anne's County,  
Md.

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

On the 23rd day of November 1943, came Daisy C. McConnor, of Queenstown, Md. one of the subscribing witnesses to the foregoing last Will and Testament of William D. Price, 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 W. I. Tuttle 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:

Edward E. Coursey  
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 WILLIAM D. PRICE 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 30th day of November, A. D., 1943, that the same be admitted in this Court as the true and genuine last Will and Testament of the said WILLIAM D. PRICE deceased.

H. F. Callahan

G. 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 William D. Price, deceased as filed and passed in this office on November 30 - 1943 and recorded in Liber N. S. D No. 1 Folio 330 in the Orphans' Court for Queen Anne's County, Maryland.

Seal's  
Place.

In testimony whereof I hereunto subscribe my name  
and affix the seal of my office this 1st day of Decem-  
ber 1943

EDWARD E. COURSEY  
Register of Wills for Queen Anne's County, Maryland

ORDER OF COURT  
Filed Dec. 3, 1943.

## ORDER OF COURT.

ORDERED, this 3rd day of December, 1943, by the Circuit Court for Queen Anne's County, in Equity, and by the authority thereof, that Samuel J. Price, adult, devisee of William D. Price, late of Queen Anne's County, deceased, of Queen Anne's County, Maryland, be and he is hereby warned to appear and answer the Petition of The County Commissioners of Queen Anne's County, a municipal corporation of the State of Maryland, to the use of The Queen Anne's County Welfare Board, on or before the 18th day of January, 1944, next, by service of the writ of subpoena upon him, on or before the 1st day of January, 1944.

Wm. R. HORNEY  
Judge.

Filed Dec. 3rd, 1943.

NOTICE TO CREDITORS  
Filed Dec. 3rd, 1943.

JOHN PALMER SMITH,  
ASSIGNEE OF MORTGAGE,

VS.

WILLIAM D. PRICE  
AND  
KATE D. PRICE, his wife,  
MORTGAGORS.

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY,

IN EQUITY.

CHANCERY No. 3379

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ORDERED, this 3rd day of December, 1943, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that the creditors of William D. Price, 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 D. Price, deceased, was sold, be, and they are hereby notified to file their claims with the Clerk of the Circuit Court for Queen Anne's County, on or before the 15th day of February 1944, 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 10th day of January, 1944, next.

Wm. R. HORNEY  
Judge.

Filed Dec. 3rd. 1943.

PETITION FOR SUBSTITUTION  
OF PURCHASERS.  
Filed Dec. 4th, 1943.

JOHN PALMER SMITH,  
ASSIGNEE OF MORTGAGE,

VS.

WILLIAM D. PRICE  
and  
KATE D. PRICE, his wife,  
MORTGAGORS.

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY,

IN EQUITY.

CHANCERY No. 3379.

\*\*\*\*\*

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Samuel J. Price and Eva Bailey Price, his wife, unto your Honors respectfully sets forth:

That as will appear from the Report of Sale filed in the above cause, the said Samuel J. Price and Eva Bailey Price, his wife, became the purchasers at the sale therein mentioned of the real estate therein described.

That your Petitioners have since said sale sold said property unto Marmaduke G. White and Nellie M. White, his wife, as tenants by the entireties, and your petitioners desire to have the said Marmaduke G. White and Nellie M. White, his wife, substituted as purchasers as tenants by the entireties of said property in the place of your petitioners, and the said Marmaduke G. White and Nellie M. White, his wife, also desire that said substitution be made, as evidenced by their consent hereto.

Your Petitioners therefor pray your Honors to pass an order substituting them, the said Marmaduke G. White and Nellie M. White, his wife, as tenants by the entireties, as purchasers of said property in the place and stead of your Petitioners, and directing John Palmer Smith, assignee, vendor of said property at the sale mentioned, to convey said property unto the substituted purchasers.

Our consent is hereby  
given to this petition:

SAMUEL J. PRICE

MARMADUKE G. WHITEEVA BAILEY PRICENELLIE M WHITE.

Filed Dec. 4th, 1943.

ORDERED by the Circuit Court for Queen Anne's County, in Equity, and by the authority thereof, upon the foregoing Petition, this 4th day of December, 1943, that Marmaduke G. White and Nellie M. White, his wife, be and they are hereby substituted as tenants by the entirety, as purchasers of the property described in the Report of Sale filed in this Cause, in the place and stead of the said Samuel J. Price and Eva Bailey Price, his wife, and that John Palmer Smith, Assignee-Vendor making the sale, be and he is hereby authorized, empowered and directed upon the payment unto him in full of the purchase money named in said Report of sale to convey the property sold unto the said Marmaduke G. White and Nellie M. White, his wife, as tenants by the entirety, in the place and stead of the said Samuel J. Price and Eva Bailey Price, his wife, and as fully and effectually as if the said Marmaduke G. White and Nellie M. White, his wife, had been the original purchasers at said sale.

Wm. R. HORNEY  
Judge.

Filed Dec. 4th, 1943.

SUBPOENA FOR RESPONDENT  
TO APPEAR AND ANSWER.  
Filed Dec. 6th, 1943.

Queen Anne's County, to wit:

The State of Maryland

Seal's  
Place

TO

SAMUEL J. PRICE

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 The County Commissioners of Queen Anne's against you in said court exhibited, County, a municipal corporation, of the State of Maryland, to the use of The 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 December 1943.  
Issued the third day of December 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 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 the following endorsement,  
to wit:-

Summoned by reading same to Samuel J. Price and leaving copy Dec. 6, 1943. LOUIS B. PERKINS Sheriff.

ANSWER OF SAMUEL J. PRICE,  
TO CREDITORS' PETITION.  
Filed Dec. 7th, 1943.

JOHN PALMER SMITH,  
ASSIGNEE OF MORTGAGE.

VS.

WILLIAM D. PRICE  
AND  
KATE D. PRICE, his wife,

IN THE CIRCUIT COURT  
FOR  
QUEEN ANNE'S COUNTY  
IN EQUITY.  
CHANCERY No. 3379.

A N S W E R

The Answer of Samuel J. Price to the petition of The County Com-

missioners of Queen Anne's County, a municipal corporation of the State of Maryland, to the use of The Queen Anne's County Welfare Board, in this Court exhibited.

Your Respondent admits the matters and things set forth in said petition, and prays the Court to pass such order or orders as may be right and proper in the premises.

And as in duty bound, etc.

SAMUEL J. PRICE  
Respondent.

CERTIFICATE OF PUBLICATION  
OF THE ORDER NISI  
Filed Jan. 21st. 1944.

NISI

JOHN PALMER SMITH, Assignee

vs.

William D. Price and Kate D. Price,  
his wife, Mortgagors.

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

Chancery No. 3379

ORDERED, This 22nd day of November A. D., 1943, that the sale of November 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 24th 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 23rd day of December, next.

The Report states the amount of sales to be \$975.00.

A. SYDNEY GADD, JR.,  
Clerk. 4t-12-16

Filed November 22, 1943.  
True Copy.  
Test: A. Sydney Gadd, Jr., Clerk.

QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. January 20 1944

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Nisi in the case/estate of John Palmer, Assignee vs. William D. Price and Kate D. Price, 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 published at Centreville, in Queen Anne's County, Maryland, once a week for 4 successive weeks before the 23rd day of December 1943, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 26th day of Nov. 1943, and the last insertion on the 16 day of Dec. 1943.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

By GLENN T. JAMES

Filed Jan. 21st. 1944.

STATEMENT MORTGAGE DEBT AND  
~~XXXXXXXXXXXXXXXXXXXX~~  
Filed Jan. 25, 1944.

JOHN PALMER SMITH,  
ASSIGNEE OF MORTGAGE,  
VS.

WILLIAM D. PRICE,  
KATE D. PRICE, HIS WIFE,  
MORTGAGORS.

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

\*\*\*\*\*

## Statement of Mortgage Debt.

Statement of the mortgage debt due and owing as of the day of sale, November 20th, 1943.:

Amount of mortgage		\$ 200.00
To interest due on mortgage debt to Nov. 20th, 1943.		11.00
To State & County taxes due	\$ 10.48	
To Queenstown taxes due	<u>10.35</u>	
Total taxes due.....	\$ 20.83	
Less adjustment with purchaser	<u>1.75</u>	
Amount paid by assignee	\$ 19.08	<u>19.08</u>
		\$ 230.08
5% attorney's commissions		<u>11.50</u>
		\$ 248.58

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

I hereby certify, that on this 25th day of January, 1944, 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 Jan. 25, 1944.

MILITARY AFFIDAVIT  
Filed Jan. 25, 1944.

JOHN PALMER SMITH,  
Assignee of Mortgage,

vs.

William D. Price,  
Kate D. Price, his wife,  
Mortgagors,

IN THE CIRCUIT COURT

for

Queen Anne's County,

in Equity.

\*\*\*\*\*

I hereby certify, that before me, the subscriber, Clerk of the Circuit Court for Queen Anne's County, personally appeared John Palmer Smith, and made oath in due form of law that he knows Dr. Samuel J. Price, of Queenstown, Maryland, the devisee under the will of William D. Price, deceased, and that to the best of his knowledge, information and belief, the said Samuel J. Price is not in the military service of the United States, nor in the military service of any nation allied with the U. S./A., nor has he been ordered to report for induction under the Selective Training and Service Act of 1940 as amended, nor is he a member of the Enlisted Reserve Corps who has been ordered to report for military service, nor has he been in such services within three months prior hereto.

JOHN PALMER SMITH

Subscribed and sworn to before me this 25th day of January, 1944.

A. SYDNEY GADD, Jr.  
Clerk of the Court.

Filed Jan. 25th, 1944

ORIGINAL MORTGAGE.  
Filed Jan. 25, 1944.

THIS MORTGAGE, made this 22nd day of December, in the year nineteen hundred and thirty one, by William D. Price and Kate D. Price, his wife, of Queen Anne's County, State of Maryland.

WHEREAS the said William D. Price is justly indebted unto William W. Story and Fannie E. Story, his wife, in the full and just sum of two hundred dollars, (\$200.00), for money this day loaned and advanced unto him by them, which said sum of two hundred dollars, (\$200.00), is to be repaid at the expiration of three years, from the date hereof with interest thereon in the meanwhile at the rate of six per centum per annum, payable semi annually.

AND WHEREAS it was a condition precedent to making the aforesaid loan that same was to be secured and the prompt payment thereof, together with all interest to accrue thereon, was to be assured by the execution and delivery of this mortgage.

NOW, THEREFORE, in consideration of the premises and the sum of one dollar, receipt of which is hereby acknowledged, the said William D. Price and Kate D. Price, his wife, do hereby grant and convey unto William W. Story and Fannie E. Story, his wife, of Queen Anne's County, Maryland, as tenants by the entireties, their heirs and assigns in fee simple, all the following described real estate, to wit:

All that tract, lot or parcel of land improved by frame dwelling house, situate, lying and being in the town of Queenstown, in the Fifth Election District of Queen Anne's County, Maryland, on Avenue Number 2 being part of the property known as the Mitchell Lots, having a frontage on said Avenue of one hundred and ten feet, and a depth back from said Avenue of one hundred and four feet, said lot and parcel of land hereby granted and conveyed adjoining the land of Mrs. Charles C. Wilson, the land of the heirs at law of Sadie A. Kirby, late of Queen Anne's County, deceased, and the land of others, and being the same land that was conveyed by Jeanie M. Friel to William D. Price by deed dated March twenty-fourth, nineteen hundred and twenty four, and recorded in Liber B. H. T. No. 1 at folio 417, a land record book for Queen Anne's County.

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 D. Price and Kate D. Price, his wife, their heirs, executors, administrators or assigns, shall well and truly pay to the said William W. Story and Fannie E. Story, his wife, their successors, executors, administrators or assigns, the aforesaid sum of two hundred dollars, (\$200.00), 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 the said William D. Price and Kate D. Price, his wife, their heirs, executors, administrators and assigns, hereby covenant to and with the mortgagee, his personal representatives, or assigns, 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 W. Story and Fannie E. Story, his wife, their 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, William W. Story and Fannie E. Story, his wife, their 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 monies owing hereunder or secured hereby shall be due and demandable and the said William W. Story and Fannie E. Story, his successors executors, administrators or assigns, or THOMAS J. KEATING, JR., 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 or parties selling may deem expedient, for cash, or for cash and credit, at the option of the person or persons making the sale, according to such terms as said party shall determine, 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 monies owing hereunder or secured hereby, or to be paid under the covenants hereby, whether the same shall have then matured or not; and third, the balance to William D. Price and Kate D. Price, his wife, or the person or persons then entitled to the same.

AND it is hereby agreed that, in the event of a sale of any part of the above described property under the power of sale hereinbefore expressed, all annual crops, pitched, planted or growing upon said property sold at the time of sale shall pass to the purchaser of said property.

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 W. Story and Fannie E. Story, his wife, their executors, administrators, successors or assigns, or the said THOMAS J. KEATING, JR., 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 D. Price and Kate D. Price, his wife, their heirs, executors, administrators and assigns, hereby covenant to pay.

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

Witness:

W. I. TUTTLE

WILLIAM D. PRICE (SEAL)

KATE D. PRICE (SEAL)

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

I hereby certify that on this twenty second day of December, in the year nineteen hundred and thirty one, before me, the subscriber, a Notary Public of the State of Maryland, in and for Queen Anne's County, personally appeared William D. Price and Kate D. Price, his wife, and did each acknowledge the within and foregoing mortgage to be their respective act and deed, and at the same time also personally appeared William W. Story, one of the mortgagees, and made oath in due form of law 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 first above written.

WASHINGTON IRVING TUTTLE  
NOTARY PUBLIC.

Notary  
Public  
Seal.

FOR VALUE RECEIVED, the within and foregoing Mortgage is hereby transferred and assigned by Fannie E. Story (Wm. Wesley Story, her husband, having departed this life leaving the said Fannie E. Story surviving him), unto Thomas J. Keating, Jr.

WITNESS my hand and seal this 17th day of November in the year 1941.

WITNESS:

G. P. MURPHY  
(G. P. Murphy)

FANNIE E. STORY (SEAL)  
(Fannie E. Story)

FOR VALUE RECEIVED, I do hereby transfer and assign the within and foregoing Mortgage unto Fannie E. Story and Blanche Gerlach, as joint tenants, without recourse or guarantee.

WITNESS my hand and seal this 19th day of November 1941.

WITNESS:

B. HACKETT TURNER  
B. Hackett Turner

THOS. J. KEATING, Jr. (SEAL)  
(Thos. J. Keating, Jr.)

For value received, we hereby transfer the within and foregoing mortgage to John Palmer Smith, without recourse, this 21st. day of October 1943.

Witness our hand and seal this 21st. day of October, 1943.

Witness W. I. TUTTLE

FANNIE E. STORY (SEAL)

Witness W. I. TUTTLE

BLANCHE E. GERLACH (SEAL)

ORDER OF COURT  
Filed Jan. 25th, 1944

John Palmer Smith,  
Assignee of Mortgage,  
vs.  
William D. Price, et al.,  
Mortgagors.

IN THE CIRCUIT COURT FOR  
QUEEN ANNE'S COUNTY, IN EQUITY.  
CHANCERY No. 3379.

ORDER OF COURT.

ORDERED, on this 25th day of January, 1944, by the Circuit Court for Queen Anne's County, in Equity, and by the authority thereof, that the sale made by John Palmer Smith, Assignee of mortgage of the real estate of William D. Price and Kate D. Price, his wife, Mortgagors, mentioned and set forth in the within and foregoing Report of Sale filed in 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 in accordance with the Order Nisi passed in this Cause on November 22nd, 1943.

The Assignee is allowed the usual commissions and all expenses, not personal, upon producing proper vouchers therefor before the Auditor, to whom these papers are hereby referred for stating of an account.

Wm. R. HORNEY  
Judge.

Filed Jan. 25th, 1944

PETITION FOR APPOINTMENT  
OF SPECIAL AUDITOR  
Filed Jan. 24, 1948.

JOHN PALMER SMITH, Assignee,

Vs.

WILLIAM D. PRICE and wife.

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

Cause No. 3379.

Petition for Appointment of Special Auditor

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of Howard Wood, 3rd, regular Auditor of this Court, unto your Honors, respectfully sets forth:

That your petitioner is disqualified from stating the audit of the proceeds of the sale had in these proceedings because of his employment as regular attorney for Queen Anne's County Welfare Board, an interested party in said proceedings.

Wherefore, your petitioner prays this Honorable Court to pass an order designating some suitable person as Special Auditor for the purpose of stating the abovementioned audit.

And as in duty bound, etc.,

HOWARD WOOD, 3rd.  
Petitioner.

Filed June. 24, 1948.

ORDER OF COURT  
Filed June 25, 1948.

ORDER OF COURT

Upon the foregoing petition, IT IS ORDERED, this 25th day of June, 1948, by the Circuit Court for Queen Anne's County in Equity, and by the authority of said Court, that Clayton Cann Carter, be and he is hereby appointed to act as Special Auditor to state an audit of the proceeds of the sale had in these proceedings, and it is further ORDERED, that, upon the qualification of such Special Auditor by taking the oath required by law, the proceedings in the above entitled cause be forthwith referred to him for such purpose.

Wm. R. Horney  
Judge

Filed June 25, 1948.

CERTIFICATE OF PUBLICATION  
OF NOTICE TO CREDITORS  
Filed Sept. 22, 1948.

Notice to Creditors

John Palmer Smith  
Assignee of Mortgage,  
vs.  
William D. Price  
and  
Kate D. Price, his wife,  
Mortgagors

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

Chancery No. 3379

ORDERED, this 3rd day of December, 1943, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that the creditors of William D. Price, 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 D. Price, deceased, was sold, be, and they are hereby notified to file their claims with the Clerk of the Circuit Court for Queen Anne's County, on or before the 15th day of February 1944, 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 10th day of January, 1944, next.

WM. R. HORNEY  
Judge



Filed December 3rd, 1943:  
 True Copy:  
 Test: A. Sydney Gadd, Jr. 3t-12-23

QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. Sept. 22, 1948.

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 D. Price and Katie D. Price, his wife, Mortgagors in the Circuit Court for Queen Anne's County in Equity Chancery No. 3379 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 10th. day of January 1944, and that the first insetion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 9th. day of December 1943, and the last insertion on the 23rd. day of December 1943.

THE QUEEN ANNE'S RECORD AND OBSERVER  
 PUBLISHING COMPANY

By PAUL B. SMITH

AUDIT  
 Filed Sept. 27, 1948.

JOHN PALMER SMITH, Assignee of Mortgage	:	IN THE CIRCUIT COURT
	:	FOR
vs.	:	QUEEN ANNE'S COUNTY
WILLIAM D. PRICE and KATE D. PRICE, his wife,	:	IN EQUITY
Mortgagors	:	Chancery No. 3379

:::

AUDIT

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Clayton C. Carter, Special Auditor, unto Your Honors, respectfully sets forth:

That he was appointed Special Auditor in the above-entitled cause by this Honorable Court by its order dated the 25th day of June, 1948, and that before proceeding to state the audit in this cause, he did on the 21st day of September, 1948 take the oath required by law before the Clerk of this Court.

That the proceedings in this cause have been had for the collection of a mortgage debt by the foreclosure of the mortgage therein descrined, and it appears that the proceeds of the mortgage sale were more than sufficient for the payment of the mortgage debt, interest, taxes and costs of collection in full.

That the County Commissioners of Queen Anne's County, to the use of the Queen Anne's County Welfare Board filed a petetion herein in the nature of a creditors' bill to have its claim, filed herein as "Petetioner's Exhibit No. 1", satisfied out of the surplus proceeds of sale remaining after statisfying the mortgage under which the real estate was sold; and that Notice to Creditors of William D. Price, deceased, was accordingly published, and the term allowed by such notice has fully expired without any other claims having been filed against said decedent's estate.

That your Auditor has charged John Palmer Smith, the party making sale, with the gross amount of the proceeds of sale; and has then allowed said John Palmer Smith his commissions for making sale per terms of the mortgage, the court costs in this cause, the costs of the premiums on his bond, the costs of advertising sale, giving of notice to creditors of decedent mortgagor, and advertising two orders nisi in these proceedings, the fee of this Auditor, the amount of the entire mortgage debt, including interest, taxes and costs of collection.

Although your Auditor allowed the Trustee making sale the amount of premiums on his bond for a period of five years, it appears that the sale of the property described in these proceedings was ratified by this court on the 25th day of January 1944, the bond in this case being dated the 22nd day of October 1943. It further appears from the Land Records of Queen Anne's County that the property sold at the aforesaid sale was conveyed to the substituted purchasers by deed dated and recorded the 25th day of January 1944, the same day that the aforesaid sale was ratified by this Court. Your auditor inquired of said Trustee the reason for the delay in not having an account stated of the proceeds of sale and was informed by him that the press of business and inability to obtain a secretary were the reasons for not having an audit stated in this cause.

The balance remaining after satisfying the aforesaid mortgage debt and the costs of this proceeding is then distributed to the County Commissioners of Queen Anne's County to the use of the Queen Anne's County Welfare Board, per its

claim filed as "Petitioner's Exhibit No. 1" to the Creditors' Petition filed in these proceedings.

Respectfully submitted:

CLAYTON C. CARTER  
Special Auditor

27 September 1948

Filed Sept. 27, 1948

Cause No. 3379

The proceeds of the sale of the mortgage real estate of William D. Price and Kate D. Price, deceased, Mortgagors, IN ACCOUNT WITH John Palmer Smith, Assignee of mortgage and party making sale of said real estate under the mortgage mentioned in this cause.

1943	GR.		
Nov. 20	By gross amount of the sale in this cause, per report filed, to wit: the sum of.....		\$975.00
<hr/>			
1943	DR.		
Nov.	To John Palmer Smith, party making sale, for his commissions for so doing, as provided by the terms of said mortgage.....	\$65.88	
	To do., for court costs per statement of Clerk of Court exhibited, to wit:		
	Clerk.....	\$50.30	
	Appearance fee.....	10.00	
	Sheriff.....	.75	61.05
	To do, for premiums on surety bond of Glenn Falls Company for period from 22 October 1943 to 22 October 1948 .....	50.00	
	To do., for costs of publishing Note of Sale, Order Nisi to Report of Sale and Notice to Creditors of William D. Price, deceased, in Queen Anne's Record-Observer, per receipted voucher exhibited.....	47.00	
	To do., for cost of Publishing Notice of Sale in Queenstown News, per receipted voucher exhibited.....	7.00	
	To do, for cost of publishing Order Nisi to this Audit in Queen Anne's Record-Observer.....	5.00	
	To do., for amount paid J. Elmer Anthony, auctioneer, for crying sale per receipted voucher exhibited..	15.00	
	To Clayton C. Carter, Special Auditor, for stating this Audit.....	13.50	
	To John Palmer Smith, Assignee of Mortgage, for the entire mortgage debt with interest, taxes and costs of collection thereof, per Statement of Debt filed in this cause.....	248.58	513.01
	BALANCE.....		461.99
	To County Commissioners of Queen Anne's County to the Use of the Queen Anne's County Welfare Board, the Balance is distributed, per "Petitioner's Exhibit No. 1" filed with the Creditors' Petition in this cause.....		461.99

27 September 1948

CLAYTON C. CARTER  
Special Auditor

Filed Sept. 27, 1948

NISI RATIFICATION OF AUDIT  
Filed Sept. 27, 1948.

Nisi Ratification of Audit

John Palmer Smith,  
Assignee of Mortgage

)  
)  
)

In the Circuit Court  
for Queen Anne's County

VS  
 William D. Price and  
 Kate D. Price, his wife,  
 Mortgagors

In Equity

Cause No. 3379

ORDERED, This 27th. day of September in the year nineteen hundred and forty eight that the Report and Account filed in these proceedings by Clayton C. Carter Special Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 22nd. day of October, 1948; provided a copy of this order be published once a week in each of two successive weeks before the 15th. day of October, 1948, in some newspaper printed and published in Queen Anne's County.

NELLIE B. WHITELEY Clerk.

Filed September 27, 1948

CERTIFICATE OF PUBLICATION OF  
 NISI RATIFICATION OF AUDIT  
 Filed July 14, 1949

Nisi Ratification of Audit

John Palmer Smith  
 Assignee of Mortgage  
 VS.  
 William D. Price and  
 Kate D. Price, his wife,  
 Mortgagors

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

Cause No. 3379

ORDERED, This 27th, day of September in the year nineteen hundred and forty eight that the Report and Account filed in these proceedings by Clayton C. Carter, Special Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 22nd. day of October, 1948; provided a copy of this order be published once a week in each of two successive weeks before the 15th. day of October, 1948, in some newspaper printed and published in Queen Anne's County.

NELLIE B. WHITELEY, Clerk

Filed: September 27, 1948.  
 True Copy  
 Test: Nellie B. Whiteley, Clerk.

2t-10-7

QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. July 13 1949

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 John Palmer Smith, Assignee of Mortgage vs. William D. Price and Kate D. Price, 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 published at Centreville, in Queen Anne's County, Maryland, once a week for 2 successive weeks before the 15 day of October 1948, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 30 day of September 1948, and the last insertion on the 7 day of October 1948.

THE QUEEN ANNE'S RECORD AND OBSERVER  
 PUBLISHING COMPANY

By CHARLOTTE M. MEARS

Filed July 14, 1949.

PETITION FOR ALLOWANCE OF FEE  
 Filed Oct. 5, 1949.

JOHN PALMER SMITH,  
 ASSIGNEE,  
 VS.

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

WILLIAM D. PRICE,  
KATE D. PRICE, HIS WIFE,  
MORTGAGORS.

CHANCERY No. 3379.

\*\*\*\*\*

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 D. Price, deceased, filed a Petition in this Cause in the nature of a Creditors' Bill for the benefit of all the creditors of William D. Price, 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 D. Price.

2. That your Petitioner also was given for collection the claim of the aforesaid Queen Anne's County Welfare Board against the said William D. Price, deceased, and thus proceeded in the collection of said claim by the filing of the aforesaid Creditors' Bill.

3. THAT your Petitioner, after examining the law in such cases, prepared the Creditors' Bill, had Exhibits prepared therefor, prepared the Answer for the deceased's son and filed all of said papers in said Cause and thereafter conducted the proceedings had under said Bill to the present time, and now that Audit has been filed in said proceedings for the distribution of the amount due to the said Queen Anne's County Welfare Board in the sum of \$461.99, your Petitioner desires to have this Honorable Court pass an Order for the allowance of a reasonable fee for his legal services rendered to the creditors for the filing and conducting the Creditors' Bill, and also for the allowance of a percentage of commissions for the collection of said claim.

WHEREFORE, your Petitioner prays your Honors to pass an order allowing him a sum of money as a reasonable fee for his services so rendered in this Cause under the Creditors' Bill, and a sum of money as a percentage for commissions for the collection of said sum of \$461.99, all to be allowed out of the surplus proceeds of sale in this cause and out of the amount audited to the Queen Anne's County Welfare Board.

Respectfully submitted,

JOHN PALMER SMITH  
Petitioner.

Filed Oct. 4, 1949  
ORDER OF COURT RATIFYING AUDIT AND ALLOWING LEGAL FEE.  
Filed Oct. 7, 1949.  
JOHN PALMER SMITH,  
ASSIGNEE,

IN THE CIRCUIT COURT FOR  
QUEEN ANNE'S COUNTY, IN  
EQUITY  
CHANCERY No. 3379

VS.

WILLIAM D. PRICE AND  
KATE D. PRICE, HIS WIFE,  
MORTGAGORS.

ORDERED by the Circuit Court for Queen Anne's County, in Equity, this 7th day of October, 1949, that the within and foregoing account and report filed in these proceedings by Clayton C. Carter, 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 as required by the preceding order; and the Assignee is directed to apply the proceeds of sale accordingly with due proportion of interest as the same has been or may be received; and John Palmer Smith, upon his petition filed in this Cause on the 5th day of October, 1949, is hereby allowed a fee of \$100.00 in accordance with the provisions of Section 3B (b) of Article 88 A of the Annotated Code of Maryland, for legal services rendered in connection with the creditors' bill filed in this Cause, such fee to be deducted from the sum of \$461.99 distributed in said Audit to the County Commissioners of Queen Anne's County to the use of the Queen Anne's County Welfare Board.

Wm. R. HORNEY  
Judge.

Filed Oct. 7, 1949

## C A U S E NO. 3334

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Twenty-first day of August, in the year nineteen hundred and forty-two, the following Bill of Complaint was filed for record, to wit:

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

EDGAR L. LANE

CHANCERY DOCKET

vs.

CAUSE NO. 3334

NELLIE ROBINSON,  
HENRY M. ROBINSON, her husband,  
GROVIE THORN, and  
CHARLES E. THORN, her husband,  
DOUGLAS HANCOCK and  
GLADYS HANCOCK, his wife,  
JEANNE WIERTS and  
PAUL WIERTS, her husband,  
LOIS HANCOCK (single person).

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Orator, who sues as well for himself as for all other creditors of Ella Rebecca Whaley, deceased, hereinafter mentioned, who will come in and contribute to the expenses of this suit, complaining says:

1. That he, your Orator, is an undertaker by trade and profession and has an undertaker's establishment in the town of Church Hill in Queen Anne's aforesaid and as such undertaker he furnishes caskets for the interment of deceased persons, interments their remains, conducts their funerals and provides all other things as may be necessary to such interment.

2. That Ella Rebecca Whaley, lately a resident of Queen Anne's County but at the time of her death was residing at Fullerton, in Baltimore County with her daughter, Grovie Thorn, died on February 18, 1942, at the home of her said daughter aforesaid.

3. That immediately upon the death of said Ella Rebecca Whaley your Orator was requested by said Grovie Thorn to proceed to the home of Mrs. Thorn at Fullerton, take charge of the remains of Mrs. Whaley, furnish a casket for the interment of the remains and prepare the same for burial in the cemetery at Church Hill wherein said Ella Rebecca Whaley had a burial lot.

4. That in accordance with said request your Orator at once proceeded to the home of Mrs. Thorn took charge of the remains of said Ella Rebecca Whaley, prepared the same for burial, took same to Church Hill, had the grave for the burial of these remains opened and interred said remains in the burial lot mentioned and conducted the entire funeral, and for these funeral expenses it is understood that he was to be paid his charges therefore.

5. That his said account for said funeral expenses amounts to the sum of Two Hundred Dollars and the same has not at the date of the filing of this bill been paid and the account for the same marked "Plaintiff's Exhibit No. 1" is filed in this bill as part hereof.

6. That your orator is informed, believes and charges that the said Ella Rebecca Whaley left at the time of her death no personal estate whatsoever out of which her funeral expenses could be paid and that therefore no administration upon any personal estate belonging to her has been granted to any one at any place in the State of Maryland.

7. That at the time of her death as aforesaid the said Ella Rebecca Whaley was seized and possessed of a lot of land improved by a frame dwelling house called or known as the "Ella Rebecca Whaley Property" situate in the town of Church Hill in Queen Anne's County aforesaid on the south side of the street running from said town towards Ingleside bounded on one side by the property of or one of the Seventh Day Adventist Church and on the other side by the property occupied by Dr. Norman S. Dudley, and being the same property which the said Ella Rebecca Whaley acquired under the deed to her from Grovie Thorn and others bearing date September 17, 1928, and recorded among the land records of Queen Anne's County aforesaid in Liber B. H. T. No. 8, folio 560.

A certified copy of this deed marked "Plaintiff's Exhibit No. 2" is filed with this Bill as part hereof.

NOTE: Robert B. Whaley, the husband of Ella Rebecca Whaley mentioned in said deed died in her lifetime.

8. That the said Ella Rebecca Whaley left surviving her at the time of her death as her only heirs at law the following named persons, to wit:

Nellie Robinson, her daughter, of full age;  
Grovie Thorn, her daughter, of full age; and  
Three (3) grandchildren, the children of her daughter, Mary Whaley Hancock, who predeceased her mother, The names of these grandchildren all of whom are of full age are as follows, to wit:

Douglas Hancock,  
Jeanne Wiersts,  
Lois Hancock.

9. That the heirs-at-law of the said Ella Rebecca Whaley above mentioned are now seized and possessed as her heirs of the real estate above mentioned subject to the unpaid debts of said decedent.

10. That your orator is advised that his unpaid claim for the funeral expenses of said Ella Rebecca Whaley is under the law of Maryland a debt of the said Ella Rebecca Whaley and that he is entitled to have the same paid out of her real estate now in the hands of her said heirs-at-law and to that and he is entitled to have said real estate sold under the decree of this Honorable Court for the payment of his said claim for said funeral expenses.

11. That your Orator is advised that in the distribution of the proceeds of any sale of said real estate made under the decree of this Court for the payment thereof of the debts of said Ella Rebecca Whaley his claim for funeral expenses has priority of payment to all claims of the common creditors of the said Ella Rebecca Whaley.

12. That the said Nellie Robinson is married to Henry M. Robinson and they both live near Templeville, Queen Anne's County.

13. That the said Grovie Thorn is married to Charles E. Thorn and they both reside at Fullerton in Baltimore County, Maryland.

14. That said Douglas Hancock is married to Gladys Hancock, his wife,

15. That Jeanne Wierds is married to Paul Wierds, her husband,

16. That Lois Hancock is unmarried and a single person.

17. That while said Douglas Hancock and Gladys Hancock, his wife, Jeanne Wierds and Paul Wierds, her husband and the said Lois Hancock are non-residents of the State of Maryland, they can be found in Queen Anne's County aforesaid.

TO THE END THEREFORE,

(1) That the said real estate of the said Ella Rebecca Whaley may be sold for the payment of the claim of your Orator for the unpaid funeral expenses of said Rebecca Whaley and for the payment of her other debts due and

(2) That in the distribution of the proceeds of any such sale the claim of your Orator for said unpaid funeral expenses may be paid prior to all the claims of the common creditors of said deceased.

MAY IT PLEASE YOUR HONORS to grant unto your orator the writ of subpoena directed to the said Nellie Robinson and Henry M. Robinson, residing in Queen Anne's County aforesaid, to the said Grovie Thorn and Charles E. Thorn, her husband residing at Fullerton, Baltimore County aforesaid and to the said Douglas Hancock, Gladys Hancock, his wife, Jeanne Wierds and Paul Wierds, her husband and the said Lois Hancock, all residing in Queen Anne's County aforesaid, commanding them and each of them to be and appear 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, etc.,

HARRY C. BUTLER

MADISON BROWN

Solicitors of the Com-  
plainants.

Filed August 21, 1942

PLAINTIFF'S EXHIBIT NO. 2  
Aug. 21, 1942.

.....

#13,333. QUEEN ANNE'S COUNTY, TO WIT:  
Be it remembered that on this 14th day of November, in the year nineteen hundred and twenty-eight, the following Deed was brought to be recorded, to wit:-

THIS DEED, made this seventeenth day of September, in the year nineteen hundred and twenty eight, by Grovey W. Thorn and Charles E. Thorn, her husband, of Baltimore City, State of Maryland;

WITNESSETH, that for and in consideration of the sum of FIVE DOLLARS (\$5.00) and other good and valuable considerations, the receipts of which are hereby acknowledged, the said Grovey W. Thorn and Charles E. Thorn, her husband, do hereby grant and convey unto Robert R. Whaley and Ella R. Whaley, his wife, of Queen Anne's County, State of Maryland, their heirs and assigns, in fee simple, as tenants by the entireties, the following described lot or parcel of land, to wit:

ALL that lot or parcel of land situate, lying and being in the town of Church Hill, in the Second Election District, of Queen Anne's County, State of Maryland, on the south side of the public road leading through said town to Ingle-side, adjoining the Seventh Day Adventist Church on the west and the property of (or formerly of) Mrs. M. B. Green on the east, and with a frontage of sixty feet running through from the aforesaid public road to Agnes Street; being the same land which was granted and conveyed unto the said Grovey W. Thorn (as Grovey Rapp) by Mary A. Thorn, et al., by deed bearing date the seventh day of July, nineteen hundred and two, and recorded in Liber J. E. G. No. 3, folios 546, 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, alleys, waters, privileges

appurtenances and advantages to the same belonging or in any way appertaining.

AND the said Grovey W. Thorn covenants that she will warrant specially the property hereby granted and conveyed, and that she will execute such further assurances of said land as may be requisite.

WITNESS the hands and seals of the said Grantors:

TEST: A. L. Jones

Grovey W. Thorn (SEAL)

Charles E. Thorn (SEAL)

STATE OF MARYLAND, )  
BALTIMORE CITY, ) TO WIT:

I HEREBY CERTIFY that on this seventeenth day of September, in the year nineteen hundred and twenty eight, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore City aforesaid, personally appeared Grovey W. Thorn and Charles E. Thorn, her husband, and each acknowledged the foregoing DEED to be their respective act.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal, the day and year last above written.

Henry C. Dusman  
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. 8, folios 560, etc., a Land Record Book for Queen Anne's County.

IN TESTIMONY WHEREOF I have hereunto subscriber my name and affixed the Seal of the Circuit Court for Queen Anne's County this sixth day of August, in the year nineteen hundred and forty two.

Clerk's Seal.

A. SYDNEY GADD JR. Clerk

Filed Aug. 21, 1942

SUBPOENA  
Filed Aug. 21, 1942

QUEEN ANNE'S COUNTY, to wit:

THE STATE OF MARYLAND

TO

Seal's Place  
Nellie Robinson and Henry M. Robinson,  
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 September next, to answer the complaint of Edgar L. Lane against you in said court exhibited.

Hereof fail not, as 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 twenty first day of August 19\_\_

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 front of the foregoing is the following endorsement, to wit:

"to lie in office"

Subpoena  
Filed Aug. 21, 1942

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO

Jeanne Wiererts and Paul Wiererts  
her husband,

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 Edgar L. Lane 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 twenty first 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 the following endorsement, to wit:

"To lie in office"

SUBPOENA

Filed Aug. 21, 1942

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO

Lois Hancock

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 Edgar L. Lane 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 twenty first 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 the following endorsedment, to wit:

"To lie in office"

SUBPOENA

Filed Aug. 21, 1942

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO

Douglas Hancock and Gladys Hancock, his wife.

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 Edgar L. Lane 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 twenty first 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 defenses 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 the following endorsement, to wit:

"To lie in office"

SUBPOENA

Filed Aug. 21, 1942

QUEEN ANNE'S COUNTY, TO WIT:

THE STATE OF MARYLAND

TO

Grovie Thorn and Charles E. Thorn, her husband  
Seal's Place  
OF BALTIMORE 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 Edgar L. Lane 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 twenty first 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 the following endorsement, to wit:

"To lie in office"

ANSWER

Filed Aug. 21, 1942

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

EDGAR L. LANE,

vs.

NELLIE ROBINSON, ET AL.

CHANCERY DOCKET

CAUSE NO.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The joint and several answer of Nellie Robinson and Henry M. Robinson, her husband, to the Bill of Complaint of Edgar L. Lane against them in this Court in the above entitled cause exhibited.

These defendants admit the several matters and things set forth in said Bill of Complaint to be true and submit to such decree as may be right and proper in the premises.

ELLA J. ROBINSON  
(Nellie Robinson)

HENRY M. ROBINSON  
(Henry M. Robinson)

Ella J. Robinson above named in also known by the name of Nellie Robinson....

Filed Aug. 21, 1942

ANSWER  
Filed Aug. 21, 1942

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

EDGAR L. LANE,  
vs.

NELLIE ROBINSON, ET AL.

Y  
I  
I  
I  
I  
I

CHANCERY DOCKET  
CAUSE NO.

TO THE HONORABLE, THE JUDGES OF SAID COURT;

The joint and several answer of Grovie Thorn and Charles E. Thorn, her husband, to the Bill of Complaint of Edgar L. Lane against them in this Court in the above entitled cause exhibited.

These defendants admit the several matters and things set forth in said Bill of Complaint to be true and submit to such decree as may be right and proper in the premises.

GROVIE E. THORN  
(Grovie E. Thorn)

CHARLES E. THORN  
(Charles E. Thorn)

Filed Aug. 21, 1942

ANSWER  
Filed Aug. 21, 1942

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

EDGAR L. LANE,  
vs.

NELLIE ROBINSON, ET AL.

Y  
I  
I  
I  
I  
I

CHANCERY DOCKET  
CAUSE NO.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The joint and several answer of Douglas Hancock and Gladys Hancock, his wife, to the Bill of Complaint of Edgar L. Lane against them in this Court in the above entitled cause exhibited.

These defendants admit the several matters and things set forth in said Bill of Complaint to be true and submit to such decree as may be right and proper in the premises.

DOUGLAS HANCOCK  
(Douglas Hancock)

GLADYS HANCOCK  
(Gladys Hancock)

Filed Aug. 21, 1942

ANSWER  
Filed Aug. 21, 1942

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

EDGAR L. LANE,  
vs.

NELLIE ROBINSON, ET AL.

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CHANCERY DOCKET  
CAUSE NO.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The joint and several answer of Jeanne Wierds and Paul Wierds, her husband, to the Bill of Complaint of Edgar L. Lane against them in this Court in the above entitled cause exhibited.

These defendants admit the several matters and things set forth in said Bill of Complaint to be true and submit to such decree as may be right and proper in the premises.

JEANNE WIERTS  
(Jeanne Wierds)

PAUL WIERTS  
(Paul Wierds)

Filed Aug. 21, 1942

ANSWER  
Filed August 21, 1942

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

EDGAR L. LANE,

EDGAR L. LANE,  
vs.  
NELLIE ROBINSON, ET AL.

CHANCERY DOCKET  
CAUSE NO.

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TO THE HONORABLE, THE JUDGES OF SAID COURT:

The answer of Lois Hancock above named to the Bill of Complaint of Edgar L. Lane against her and others in this Court in the above entitled cause exhibited.

This defendant admits the several matters and things set forth in said Bill of Complaint to be true and submits to such decree as may be right and proper in the premises.

Filed August 21, 1942

LOIS HANCOCK  
(Lois Hancock)

DECREE OF COURT  
Filed Aug. 25, 1942

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

Edgar L. Lane,.....plaintiff,	)	Chancery Docket
versus	)	Cause
Nellie Robinson,	)	Number <u>3334</u> .
et al., .....defendants.	)	

This Cause standing ready for hearing and being submitted without argument, the proceedings were read and considered.

It is thereupon, on this 25th day of August in the year nineteen hundred and forty you 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 real estate of Ella Rebecca Whaley, deceased, in the proceedings of said cause, or so much thereof as may be necessary, be sold for the payment of her debts.
- (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 proceeding 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 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 the sole surety on the bonds of trustees, conditioned for the faithful performance of the trust reposed in them by this decree or which be reposed in them by any future decree or order in the premises.
  - (b) They shall then proceed to make the said sale, 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 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 annexed affidavit 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 trustees shall be good and sufficient deed to be executed and acknowledged by 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 hereto, plaintiff and defendants, and of those claiming by, from or under them.
- (7) That the said trustees shall bring unto 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 commission 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 advertising said sale the trustees are directed to give notice to the creditors of the said Ella Rebecca Whaley, deceased, to file their claims with the proper vouchers thereof within ninety (90) days from the day of sale.

WM. R. HORNEY  
Judge.

Filed Aug. 25, 1942

CERTIFIED COPY OF BOND  
Filed Sept. 17, 1942.

Queen Anne's County, to wit: Be it remembered that on the 17th day of September 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 under the laws of the State of New York with authority in law and by its charter to become the sole surety on bond of trustees 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; towchich payment to be well and truly to be made and done we bind ourselves and each of our heirs, executors, adminstrations, successors and assigns jointly and severally in the whole and for the whole firmly by these presents.

SEALED with our SEALS and dated this seventeenth day of September 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 this 25th day of Augut, 1942 and passed in a cause in said Court wherein Edward L. Lane is the complainant and Nellie Robinson and others are the defendants and bearing the number 3334 Chancery the above bound Madison Brown and Harry C. Butler have been appointed trustees to make sale of certain real estate in the proceedings of said cause above mentioned.

NOW THECONDITION 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 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)  
MADISON BROWN

Harry C. Butler (SEAL)  
HARRY C. BUTLER

American Surety Company of New York

AMERICAN SURETY COMPANY OF NEW YORK.

By Madison Brown  
Its Attorney in Fact.

Corporate Seal  
Place

SIGNED, SEALED and DELIVERED in the presence of

Delha D. Rolph  
Delha D. Rolph

Filed Sept. 17th 1942.

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

Bond filed and Security approved Sept. 17th 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 226 A Bond Record Book for Queen Anne's County.

Seal's Place.

In Testimony Whereof I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County this 18th day of September in the year nineteen hundred and forty two.

A. SYDNEY GADDJR.  
Clerk

REPORT OF SALE  
Filed Sept. 30, 1942

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

Edgar L. Lane

Vs.

Nellie Robinson, et al

) Chancery Docket  
(  
) Cause No. 3334.  
(  
)

\* \* \* \*

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of Madison Brown and Harry C. Butler, the Trustees named in the decree filed in the above cause to make sale of the real estate therein decreed to be sold, unto your Honors respectfully set forth:

1. That prior to the day of sale hereinafter mentioned your trustees filed with the the Clerk of this court a bond to the State of Maryland executed by themselves and the American Surety Company of New York, a corporation engaged in the suretyship business, in the penal sum of one thousand dollars containing that condition required in the bond mentioned in said decree and this bond said Clerk duly approved and filed.
2. That prior to the day of sale hereinafter mentioned your trustees gave notice of the time, place, manner and terms of said sale for more than three weeks by advertisement in the Queen Anne's Record - Observer, a newspaper published weekly in the town of Centreville in this county. This advertisement appeared in those editions of said newspaper issued to the public on the third day, on the tenth day, on the seventeenth day and on the twenty fourth day of September, 1942.
3. That when these trustees advertised their notices of said sale they also advertised that NOTICE TO CREDITORS OF Ella Rebecca Whaley, deceased debtor named in these proceedings, to file their claims against her with the Clerk of this Court within ninety days from September 26th, 1942 (the day of said sale), in accordance with the aforesaid decree. A copy of said notice of sale and a copy of said Notice to Creditors, certified as to publication thereby the publisher of said newspaper, are as to publication there-by the publisher of said newspaper, are attached to this report, to be filed with same, as part of the same.
4. That pursuant to advertisement your trustees did attend in front of the Church Hill Bank of Maryland in town of Church Hill in Queen Anne's County aforesaid, on Saturday, September 26th, 1942, at the hour of 2 o'clock P.M. and did proceed to make sale of the real estate decreed and advertised to be sold in the following manner, to wit:

Your trustees procured J. E. Anthony as auctioneer to call and announce the sale; the notice of the same and the terms as advertised were read to the public with additional terms mentioned below and then the property described in the advertisement was offered at public sale to the highest bidder and after the sale had been cried and bids offered the same was sold unto Edward Garrettsen Atkinson, he being then and there the highest bidder therefor at and for the sum of \$1500.00.

5. The said purchaser did at once comply with the terms of sale by paying unto their trustees \$750.00 and announced that he would be prepared to pay the remainder of the purchase money on day of sale.

6. That in addition to the advertised terms of sale your trustees sold said property under these terms:

1. that all State, County and Town taxes would be apportioned as of October 1, 1942 and the Trustees would pay that part found due of October 1, 1942.

2. that purchaser would buy subject to the right of present tenant to occupy the property until January 1st, next;

3. that the purchaser would be required to carry fire insurance at his expense for protection of the trustees until full payment of purchase money

7. That the property which was sold is fully described in the annexed advertisement of sale.

The total amount of the said is \$1500.00

Which is respectfully submitted.

MADISON BROWN

HARRY C. BUTLER

Trustees.

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

I HEREBY CERTIFY, that on this second day of October, in the year nineteen hundred and forty two, before me, the subscriber, Clerk of the Circuit Court for Queen Anne's County, personally appeared Madison Brown and Harry C. Butler, the Trustees above named and they 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 of the Circuit Court  
for Queen Anne's County.

Filed Oct. 2, 1942

NOTICE TO CREDITORS  
Filed Oct. 2, 1942

TRUSTEE'S SALE OF HOUSE AND LOT In Church Hill, Maryland

By virtue of the decree of the Circuit Court for Queen Anne's County, in Equity, Cause No. 3334, the undersigned Trustees named in said decree will sell at public sale to the highest bidder in front of The Church Hill Bank, in the town of Church Hill, Maryland at the hour of 2 o'clock P.M. on SATURDAY, SEPT. 26, 1942

All that lot of land and improvements there on called or known as "The Robert and Ella Whaley property" situated in the Town of Church Hill above mentioned, on the South side of the road leading from Main Street of said town to Ingleside, between the Seventh Day Adventist Church Lot & land of Dr. N. S. Dudley, This property has a frontage of 60 feet on said road and extends from that road (with a width of 60 feet) to Agnes Street in the rear and is sameland described in the deed from Grovey W. Thorne to Robert and Ella Whaley recorded in land record book of said County B. H. T. No.8, folio, at folio 560. Improvements consist of a two story frame dwelling house, poultry houses, some other out buildings and the lot contains grape vines and fruit trees.

Terms of Sale: One-half of the purchase money to paid at the place and time of the sale and the balance thereof to be paid on ratification of sale by the Court. Title papers and stamps therefore at expense of purchaser. Further particulars will be made known the day of sale.

MADISON BROWN

HARRY C. BUTLER

Trustees.

J. E. Anthony, Auctioneer.

NOTICE TO CREDITORS

In the Circuit Court for

Queen Anne's County

Cause No. 3334

Pursuant to the decree of said Court passed in said cause notice is hereby given to the creditors of Ella Rebecca Whaley, deceased, to file their claims against her with the proper vouchers thereof with the clerk of said court within ninety (90) days from the 26th day of September, 1942, the day of sale named in above advertisement.

MADISON BROWN  
HARRY C. BUTLER,  
Trustees.

QUEEN ANNE'S RECORD -OBSERVER

Centreville, Md. September 28, 1942

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING CO. hereby certifies that the Notice to Crediyors and Trustee's Sale in the case of Ella Rebecca Whaley a true copy of which is hereto annexed, was inserted in the QUEEN ANNE'S RECORD-OBSERVER, a weekly news--paper 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 3rd day of September, 1942, being more than three weeks before the 26th day of September 1942

THE QUEEN ANNE'S RECORD and OBSERVER  
PUBLISHING CO.

By MYRTLE M. LEWIS

Filed Oct. 2, 1942

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Filed Oct. 2, 1942

N I S I

Edgar L. Lane

Vs

Nellie Robinson, et al.

) IN THE CIRCUIT COURT  
)  
) FOR QUEEN ANNE'S COUNTY  
)  
) IN EQUITY.  
)  
) CHANCERY NO. 3334

ORDERED, This 2nd. day of October A. D., 1942, that the sale of the 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 9th 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 9th day of November next.

The Report states the amount of sales to be \$1500.00

A. SYDNEY GADD JR. Clerk

Filed Oct. 2, 1942

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December 10, 1942

Edgar L. Lane

In the Circuit Court for

vs.

Queen Anne's County

Nellie Robinson, et al.

In Equity.

Chancery No. 3334

ORDERED, this 2nd day of October A. D., 1942, and 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 9th 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 9th day of November next.

The Report states the amount of sales to be \$1500.00.

A. SYDNEY GADD JR. Clerk

True Copy.

Test:

A. Sydney Gadd, Jr., Clerk

Filed Oct. 2, 1942

## QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. Dec. 8, 1942

THE QUEEN ANNE'S RECORD and OBSERVER PUBLISHING CO. hereby certifies that the Order Nisi in the case of Edgar L. Lane vs. Nellie Robinson 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 8th day of October 1942, being more than four weeks before the 9th day of November, 1942

THE QUEEN ANNE'S RECORD and OBSERVER  
PUBLISHING CO.

By MYRTLE M. LEWIS

Filed Dec. 10, 1942

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

Edgar S. Lane

Chancery Docket

Versus

Cause No. 3334

Nellie Robinson et al

It is on this 10th day of December in the year nineteen hundred and forty two ordered and decreed by the Circuit Court for Queen Anne's County, sitting as a Court of Equity, as follows, to wit:

1. That the sale of the real estate of Ella Rebecca Whaley made by Madison Brown and Harry C. Butler, Trustees appointed to make said sale by the decree of this court, set forth in the foregoing report of sale 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 in the order nisi hereinbefore passed in this cause in relation of said sale.
2. That as Madison Brown, the regular auditor of this Court is one of the trustees making said sale that the papers and proceedings of this cause be and same are hereby referred to Charles E. Tucker as special auditor to state the necessary audits or accounts of this cause.
3. That the said Special auditor is hereby directed and instructed to state and return to this Court after the time named in the notice to creditors to Ella Rebecca Whaley mentioned in the said report of sale has expired an account between the proceeds of said sale and said trustees.
4. That said special auditor is hereby directed to allow in said account to said trustees the usual trustee's commissions and all expenses of their proceedings not personal.
5. That said special auditor is hereby directed to allow all claims of creditors of said Ella Rebecca Whaley who shall appear to him to have filed claims proper to be allowed out of the proceeds of said sale according to the priorities of said claims under the law.
6. That the said special auditor be he is hereby directed and instructed to distribute among these heirs at law of said Ella Rebecca Whaley who are named in the proceedings of said cause the balance of the proceeds of said sale remaining after the allowances above mentioned.
7. That the said Madison Brown and Harry C. Butler, Trustees, are hereby ordered and directed to file with the Clerk of this Court an additional bond to the State of Maryland to be executed by themselves and a surety or sureties to be approved by this Court or said Clerk in the penal sum of One Thousand dollars if the sureties shall be natural persons or in the penal sum of Five Hundred dollars if the surety thereon be a corporation authorized by law or its charter to become sole surety on bonds of trustees, conditioned for the faithful performance of the trust reposed in them by the decree heretofore passed in the cause or which may be reposed in them

by any future decree or order in the premises.

WM. R. HORNEY  
Judge.

Filed Dec. 10th, 1942.

PETITION FOR SUBSTITUTION  
Filed Dec. 18, 1942

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

Edgar S. Lane

Versus

Nellie Robinson et al

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CHANCERY DOCKET

Cause No. 3334

To the Honorable, the Judges of Said Court:

The joint and several petition of Sarah Jane Atkinson and Edward Garrett Atkinson unto your Honors respectfully sets forth:

1. That as will appear by reference to the report of sale filed in this Court by Madison Brown and Harry C. Butler, the trustees appointed by the decree passed in this cause to sell the property decreed to be sold, your petitioner, Edward Garrett Atkinson, at the sale mentioned and described in said report of sale, became the purchaser of said property at and for the sum of Fifteen Hundred Dollars (\$1500.00).
2. That your petitioner Edward Garrett Atkinson has fully paid said purchase money unto said trustees as will appear by the written admission of said trustees hereunto next and the sale mentioned has been finally ratified by the Court, but no deed has been given by said trustees to said Edward Garrett Atkinson for the property as yet.
3. It has been mutually agreed between your petitioner, who are related to each other as mother and son, as follows:
  - (1) That the said Sarah Jane Atkinson shall become the owner of said property in place of the said Edward Garrett Atkinson.
  - (2) That by and with the permission of this Court the said Sarah Jane Atkinson shall be the substituted owner of said property instead of the Edward Garrett Atkinson.
  - (3) That said property shall be conveyed by said trustees unto said Sarah Jane Atkinson instead of unto said Edward Garrett Atkinson if the Court shall so order and that this order shall be sought by this petition.
4. That the said trustees have given their written consent to the passage of this order as will appear by said consent and next under this petition.

YOUR PETITIONERS, THEREFORE, PRAY YOUR HONORS TO PASS AN ORDER

(1) Substituting said Sarah Jane Atkinson the purchaser of said property in the place and stead of Edward Garrett Atkinson.

(2) And by said order to authorize, empower and direct the said trustees to convey said property by their deed to said Sarah Jane Atkinson in the place and stead in the same manner as if she had been the purchaser at the sale mentioned instead of the said Edward Garrett Atkinson.

Which is respectfully submitted,

SARAH JANE ATKINSON  
Sarah Jane Atkinson

Witness:

K. D. JOHNSON

EDWARD GARRETT ATKINSON  
Edward Garrett Atkinson

TO THE HONORABLE THE SAID JUDGES OF SAID COURT:

We, the trustees, appointed by the decree of this Court to sell the property decreed to be sold do hereby admit that Edward Garrett Atkinson named in the report of sale returned by us has fully paid said purchase money and we hereby consent to the passage of the order prayed for by the foregoing petition.

MADISON BROWN  
Madison Brown

HARRY C. BUTLER  
Harry C. Butler  
Trustees in the Cause

Filed Dec. 18, 1942

ORDER OF COURT

The foregoing petition and the consent and admission of Madison Brown and Harry C. Butler Trustees attached to said petition have been read and considered by the Court.



It is thereupon on this 18th day of December, in the year nineteen hundred and forty two, by the Circuit Court for Queen Anne's County sitting as Court of Equity adjudged, ordered and decreed as follows, to wit:

(1) That Sarah Jane Atkinson one of the foregoing petitioners be and she is hereby substituted as purchaser of the property sold by said trustees to Edward Garrett Atkinson as set forth in the report of sale filed in this cause in the place and stead of said Edward Garrett Atkinson, original purchaser.

(2) That Madison Brown and Harry C. Butler trustees of this cause be and they are hereby authorized and empowered and directed to convey the property described in the report of sale by their deed to be executed and acknowledged according to law unto the said Sarah Jane Atkinson instead of Edward Garrett Atkinson in the same manner and as fully and effectually as if the said Sara Jane Atkinson had been at the said sale the original purchaser of the said property

WM. R. HORNEY  
Judge.

Filed Dec. 18, 1942

AUDIT  
Filed Feb. 1, 1943

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

Edgar L. Lane, plaintiff,	X	Chancery Docket,
versus		
Nellie Robinson, et al.		CAUSE NO. 3334.
defendants.		
	0	

To the Honorable, the Judges of said Court;-

The report of Charles E. Tucker, the special auditor appointed to state the audit of this cause, unto Your Honors respectfully sets forth:

That before proceeding to state the within account this auditor took that oath required of him by law before the clerk of this court.

That the proceedings of this cause arise on the bill of complaint filed herein by Edgar L. Lane, the under-taker who furnished the casket and other funeral expenses of Ella Rebecca Whaley for the sale of the real estate left by her at the time of her death, his bill of complaint stating that she did not leave any personal estate at the time of her death out of which the funeral expenses could be paid and filed with the bill is his account for said funeral expenses and the bill is filed by the plaintiff as well for himself as for all the creditors of the said Ella Rebecca Whaley.

Notice under the order of the court was given by the trustees of this cause to all creditors of Ella Rebecca Whaley to file their claims against her on or before the date named in said notice, and this date has passed and it appears from the proceedings of this cause and from the Claim Docket in the office of the clerk of this court that four claims only have been filed under the claim mentioned above of Edgar L. Lane, two judgment claims filed by the Church Hill Bank of Maryland and the claim of the Queen Anne's County Welfare Board for money advanced to Ella Rebecca Whaley under Old Age Assistance Act of Law.

This auditor has stated the within account by first charging unto the two trustees appointed by the decree passed in this cause to sell the real estate of Ella Rebecca Whaley with the amount of the sale made by said trustees per their report and then by allowing thereout as follows, to wit: unto said trustees their commissions for making the sale, the court costs of this cause, the cost of their bond, the cost of advertising notices of the sale, notice to creditors and the several orders nisi of the cause, certain taxes paid by them on the real estate sold, the charge of the auctioneer for crying the sale and the fee of this auditor; and then

unto the four creditors mentioned above the amounts of their claims so filed in full and then

unto the heirs at law of Ella Rebecca Whaley according to their respective rights the balance of the sale mentioned above or amount thereof less the allowances mentioned above.

The names of these heirs are taken from Paragraph 8 of the bill of complaint.

Which is respectfully submitted,

CHAS. E. TUCKER  
Special Auditor,

January 30, 1943

Page 1 of Audit. Filed Feb. 1st, 1943

CAUSE NUMBER 3334.

The proceeds of the sale of the real estate of Ella R. Whaley, deceased, IN ACCOUNT WITH Madison Brown and Harry C. Butler, the trustees appointed by the decree filed in this cause to sell said real estate.

By Amount of the gross sale of said real estate per report of  
 sale filed by said trustees, the sum of . . . . . \$ 1,500.00

1942  
 Sept.  
 26

DR.

To Madison Brown and Harry C. Butler, trustees for their commissions for making the sale reported per rule of court, the sum of . . . . .	\$ 97.50	
To same trustees for the court costs of this cause, per bill of costs made out by the clerk exhibited, as follows: appearance fee of plaintiff's attorneys, . . . . .	\$10.00	
costs due said clerk for recording etc. . . . .	28.80	
total of these costs now allowed . . . . .	<u>\$38.80</u>	\$ 38.80
To same trustees for the cost of their bond filed by them paid the corporate surety thereon per receipted account for same exhibited, the sum of . . . . .		\$ 10.00
To the same trustees for costs of advertising notice to creditors of Ella R. Whaley notices of the sale made, . . . . .	\$5.00	
order nisi on sale . . . . .	31.50	
in Centreville newspaper, total of . . . . .	<u>5.00</u>	
per receipted account for same exhib- ited.	41.50	\$ 41.50
To same trustees for that part of State and County taxes on real estate sold for 1942 paid by them per terms of sale, per receipted tax account for same exhibited, sum of . . . . .		\$ 7.84
To same trustees for cost of advertising the order nisi to be passed as to this audit, sum of . . . . .		\$ 3.50
To same trustees for the amount paid J. E. Anthony for crying the sale madd, per his receipt for same exhibited, the sum of . . . . .		\$ 15.00
To Charles E. Tucker, special auditor, for stating this account, the sum of . . . . .	\$ 13.50	
	<u>\$227.64</u>	
	<u>\$1272.36</u>	
	1500.00	\$1500.00

Page No. 2 of Audit.

CAUSE NUMBER 3334.

By balance brought forward from preceding page, to wit: sum of \$1272.36

DISTRIBUTION AMONG CREDITORS:-

DR.

To Edgar L. Lane, under-taker, for cost of casket for remains of deceased and her other funeral expensess furnished by him, per account proven and filed in this cause as a claim against her, Ella R. Whaley, appears, the sum of . . . . .	\$200.00	
To the Church Hill Bank of Maryland in full settlement of its claims under a judgment obtained against Ellar R. Whaley Jan. 30, 1936, for \$85.64 per statement made on copy of said judgment filed in this cause as a claim against her, appears, to wit: the sum of . . . . .		104.52
To the Church Hill Bank of Maryland in full settlement of its claims under a judgment obtained against Ella R. Whaley, January 30, 1936, for the sum of \$128.45, per statement made on copy of said judgment filed in this cause as a claim against her, appears, to wit: the sum of . . . . .		153.00
To Queen Anne's County Welfare Board for claim proven and filed in this cause against said Ella Rebecca Whaley for money due by her advanced under Old Age Assistance Act or Law to her as per said claim so filed appears, to wit: the sum of . . . . .	777.75	
	<u>\$1,235.27</u>	
To balance carried forward for distribution among the heirs at law of Ella R. Whaley, to wit: sum of . . . . .	\$ 37.09	\$1,272.36
	<u>\$1,272.36</u>	

CAUSE NUMBER 3334.

By balance brought forward from preceding page, to wit: sum of \$1,272.36

DISTRIBUTION AMONG CREDITORS:-

DR.

To Edgar L. Lane, under-taker, for cost of casket for remains of deceased and her other funeral expenses furnished by him, per account proven and filed in this cause as a claim against her, Ella R. Whaley, appears, the sum of . . . . .	\$200.00
To the Church Hill Bank of Maryland in full settlement of its claims under a judgment obtained against Ella R. Whaley Jan. 30, 1936 for \$85.64 per statement made on copy of said judgment filed in this cause as a claim against her, appears, to wit: the sum of . . . . .	104.52
To the Church Hill Bank of Maryland in full settlement of its claims under a judgment obtained against Ella R. Whaley, January 30, 1936 for the sum of \$128.45, per statement made on copy of said judgment filed in this cause as a claim against her, appears, to wit: the sum of . . . . .	153.00
To Queen Anne's County Welfare Board for claim proven and filed in this cause against said Ella Rebecca Whaley for money due by her advanced under Old Age Assistance Act or Law to her as per said claim so filed appears, to wit: the sum of . . . . .	777.75
	<u>\$1,235.27</u>
To balance carried forward for distribution among the heirs at law of Ella R. Whaley, to wit: sum of.	37.09
	<u>\$1,272.36</u> \$1,272.36

Page 3 of Audit.

CAUSE NUMBER 3334.

By balance brought forward for distribution among heirs of Ella R. Whaley, to wit: the sum of . . . . . 37.09

DISTRIBUTION AMONG SAID HEIRS:

DR.

To Nellie Robinson, daughter of Ella R. Whaley, 1/3 of said balance, to wit: the sum of . . . . .	\$ 12.37
To Grovie Thorn, daughter of Ella R. Whaley, 1/3 of said balance, to wit: the sum of . . . . .	12.36
The persons named below are the children of Mary Whaley Hancock, a daughter of Ella R. Whaley and who pre-deceased her mother.	
To Douglas Hancock, grandchild of Ella R. Whaley, 1/9 of said balance, to wit: the sum of, . . . . .	\$ 4.12
To Jeanne Wiersts, grandchild of Ella R. Whaley 1/9 of said balance, to wit: the sum of . . . . .	\$ 4.12
To Lois Hancock, grandchild of Ella R. Whaley, 1/9 of said balance, to wit: the sum of . . . . .	\$ 4.12
	<u>37.09</u> <u>\$ 37.09</u>

January 30, 1943.

CHAS. E. TUCKER  
SPECIAL AUDITOR.

Filed Feb. 1st. 1943

Page No. 4 of Audit.

NISI AUDIT.  
Filed Feb. 1st, 1943

NISI RATIFICATION OF AUDIT.

Edgar L. Lane, Plaintiff	)	In the Circuit Court
vs.	)	for Queen Anne's County
Nellie Robinson, et al.	)	In Equity.
Defendants.	)	Cause No. 3334.

ORDERED, This 1st. day of February 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 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 February, 1st., 1943.

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

Edgar L. Lane Plaintiff	)	Chancery Docket
versus	)	
Nellie Robinsin et al, Defendants	)	Cause No. 3334

TO THE HONORABLE THE JUDGES OF SAID COURT.

The petition of Harry C. Butler and Madison Brown, attorneys at law, respectfully sets forth unto your Honors:

1. That your petitioners were employed by Edgar L. Lane, the plaintiff named in the above cause, to institute proceedings in this Court to secure a decree for a sale of the real estate of a deceased person named Ella Rebecca Whaley for the payment of her debts upon the ground that she left no personal property out of which her said debts could be paid.
2. That pursuant of said employment your petitioners prepared and filed the Bill of Complaint in this cause and not only on behalf of the plaintiff but on behalf of all of the creditors of the said Ella Rebecca Whaley, who might desire to come in and contribute to the expenses of the suit arising under said bill, as will appear by reference to the bill.
3. That your petitioners, as attorneys, have conducted the proceedings arising under said Bill to the present time and, as will appear from said proceedings, they procured the decree prayed for in the bill and the land mentioned in the bill has been sold under the said decree and an audit of the proceeds of the sale has been stated and is on file now in the cause.
4. That under the offer contained in said Bill to creditors of Ella Rebecca Whaley to come in as plaintiffs and contribute to the expenses of the suit four claims have been filed to wit:
  - The claim of Edgar L. Lane
  - The claim of Church Hill Bank under Judgment Number 1.
  - The claim of Church Hill Bank under Judgment Number 2.
  - The claim of the Queen Anne's County Welfare Board.
5. That as will appear from the audit filed in said cause the proceeds of the sale of said real estate are sufficient not only to pay the cost under the bill but are sufficient to pay in full all four of the claims mentioned above.
6. That the amount of the claims mentioned above equal the sum of \$1125.27 and this sum of money is a common fund procured through the efforts of your petitioners for the payment of these claims.
7. That your petitioners are entitled under the law and practice relating to cases of this character to be paid for their legal services by the creditors named above out of the common fund recovered by your petitioners for the benefit of said creditors such fee as this Honorable Court shall adjudge fair and reasonable so that their fee for such services can be borne by all the participating creditors and not by the plaintiff alone.
8. That the said sum of \$1272.36 remains in this Court subject to the order of this Court and has not been, as yet, expended.

Your petitioners therefore pray Your Honors to pass an order allowing them out of the common fund so they will recover, as above set forth, a sum of money as their fee for their legal services and to direct the trustees holding the money to pay said fee and apportion the same among the creditors named in the audit according to the amounts of their respective claims.

Respectfully submitted,

HARRY C. BUTLER Trustee

MADISON BROWN Trustee

ORDER OF COURT  
Filed Feb. 10th., 1943

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

Edgar L. Lane, Plaintiff	)	Chancery Docket
versus	)	
Nellie Robinson et al, Defendants	)	Cause No. 3334.

The foregoing petition has been read and considered;

It is thereupon on this 10th day of February, 1943, ordered by the Circuit Court of Queen Anne's County in Equity and by authority of this by Harry C. Butler and Madison Brown the attorneys conducting the proceedings of the above entitled cause be and be hereby allowed out of the common fund the sum of One Hundred Dollars (\$100.00) for said services for the benefit of the creditors in the said cause and it is further ordered that the Trustees cause and are hereby allowed to pay said fee out of said common fund by the apportionment of the amount of said fee to the amounts of several claims of the creditors named in the audit as ascertained by the auditor.

WM. R. HORNEY

Judge.

Filed Feb. 10th, 1943.

Certified Copy of the advertisement  
of the order nisi on audit passed in  
this case.  
Filed Feb. 27, 1943.

Nisi Ratification of Audit.

In the Circuit Court for  
Queen Anne's County in Equity  
Cause No. 3334.

EDGAR L. LANE, plaintiff,

VS.

NELLIE ROBINSON, et al. defendants

ORDERED, This 1st day of February 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 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

True Copy:  
Test: A. SYDNEY GADD JR.  
Clerk

Filed February, 1st, 1943.

February 26, 1943.  
Queenstown, Queen Anne's County, Maryland

We, the under-signed do hereby certify that we are the publishers of the newspaper called "The Queenstown News" which we publish each week and on Friday at Queenstown above mentioned and that the order "Nisi Ratification of Audit" issued out of the Circuit Court for Queen Anne's County, in Equity in Cause No. 3334 between Edgar L. Lane as plaintiff and Nellie Robinson et al. as defendants, a true copy of which is hereunto annexed was published in said newspaper one a week in each of two successive weeks before the 20th day of February, 1943 and in those editions of said newspaper which were issued to the public on the following dates, to wit:

February 5th 1943 and  
February 12th 1943.

M. W. AKER

GEORGE J. STEINFELT  
Publishers of the Queenstown  
News.

Filed Feb. 27, 1943

ORDER OF COURT  
Filed March 2, 1943.

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

Edgar L. Lane

Vs.

Nellie Robinson et al

ORDER OF COURT

It is on this Second day of March 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 within, foregoing and attached report and account of Charles E. Tucker as special auditor be and the same is hereby finally ratified and confirmed except as hereinafter set forth, no cause to the contrary thereof having been shown although it appears that notice has been given in accordance with

the Order of Nisi heretofore passed in this cause in relation to said report and account and Madison Brown and Harry C. Butler, the trustees making sale mentioned in this cause be and they are hereby directed to apply the proceeds of sale in accordance therewith with the due proportion of the interest received and to be received on the credit part of the sale to the commission of the trustees, to the claims, of the creditors and the shares of the distributees or heirs at law of Ella Rebecca Whalley; the payment to the creditors named in said account however to be subject to the order of this court passed herein on February 10th, 1943 allowing Harry C. Butler and Madison Brown as attorneys conducting the case a fee of ONE HUNDRED DOLLARS (\$100.00) payable out of the common fund recovered for the benefit of said creditors.

I appearing that the trustees have not filed the additional bond as directed by the order of this Court passed on the 10th day of December 1943, they are hereby required to do so forthwith, and to deduct the cost of the premium thereon from the balance for distribution to said heirs at law of Ella Rebecca Whalley, and the special auditor is hereby directed to redistribute the net proceeds belonging to said heirs at law after the deduction of said premium.

WM. R. HORNEY  
Judge.

Filed March 2, 1943.

**Certified Copy of Bond**

Filed Mar. 3, 1943

QUEEN ANNE'S COUNTY, to wit: Be it remembered that on this third day of March 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 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, incorporated under the laws of the State of New York with authority in law and under 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 Five Hundred 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, in the whole and for the whole firmly by these presents. SEALED with our seals and dated this 2nd day of March in the year nineteen hundred and forty three.

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 August 25th., 1942 and passed in a cause in said court wherein Edgar L. Lane is complainant and Nellie Robinson and others are defendants and bearing the Number 3334 Chancery, the above bound Madison Brown and Harry C. Butler were appointed trustees to make sale of certain real estate in the proceedings of said cause mentioned and described and by said decree were directed to file with the Clerk of said Court their bond to the State of Maryland in the penal sum of One Thousand Dollars conditioned for the faithful performance of the trust reposed in them by said decree or which might be reposed in them by any future order or decree in the premises.

WHEREAS, in accordance with said decree said Madison Brown and Harry C. Butler, did file with said clerk their bond to the State of Maryland containing the condition mentioned which bond contains the date of September 17th, 1942 and contains the AMERICAN SURETY COMPANY OF NEW YORK above mentioned as the surety thereon and which bond was accepted and approved by said clerk.

WHEREAS, the said trustees in execution of said decree did sell said real estate on September 26th, 1942 unto one Edward Garrett Atkinson for the sum of \$1,500.00 as will appear by reference to the report of sale filed by said trustees in said Court which Court has ratified said sale.

WHEREAS, the said court by reason of the fact that the amount of said sale exceeds the amount of said bond by its order passed March 2nd, 1943, now on file in said cause did direct the said trustees to file in said court an additional bond in the penal sum of Five Hundred Dollars, if the surety thereon be a corporation authorized by law to become the sole surety on the bonds of trustees, conditioned for the faithful performance of the trust reposed in them by the decree first mentioned or which may be reposed in them by any future order or decree in the premises and pursuant to this order these presents are made and executed to be filed in said cause.

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 the decree of said court first mentioned and described above or that may be reposed in them by any other order or decree 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

DELHA DANCY ROLPH  
Delha Dancy Rolph

MADISON BROWN (SEAL)  
Madison Brown

HARRY C. BUTLER (SEAL)  
Harry C. Butler

(Seal's Place.)

Filed March 3rd, 1943. and Security approved.

A. Sydney Gadd Jr. Clerk

And on the back of the foregoing Bond was thus endorsed to wit:

Filed March 3rd, 1943. and security approved.

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 245 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 3rd day of March in the year nineteen hundred and forty three.

Circuit Court  
Seal.

A. SYDNEY GADD JR.  
Clerk of Court

AUDIT NO. 2  
Filed March 11, 1943.

CAUSE NO. 3334.

CR.

The net proceeds of the sale of this Cause belonging to the heirs of Ella Rebecca Whaley as shown by the audit filed in this cause

\$37.09

DR.

To Madison Brown and Harry C. Butler, trustees for the cost of their additional bond filed by them under the direction of the Court, to wit: the sum of . . . . .

\$10.00

Balance for distribution among the heirs of Ella Rebecca Whaley, who are named in said audit, to wit: the sum of . . . . . \$27.09

Re-Distribution of said balance among said heirs:

To Nellie Robinson, daughter,  
1/3 of said balance, to wit: the sum of . . . . . \$ 9.03

To Grovie Thorn, daughter,  
1/3 of said balance, to wit: the sum of . . . . . \$ 9.03

To Douglas Hancock, grand-son,  
1/9 of said balance, to wit: the sum of . . . . . \$ 3.01

To Jeanne Wierts, grand-daughter,  
1/9 of said balance, to wit: the sum of . . . . . \$ 3.01

\$27.09    \$27.09

In the Circuit Court for Queen Anne's County, in Equity.  
Edgar L. Lane, plaintiff, versus Nellie Robinson et al.

To the Honorable, the Judges of said Court:-

By the order of ratification passed on the audit filed in this cause, your special auditor, Charles E. Tucker, the under-signed was directed to deduct from the balance by said audit shown to be due to the heirs of Ella Rebecca Whaley the sum of \$10.00 to be allowed to the trustees of this cause for the costs of the bond by said order required to be filed by them, \$10.00 and then to re-distribute the sum then remaining among the heirs at law of Ella Rebecca Whaley and to file in this Court an account of such procedure.

Your special auditor has stated the above account to meet the directions of the court and will return the same to the court to be filed in said cause.

Respectfully submitted.

CHAS. E. TUCKER  
Special Auditor.

March 3, 1943.

Filed March 11, 1943.





.....  
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-seventh day of July, in the year nineteen hundred and forty eight, the fol-  
lowing Bill of Complaint was filed for record, to wit:

Howard Wood, 3rd, Administrator  
of the personal estate of  
Eudora Blake Parvis, deceased,  
Centreville, Maryland,  
Plaintiff,

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

vs.

Edward W. Parvis  
131 West 17th Street,  
Wilmington, Delaware,  
Defendant.

Cause No. 3587

BILL OF COMPLAINT

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Orator, complaining, says:

1. That Eudora Blake Parvis, late of Queen Anne's County, Mary-  
land, departed this life on the 24th day of May, 1948, intestate, leaving surviving  
her as her only heir at law the Defendant, Edward W. Parvis, a non-resident of the  
State of Maryland, whose address is 131 West 17th Street, Wilmington, Delaware, adult  
half-uncle of said decedent; and that letters of administration upon her estate were,  
on June 15, 1948, granted and committed to your Orator, who is presently serving  
as such administrator as is evidenced by the Certificate of the Register of Wills of  
Queen Anne's County which is filed herewith as a part hereof, marked "Exhibit A".

2. That said decedent died seized and possessed of certain real  
estate, hereinafter more particularly described, and leaving insufficient personal  
estate to pay her debts, as is evidenced by the certificate of said Register of Wills  
showing the amount of the claims for said debts heretofore proven in the Orphans Court  
of Queen Anne's County, in the total sum of \$2607.60; and the amount of said personal  
estate, per list of debts due the decedent filed in said Orphans Court, in the total  
sum of \$1522.93, said certificate being filed herewith as a part hereof, marked "Ex-  
hibit B".

3. That said real estate consists of all that rectangular lot of  
land situate within the recently enlarged limits of the Town of Centreville, in the  
Third Election District of Queen Anne's County, aforesaid, being a part of Lot No.  
27 as shown and designated on the plat of the "Davidson Lots" filed in the case of  
"B. Palmer Keating, next friend, etc., vs. Elizabeth F. Keating, et al." being Cause  
No. 831 on the Chancery Docket of this Court, having a street frontage of fifty feet  
on the northeast or left side of Kidwell Avenue, being bounded on the northwest by  
Lot No. 25 as shown on said plat, and having an even depth of one hundred feet mea-  
sured northeastwardly from said Avenue and an even width of fifty feet measured south-  
eastwardly from said Lot No. 25, and being the same land which was granted and con-  
veyed unto Florence Lay Parvis and the aforesaid Eudora Blake Parvis, as joint ten-  
ants, in fee simple, by Isaac E. Dolby and Dora M. Dolby, his wife, by deed bearing  
date the 12th day of August, 1921, and recorded in Liber J. F. R. No. 7, folios 265,  
etc., a Land Record Book for Queen Anne's County, aforesaid, said deed being filed  
herewith as a part hereof, marked "Exhibit C".

4. That Florence Lay Parvis, the aforesaid joint tenant with  
your Orator's decedent by virtue of the deed above referred to, departed this life  
on or about the 3rd day of April, 1942, leaving said Eudora Blake Parvis as the sole  
owner of the lot of land hereinabove described.

TO THE END, THEREFORE:

(1) That the said real estate may be sold under a decree of this  
Court for the purpose of applying the net proceeds of sale to the payment of the debts  
of Eudora Blake Parvis, deceased, and

(2) 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 an order of  
publication against the Defendant, etc.,

And as in duty bound, etc.,

HOWARD WOOD, 3RD Administrator  
of the personal estate of Eudora Blake  
Parvis, deceased,  
Plaintiff.

Filed July 27, 1948

"EXHIBIT A"  
Filed July 27, 1948

Seal

THE STATE OF MARYLAND

QUEEN ANNE'S COUNTY, Sct:

THE SUBSCRIBER, Register of Wills for Queen Anne's County, doth hereby certify that it appears by the Records in his office, that Letters of Administration of all the goods, chattels, credits and personal estate of Eudora Blake Parvis, late of Queen Anne's County, deceased were on the 22nd day of June in the year of our Lord one thousand nine hundred and forty-eight granted and committed unto Howard Wood, 3rd who was then and there appointed ADMINISTRATOR of the said deceased, and that said letters are at this date in full force and effect.

In Testimony Whereof, I hereunto subscribed my name and affix the Seal of my office, this 27th day of July in the year of our Lord, nineteen hundred and forty-eight

TEST:

EDWARD E. COURSEY

Register of Wills for Queen Anne's County.

SEAL'S PLACE

"EXHIBIT B"  
Filed July 27, 1948

I, the undersigned, Edward E. Coursey, Register of Wills of Queen Anne's County, Maryland, do hereby certify that the personal estate of Eudora Blake Parvis, deceased, so far as returned to the Orphans Court of Queen Anne's County by Howard Wood, 3rd, her administrator, consists of two debts due the decedent, both marked sperate, as follows, to wit:

Due from Royal Insurance Company, Ltd.....	\$ 960.63
Due from E. S. Valliant and Son .....	562.30
Total.....	<u>\$1,522.93</u>

And I further certify that two claims have been filed in said Court against said personal estate, as follows, to wit:

Barton Bros., Centreville, Maryland, Funeral espenses.....	\$ 300.00
Queen Anne's County Welfare Board, old age assistance.....	2307.60
	<u>\$2,607.60</u>

Witness my hand and the seal of said Court, this 27th day of July, 1948:

EDWARD E. COURSEY

Register of Wills.

Orphans Court Seal.

"EXHIBIT C"  
Filed July 27, 1948

One-Fifty-Cent Int. Rev.  
Stamp. Endorsed IED & DMD  
Aug. 12/27

THIS DEED, made this twelfth day of August, in the year nineteen hundred and twenty one, by Isaac E. Dolby and Dora M. Dolby, his wife, of Queen Anne's County, State of Maryland.

WITNESSETH: That for and in consideration of one hundred and fifty dollars the said Isaac E. Dolby and Dora M. Dolby, his wife, do hereby grant and convey unto Florence Lay Parvis and Eudora Blake Parvis, as joint tenants (not as tenants in common), in fee simple, all that lot, part of a tract and parcel of land situate, lying and being near the limits of the town of Centreville, in The Third Election District of Queen Anne's County aforesaid, being a part of the land formerly known as the Davidson land or McCabe lots, and being a part of the lot of land designated as Lot No. 27 in the Report of Sale and plat of said lots, filed by Thomas J. Keating and B. Palmer Keating, Trustees, in the case of B. Palmer Keating, next friend, etc. vs. Elizabeth F. Keating and others, being cause No. 831 on the chancery docket of the Circuit Court for Queen Anne's County, in Equity, on the left or Northeast side of the public road leading out of Centreville toward Ruthsburg, said public road being a continuation of Kidwell Avenue, Centreville, Maryland, and described as follows:

Beginning for the same on the Northeast side of the above mentioned public road where the lot hereby conveyed corners with the lot designated on the above mentioned plat as Lot No. 25 at edge of curb or where said lot is bounded by said public road, said last mentioned lot being now owned by the Keating heirs, the legal title thereto being in Philemon B. Hopper, Trustee, and running in an easterly direction with said public road or Kidwell Avenue, extended, a distance of fifty feet, thence in a westerly direction, to give to said lot hereby conveyed an even width of fifty feet, a distance of one hundred feet, to a point fifty feet in an easterly direction from the boundary of the above mentioned Lot No. 25 and at a point one hundred feet from the above mentioned beginning point of the lot hereby conveyed, on the said public road leading out of Centreville toward Ruthsburg, and thence in a southerly direction one hundred feet to the place of beginning on said last mentioned public road or Avenue, containing five thousand square feet of land, and being a part of the lot of land which was conveyed unto said Isaac E. Dolby by Eugene A. Cann and Lillian L. Cann, his wife, by deed dated the twenty third of March, nineteen hundred and twenty, and recorded in liber J.F.R. No. 4 folio 258, a land record Book for Queen Anne's County.

TOGETHER with the improvements thereon and the rights, roads, ways, waters, privileges, appurtenances and advantages thereto belonging or in any wise appertaining.

AND the said Isaac E. Dolby covenants to warrant specially the property hereby conveyed and to execute such other and further assurances thereof as may be or become requisite or necessary.

Witness our hands and seals

Witness:

ISAAC E. DOLBY (SEAL)

E. M. FORMAN

DORA M. DOLBY (SEAL)

I hereby certify that on this twelfth day of August, 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 Isaac E. Dolby and Dora M. Dolby his wife, and did each acknowledge the within and foregoing deed to be their respective act.

EZEKIEL FORMAN JUSTICE OF THE PEACE.

ORDER OF PUBLICATION Filed July 27, 1948

Howard Wood, 3rd, Administrator of Eudora Blake Parvis, deceased, Plaintiff,

X  
X  
X  
X  
X  
X  
X  
X

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

vs.

Edward W. Parvis, 131 West 17th Street, Wilmington, Delaware, Defendant.

Cause No. 3587.

ORDER OF PUBLICATION

The object of the Bill is to procure a decree for the sale of the hereinafter described real estate owned at her death by Eudora Blake Parvis for the purpose of applying the net proceeds of sale to the payment of her debts, and for such other and further relief as the Plaintiff may be entitled to.

The Bill alleges that Eudora Blake Parvis, late of Queen Anne's County, Maryland, departed this life on May 24, 1948, intestate, leaving the Defendant her adult half-uncle, as her only heir at law, that the Plaintiff obtained letters of administration on her personal estate on June 15, 1948, as certified by the Register of Wills of Queen Anne's County, that the decedent died seized and possessed of certain real estate, (consisting of a lot of land in the Town of Centreville, in the Third Election District of Queen Anne's County, having a street frontage of fifty feet on the left or northeast side of Kidwell Avenue, being fifty feet wide and one hundred feet deep, being part of Lot No. 27 of the "Davidson Lots" as designated on the plat filed in Cause No. 831 in this Court, entitled "B. Palmer Keating, next friend, etc., vs. Elizabeth F. Keating, et al.", being bounded on the northwest by Lot No. 25 as shown on said plat, and being the same land which was granted and conveyed unto Florence Lay Parvis and said Eudora Blake Parvis as joint tenants, in fee simple, by Isaac E. Dolby and Dora M. Dolby, his wife, by deed dated August 12, 1921, and recorded in the land records of said County in Liber J.F.R. No. 7, folios 265, etc.), but leaving insufficient personal estate to pay her debts, claims therefor having been filed in the said Orphans Court in the total sum of \$2607.60, while the amount of said personal estate, per list of debts due the decedent filed in said Orphans Court, is the sum of \$1,522.93; and that Florence Lay Parvis departed this life on or about the 3rd day of April, 1942, leaving said Eudora Blake Parvis as the sole owner of said real estate.

IT IS THEREUPON, this 27th day of July, in the year nineteen hundred forty-eight, by the Circuit Court for Queen Anne's County, in Equity, ORDERED that the Plaintiff, by causing a copy of this Order to be published in a newspaper printed and published in Queen Anne's County, Maryland, once in each of four successive weeks before the 4th day of September, 1948, give notice to the Defendant of the object and substance of the Bill of Complaint and warning him to be and appear in this Court on or before the 20th day of September, 1948, to show cause, if any he has, why the relief prayed for by the Plaintiff should not be granted.

NELLIE B. WHITELEY Clerk of the Circuit Court for Queen Anne's County, in Equity.

Filed July 27, 1948

AFFIDAVIT OF SERVICE Filed August 20, 1948

Howard Wood, 3rd, Administrator of the personal estate of Eudora Blake Parvis, deceased, Centreville, Maryland, Plaintiff

X  
X  
X  
X  
X

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

vs.

Edward W. Parvis,  
131 West 17th Street,  
Wilmington, Delaware,  
Defendant

Cause No. 3587

Affidavit of Service of Copy of Order  
of Publication and Copy of Bill of  
Complaint made upon the Defendant.

STATE OF DELAWARE, NEWCASTLE COUNTY, TO WIT:

I, the undersigned, being duly sworn according to law, do hereby  
depose and say:

That, upon the request of Gibson and Wood, attorneys for the Plaintiff in the above entitled case, I served upon and left with the Defendant in said case, Edward W. Parvis, of 131 West 17th Street, Wilmington, Delaware, a copy of the Order of Publication passed in said case on the 27th day of July, 1948, and of the Bill of Complaint filed therein on the same date; that such service was made by me as aforesaid at 131 West 17th., St., Wilmington, Delaware, on the 31st., day of July, 1948, at 3 o'clock 10 M., P. M. Eastern Daylight Saving Time.

Witness my hand this 3rd. day of August, 1948:

Filed Aug. 20, 1948

SIGMUND F. ANDRUSKING  
Deputy Sheriff New Castle  
County Delaware.

STATE OF DELAWARE, NEWCASTLE COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 3rd. day of August, 1948, before me, the subscriber, a Notary Public of the State of Delaware, in and for Newcastle County, personally appeared the abovenamed affiant, Sigmund F. Andrusking, and he did, upon being duly sworn by me, sign the foregoing affidavit in my presence, and thereupon made oath, in due form of law, that the matters and facts set forth in said affidavit are true as therein stated.

WITNESS my hand and notarial seal:

Filed Aug. 20, 1948

THOMAS E. PEENEY

ANSWER  
Filed Sept. 18, 1948

HOWARD WOOD, 3RD, Administrator, etc.

vs.

EDWARD W. PARVIS

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

Cause No. 3587.

ANSWER

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The answer of Edward W. Parvis to the Bill of Complaint of Howard Wood, 3rd, Administrator of the personal estate of Eudora Blake Parvis, deceased, against him 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.

EDWARD W. PARVIS  
(Edward W. Parvis)

Filed Sept. 18, 1948

DECREE  
Filed Sept. 24, 1948

HOWARD WOOD, 3RD, Administrator  
of the personal estate of Eudora  
Blake Parvis, deceased,  
Complainant,

vs.

EDWARD W. PARVIS, Defendant.

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

Cause No. 3587

DECREE

The above cause standing ready for hearing, and being submitted without argument on bill and answer the Bill of Complaint, exhibits, answer, and other proceedings were, by the Court, read and considered.

IT IS THEREUPON, on this 24th day of September, 1948, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, ADJUDGED, ORDERED and DECREED as follows:

That the real estate mentioned and described in these proceedings be sold at public sale to be conducted by the Trustee hereinafter appointed, for the purpose of applying the proceeds of sale to the payment of the debts of Eudora Blake Parvis, deceased.

That Howard Wood, 3rd, of Queen Anne's County, State of Maryland, be and he is hereby appointed trustee to make said sale, but before he shall proceed to act as such trustee he shall file with the clerk of this court a bond to the State of Maryland with corporate surety to be approved by said Clerk in the penalty of One Thousand Dollars (\$1000.00)

That he shall advertise the time, place, manner and terms of sale in a newspaper printed and published in said Queen Anne's County for at least three weeks prior to the day of Sale, said terms to accord immediate possession to the purchaser, and to provide payment of one-third of the purchase price in cash, and two-thirds upon final ratification of said sale by this Court.

That he shall then proceed to make such sale at the appointed time and place, upon the above terms, by public auction, to the highest bidder for said property.

That he shall report a full account of said sale to this Court with an affidavit of the truth and fairness thereof.

That, upon the final ratification of said sale, and full payment of the purchase money, he shall convey unto the purchaser or purchasers thereof, by a good and sufficient deed to be executed and acknowledged agreeably to law, the property so sold to him, free, clear and discharged of all claims of the parties to this cause, other creditors of Eudora Blake Parvis, deceased, or of those claiming by, through or under them or any of them.

That said trustee shall bring into this Court all of the money arising from said sale to be disposed of under the direction of this court, after deducting therefrom the costs of this proceeding and such commissions to 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.

And that, at the time of the first insertion or publication of the advertisement of sale above required, he shall publish in the same newspaper a notice to the creditors of Eudora Blake Parvis, deceased, requiring them to file their claims against said deceased with the Clerk of this Court within 90 days of the date of said first insertion or be excluded from participating in the proceeds of said sale.

WM. R. HORNEY  
JUDGE.

Filed Sept. 24, 1948.

Certified Copy of  
Trustee's Bond  
Filed Sept. 30, 1948

QUEEN ANNE'S COUNTY, to wit: Be it remembered that on this Thirtieth day of September, in the year nineteen hundred and forty eight, the following TRUSTEE'S BOND was filed for record, to wit:

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

KNOW ALL MEN BY THESE PRESENTS, THAT we, Howard Wood, 3rd, of Queen Anne's County, State of Maryland, as principal, and the HARTFORD ACCIDENT AND INDEMNITY 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 One Thousand Dollars (\$1,000.00) 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 29th day of September, 1948;

WHEREAS, the above bounden Howard Wood, 3rd, has been appointed by a decree of the Circuit Court for Queen Anne's County in Equity, passed on the 24th day of September, 1948, trustee to make sale of the real estate mentioned and described in the cause in said court entitled "Howard Wood, 3rd, Administrator of the personal estate of Eudora Blake Parvis, deceased, vs. Edward W. Parvis, being Cause No. 3587 in the Chancery Docket of said court;

NOW, THE CONDITION OF THE ABOVE OBLIGATION IS SUCH that if the above bounded Howard Wood, 3rd, do and shall well and faithfully perform and execute the trust reposed in him by said decree, or that may be reposed in him by any future order or decree 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:

ANN W. DONALDSON

HOWARD WOOD, 3RD (SEAL)

HARTFORD ACCIDENT AND INDEMNITY  
COMPANY

By GIBSON AND WOOD

Corporate  
Seal's Place.

By HOWARD WOOD, 3RD  
Its Attorneys-in-fact

ATTEST:

ANN. W. DONALDSON

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

Security approved and Bond filed  
Sept. 30, 1948.

NELLIE B. WHITELEY Clerk

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. 1, folio 66, a Bond Record Book For Queen Anne's County.

Seal's Place

IN TESTIMONY WHEREOF, I have hereunto  
subscribed my name and affixed the  
Seal of the Circuit Court for Queen  
Anne's County this Thirtieth day  
of September, in the year nineteen  
hundred and forty eight.

NELLIE B. WHITELEY  
Clerk

REPORT OF SALE  
Filed Oct. 29, 1948

HOWARD WOOD, 3rd,  
Administrator, etc.,  
Complainant,

vs.

EDWARD W. PARVIS,  
Defendant.

X  
X  
X  
X  
X  
X  
X  
X  
X  
X

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

Cause No. 3587

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Sale of the real estate made in this cause by Howard  
Wood, 3rd, the trustee appointed to make such sale, unto Your Honors, respectfully  
shows:

1. That pursuant to the decree of this Honorable Court passed on  
the 24th day of September, 1948, your trustee filed in this cause a bond in the penalty  
of One Thousand Dollars (\$1,000.00), with corporate surety thereon, which said bond  
was duly approved by the Clerk of this Court.

2. That thereupon, pursuant to said decree, your trustee advertised  
the time, place, manner and terms of sale in the Queen Anne's Record-Observer, a news-  
paper printed and published in Queen Anne's County, Maryland, for more than three  
successive weeks prior to the 26th day of October, 1948, as will appear by reference  
to the certificate of advertisement of sale which is hereto attached as a part hereof.

3. That, pursuant to said decree and said advertisement, your trustee  
proceeded to sell the real estate described in said advertisement in front of the  
Court House door in the town of Centreville in said County at 1:30 P. M. on Tuesday,  
the 26th day of October, 1948, and sold same unto W. Groscup Jones and Marion L. Jones,  
his wife, they being then and there the highest bidders therefor through the agency  
of their attorney, Harry C. Butler, Esquire, at and for the sum of One Hundred Twenty-  
Five Dollars (\$125.00), and that said Purchasers have paid one-third of the purchase  
money unto your trustee.

4. That at the time of the first insertion of said advertisement  
of sale in said newspaper, your trustee published in the same newspaper a notice to  
the creditors of Eudora Blake Parvis, deceased, requiring them to file their claims  
against said deceased with the Clerk of this Court within 90 days of the date of said  
first insertion or be excluded from participating in the proceeds of said sale, as will  
appear by reference to the certificate of publication of said notice to creditors,  
hereto attached as a part hereof.

Respectfully submitted

HOWARD WOOD, 3RD  
Trustee

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

I Hereby Certify that on this 29th day of October, 1948, before me,  
the Clerk of the Circuit Court for Queen Anne's County, personally appeared Howard  
Wood, 3rd, and made oath in due form of law that the matters and facts set forth in  
the foregoing Report of Sale are true and bona fide as therein stated, and that the

matters and facts set forth in the foregoing Report of Sale are true and bona fide as therein stated, and that the sale made by him as trustee, and therein reported, was fairly made.

NELLIE B. WHITELEY

Clerk

Filed Oct. 29, 1948

Certificate of Publication  
Filed Oct. 29, 1948

TRUSTEE'S SALE  
OF  
TOWN PROPERTY

The undersigned Trustee, by virtue of a decree of the Circuit Court for Queen Anne's County, in Equity, passed September 24, 1948, in Cause No. 3587 in said Court, 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, OCTOBER 26, 1948 commencing at 1:30 o'clock P.M.

All that rectangular lot of land situate in the town of Centreville, Queen Anne's County, Maryland, having a frontage of fifty feet on the northeast side of Kidwell Avenue, an even depth of one hundred feet measured northeastwardly from said Avenue and and even with of fifty feet, which was conveyed to Florence Lay Parvis and Eudora Blake Parvis, as joint tenants, by Isaac E. Dolby and wife, by deed dated August 12, 1921, and recorded in Liber J. F. R. No. 7, folios 265, etc., a Land Record Book for said County.

TERMS OF SALE: Immediate possession; one-third of purchase money payable in cash on day of sale, balance on final ratification of sale; title papers and costs of recording deed to be at purchaser's expense. Taxes will be pro-rated as of day of sale.

HOWARD WOOD, 3rd.,  
Trustee.

J. Elmer Anthony, Auctioneer.

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. Oct. 26, 1948.  
THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Trustee's Sale of Town Property in the case/estate of Howard Wood 3rd. Admr. vs Edward W. Parvis Chancery Cause 3587 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 26th. day of October, 1948, and that the first insertion of said advertisement in said Queen Anne's Record-Observer was on the 30th. day of Sept. 1948, and the last insertion on the 21st. day of October 1948.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

By PAUL B. SMITH

Filed Oct. 29, 1948

NOTICE TO CREDITORS.

All creditors of Eudora Blake Parvis, deceased, are hereby notified that they must file their claims against said deceased with the Clerk of the Circuit Court for Queen Anne's County, in Equity, within ninety (90) days from September 30, 1948, or be excluded from participating in the proceeds of sale of the real estate left by said deceased.

Howard Wood, 3rd, Trustee

QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. Oct. 26, 1948.

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 Howard Wood 3rd, Admr. vs Edward W. Parvis Chancery Cause 3587 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 1 successive weeks before the day of 19, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 39th day of Sept. 1948, and the last insertion on the day of 19.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

By PAUL B. SMITH

Filed Oct. 29, 1948

ORDER NISI  
Filed October 29, 1948

N I S I

Howard Wood, 3rd,  
 administrator of the personal  
 estate of Eudora Blake Parvis,  
 deceased,

VS.

Edward W. Parvis,

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

CHANCERY NO. 3587

ORDERED, This 29th. day of October A. D. 1948, that the sale of real estate made and reported in this cause by Howard Wood, 3rd, Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 5th 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 4th day of December next.

The Report states the amount of sales to be \$125.00

NELLIE B. WHITELEY Clerk

Filed October 29, 1948

Certificate of Publication  
 of Order Nisi.  
 Filed Jan. 13, 1949

N i s i

HOWARD WOOD, 3RD,  
 Administrator of the personal  
 Estate of Eudora Blake Parvis,  
 deceased,

Vs.

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

Chancery No. 3587

ORDERED, This 29th day of October A. D., 1948, that the sale of real estate made and reported in this cause by Howard Wood, 3rd., Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 5th 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 4th day of December next.

The Report states the amount of sales to be \$125.00.

NELLIE B. WHITELEY,  
 Clerk,

True Copy:  
 Test: NELLIE B. WHITELEY  
 Filed October 29, 1948

THE QUEENSTOWN NEWS

Queenstown, Md. Nov. 30, 1948

THE QUEENSTOWN NEWS, trading as a co-partnership between Michael W. Aker and George J. Steinfeld, do hereby certify that the Nisi in the estate of Howard Wood, 3rd Administrator of the personal estate of Eudora Blake Parvis, Deceased vs. Edward W. Parvis Chancery No. 3587 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 4th day of Dec. 1948, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 5th day of Nov. 1948

THE QUEENSTOWN NEWS

By GEORGE STEINFELT

Filed Jan. 13, 1949

FINAL ORDER OF RATIFICATION  
 Filed Jan. 14, 1949

Howard Wood, 3rd, Adm'r of  
 Eudora B. Parvis, Deceased;

vs.

Edward W. Parvis

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

Cause No. 3587

FINAL ORDER OF RATIFICATION

ORDERED, this 14th day of January, 1949, 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 Howard Wood, 3rd, Trustee, 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 cause; that Richard T. Earle, Esquire, is hereby appointed to act as Special Auditor, to state an audit of the proceeds of said sale; that, upon the qualification of such Special Auditor



by taking the oath required by law, the proceedings in the above entitled cause be forthwith referred to him for such purpose; and that said Howard Wood, 3rd, Trustee as aforesaid, is allowed the usual commissions allowed by this Court upon sales of real estate and for all expenses, not personal, upon producing the vouchers therefor before the Special Auditor hereinabove appointed.

WM. R. HORNEY  
Judge

Filed Jan. 14, 1949

PETITION  
Filed June 8, 1949

HOWARD WOOD, 3rd,  
Administrator, etc.,  
Complainant,

vs.

EDWARD W. PARVIS,  
Defendant.

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

Cause No. 3587

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of Howard Wood, 3rd, Trustee in this Cause, unto your Honors, respectfully shows:

1. That, as will appear by reference to a certificate of publication filed with the Report of Sale in this Cause, your petitioner published a notice to the creditors of Eudora Blake Parvis, deceased, (in the form required by the Decree of this Court dated September 24, 1948, ) in the issue of the Queen Anne's Record-Observer of September 30, 1948.

2. That, your petitioner believes that another notice to said creditors should forthwith be published four times in order to assure that a reasonable notice to be given to said creditors of the necessity of filing their claims with the Clerk of this Court, in order to entitle them to participate in the distribution of the proceeds of the sale made by your petitioner as Trustee.

Wherefore, your petitioner prays your Honors to pass an order authorizing him to publish a notice to said creditors in the manner aforesaid.

Filed June 8, 1949

HOWARD WOOD, 3rd.  
(Howard Wood, 3rd.) Petitioner

ORDER OF COURT  
Filed June 8, 1949

ORDER OF COURT

Upon the foregoing petition, IT IS ORDERED, this 7th day of June, 1949, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that Howard Wood, 3rd, Trustee in the above entitled cause, be and he is hereby authorized, directed and empowered to publish in four successive issues of the Queen Anne's Record-Observer a notice to the creditors of Eudora Blake Parvis, deceased, requiring them to file their claim against said decedent with the Clerk of this Court within ninety (90) days of the date of the first insertion of such notice to creditors or be excluded from participating in the proceeds of sale of the real estate left by said decedent and heretofore sold by said Trustee under the Decree of this Court passed in this cause..

WM. R. HORNEY  
Judge.

Filed June 8, 1949

NOTICE TO CREDITORS  
Filed October 20, 1949

NOTICE TO CREDITORS

All Creditors of Eudora Blake Parvis, deceased, are hereby notified that they must file their claims against said decedent with the Clerk of the Circuit Court for Queen Anne's County, in Equity, within ninety (90) days from June 9, 1949, or be excluded from participating in the proceeds of sale of the real estate left by said decedent, being the land sold under said Court's decree in Chancery Cause No. 3587.

Howard Wood, 3rd, Trustee in  
Chancery Cause No. 3587

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. October 20, 1949

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 Eudora Blake Parvis 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 ninety days from the 9th day of June, 1949, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 9th day of June 1949, and the last insertion on the 30th day of June 1949.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

Filed Oct. 20, 1949

By CHARLOTTE M. MEARS

AUDIT  
Filed Sept. 7, 1951

HOWARD WOOD, 3rd., Administrator of  
Eudora Blake Parvis, deceased,

VS.

EDWARD W. PARVIS.

# IN THE CIRCUIT COURT FOR  
#  
# QUEEN ANNE'S COUNTY, IN EQUITY.  
#  
# Cause No. 3587.  
#

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The papers in this cause have been by an Order of this Honorable Court referred to the undersigned, appointed Special Auditor, for the purpose of stating an audit between Howard Wood, 3rd., Trustee under decree of this Court to make sale of the real estate mentioned and described in these proceedings and the gross proceeds of sale.

The Order of Court aforesaid is dated June 14th., 1949, but the undersigned had no knowledge of his appointment as Special Auditor herein until a few days ago when the same was called to his attention by the Trustee and while the Trustee appears to have paid three years bond premiums, he is asking to be allowed for only premium on said bond for one year.

Respectfully submitted,

RICHARD T. EARLE  
Special Auditor.

Filed Sept. 7, 1951

Chan. No. 3587

The proceed of the sale of the real estate sold in this cause in account with Howard Wood, 3rd., Trustee appointed by the decree of Court passed in this cause.

Cr.

1948  
October 29th., By amount of the gross proceeds of sale of land sold by said Trustee as per Report of Sale, to wit: the sum of----- \$125.00

Dr.

Howard Wood, 3rd. Trustee's Commissions -----	\$ 8.75	
Clerk of Court for costs, -----	30.50	
Howard Wood, 3rd., Appearance Fee-----	10.00	
Richard T. Earle, Special Auditor-----	8.96	
J. Elmer Anthony, Auctioneer, crying sale-----	5.00	
as per receipted Account.		
Bond Premium of Trustee for 1 yr.-----	10.00	
As per receipt and request of Trustee.		
Queen Anne's Record Observer Publishing Company-----	27.00	
Advertising Sale as per receipted account		
Queen Anne's Record-Observer Publishing Co-----	10.50	
Notice to Creditors as per receipted account		
The Queenstown News-----	5.00	
Publication of Nisi to Report of Sale		
Queen Anne's-Record-Observer Publishing Company-----	5.00	
Nisi to this Audit, to be published.		
C. Percy Arrington, County Treasurer-----	2.70	
Adjustment of Taxes in accordance with terms of sale.		
Town Commissioners of Centreville-----	.59	
Adjustment of Taxes in accordance with terms of sale		
Release of mortgage from Parvis to Wright & Collins-----	.75	
For the purpose of clearing title		
Centreville National Bank of Maryland-----	.25	
Band service for small account		
	<u>\$125.00</u>	\$125.00

Respectfully submitted

RICHARD T. EARLE  
Special Auditor

Filed Sept. 7, 1951

NISI RATIFICATION OF AUDIT  
Filed Sept. 7, 1951.

NISI RATIFICATION OF AUDIT

Howard Wood, 3rd., Administrator of  
Eudora Blake Parvis, deceased,

VS.

Edward W. Parvis

) In the Circuit Court  
)  
) for Queen Anne's County  
)  
) In Equity  
)  
) Cause No. 3587

ORDERED, This 7th. day of September in the year nineteen hundred and fifty 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 5th day of October, 1951; provided a copy of this order be published once a week in each of two successive weeks before the 28th day of September, 1951, in some newspaper printed and published in Queen Anne's County.

Filed September 7, 1951

\_\_\_\_\_  
Clerk.

Nisi Ratification of Audit  
Filed Oct. 12, 1951

NISI RATIFICATION OF AUDIT

Howard Wood, 3rd.,  
Administrator of  
Eudora Blake Parvis, deceased

In the Circuit Court for  
Queen Anne's County

vs.  
Edward W. Parvis

In Equity.

Cause No. 3587

ORDERED, This 7th day of September in the year nineteen hundred and fifty 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 5th day of October, 1951; provided a copy of this order be published once a week in each of two successive weeks before the 28th day of September, 1951, in some newspaper printed and published in Queen Anne's County.

T. SORDEN PIPPIN, Clerk

Filed: September 7, 1951  
True Copy  
Test: T. Sorden Pippin, Clerk

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. October 11, 1951

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 Howard of Howard Wood, 3rd, Administrator of Eudora Blake Parvis, deceased vs. Edward W. Parvis 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 28 day of September 1951, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 13 day of September 1951, and the last insertion on the 20 day of September 1951

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

By MARY JANE WHITE

Filed Oct. 12, 1951

Final/<sup>Order</sup>Ratification of Audit  
Filed Oct. 18, 1951

FINAL ORDER OF RATIFICATION OF AUDIT

ORDERED, this 18th day of October, 1951, 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, Auditor, 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 shown by the certificate of publication of the order nisi passed as to said report and account, and the Trustee is hereby directed to apply the proceeds of same accordingly, with a due proportion of interest as the same has been or may hereafter be received.

WM. R. HORNEY  
Judge

Filed Oct. 18, 1951



C A U S E N O. 3603

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 Fourth day of January, in the year nineteen hundred and forty-eight, the following Order to Docket Suit was brought to be recorded, to wit:

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

Chancery No. 3603

J. Thomas Clark, Assign of Mortgage

VS.

Lewis R. Magargal & Bertha I. Magargal, his wife, Mortgagors

Suit for foreclosure of mortgage from Defendants to John E. Eveland and Cordie V. Eveland, his wife, dated April 28th, 1947, held by J. Thomas Clark by Assignment for a sale of mortgaged property provided under power of sale 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 papers of said suit a certified copy of the mortgage of Lewis R. Magargal and Bertha I. Magargal, his wife, to John E. Eveland and Cordie V. Eveland, his wife, dated April 28, 1947, and recorded in Liber A. S. G. Jr., No. 17, folio 93, etc., and all assignments thereof.

The suit, to be docketed as aforesaid, is 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 interest and principal due on the principal mortgage debt thereon covenanted to be paid by the terms of the said mortgage at the times therein provided for the payment thereof.

And as in duty bound, etc.,

Filed Jan. 4. 1948

J. THOMAS CLARK, Assignee of Mortgage  
J. Thomas Clark, Assignee of Mortgage

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

This is to certify that on this 4th day of January, 1949, before the subscriber, Clerk of the Circuit Court for Queen Anne's County, personally appeared J. Thomas Clark, Assignee of Mortgage, and made oath in due form of law that Lewis R. Magargal and Bertha I. Magargal, his wife, the mortgagors named in the mortgage referred to in the aforesaid order to docket suit, are not now, nor has either of them been within three months prior hereto, in the military service of the United States as defined in The Soldiers and Sailors Relief Act of 1940, to the best of his knowledge and belief, and that said Lewis R. Magargal is a resident of the State of Delaware, and that the said Bertha I. Magargal is a resident of Queen Anne's County, Maryland, in the Third Election District.

NELLIE B. WHITELEY  
CLERK.

Filed Jan. 4, 1948

Certified Copy of Mortgage  
Filed January 4, 1949

.....  
#25,479 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 April, in the year nineteen hundred and forty seven, the following Mortgage was brought to be recorded, to wit:-

One-One Dollar and One-Twenty Cent  
Recordation Tax Stamp Endorsed  
T.J.C. 4-29-47.

THIS MORTGAGE, made this 28th day of April, in the year nineteen hundred and forty-seven, by and between Lewis R. Magargal and Bertha I. Magargal, his wife of Queen Anne's County, State of Maryland, the Mortgagors, and John E. Eveland and Cordie V. Eveland his wife, of Caroline County, State of Maryland, the Mortgagees:

WHEREAS, the said Mortgagors have borrowed from the said Mortgagees the full sum of Twelve Hundred Dollars (\$1,200.00), as evidenced by their promissory note bearing even date herewith, payable to the said Mortgagees within two (2) years from the date these presents are executed as hereinafter set forth, with interest at five (5) per centum per annum, as follows: The Mortgagors shall pay on the 28th day of May 1947, the sum of Twenty-five Dollars (\$25.00) on said principal and interest, and the Mortgagors shall pay a like sum of Twenty-five Dollars (\$25.00) on the 28th day of every month thereafter during the rest of the calendar year 1947, on said principal and interest, and on the 28th day of January 1948, the Mortgagors shall pay the sum of Fifty Dollars (\$50.00) on said principal and interest, and the Mortgagors shall pay a like sum of Fifty Dollars (\$50.00), on said principal and interest, on the 28th day of every month thereafter in the calendar year 1948 and of the calendar year 1949, until the 28th day of April 1949, at which time any unpaid balance of said principal and interest shall be paid, the same becoming then due and owing; and it is hereby agreed that interest shall abate on all such monthly payments from the date of payment on account; and the said Mortgagors hereby reserve the right to pay said indebtedness in larger monthly payments than those above set forth at his election; and to better secure the payment of which sum with interest as aforesaid, these presents are executed;

NOW, THEREFORE, THIS MORTGAGE, WITNESSETH: That, in consideration of the premises and of the sum of TWELVE HUNDRED DOLLARS (\$1,200.00), the said Mortgagors do hereby grant and convey unto John E. Eveland and Cordie V. Eveland, his wife, as tenants by the entireties, their assigns, and unto the survivor of them, his

or her heirs and assigns, in fee simple, the following described property, to wit:

ALL that lot or parcel of land improved by a frame building situate, lying and being in the Third Election District of Queen Anne's County, State of Maryland, on the north side of the state road known as the "Boulevard" leading from Wye Mills in Talbot County to the village of Queen Anne - in the first named county, and on the east side of a road called "The Slag Road", which branches from said boulevard to lead to Willoughby Station on the railroad, bounded on the south by said boulevard, on the west by said slag road, and on its remaining sides, north and east, by land of William G. Boyles, the land hereby granted and conveyed being more particularly described as follows, to wit: BEGINNING for the same at a point marked by a large locust post driven in the ground at the intersection of the two roads above mentioned and on the southwest corner of the land hereby conveyed, and running thence with said slag road following the line of a fence now standing along said road for a distance of one hundred forty-seven feet and five-tenths of a foot to a point a corner for the lands of William G. Boyles to be marked by a concrete post to be set in the ground; thence in an easterly direction with the line drawn at right angles to the first line above described and along the line of the other land of William G. Boyles for a distance of one hundred and forty-seven feet and five-tenths of a foot to a point a corner for other land of said William G. Boyles and to be marked by a concrete post to be set in the ground; thence with the line drawn parallel with the first line above described and with the other land of William G. Boyles in a southerly direction for a distance of one hundred forty-seven feet and five tenths of a foot to a point on said boulevard a corner also for the land of said William G. Boyles, and containing one-half an acre of land, more or less; being the same land conveyed to Lewis R. Magargal and Bertha I. Magargal, his wife, by Jacob A. Gibson and Margaret A. Gibson, his wife, by deed, dated April 9th, 1946, and recorded in Liber A.S.G. Jr. No. 13, folio 357, a Land Record Book for Queen Anne's County.

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

AND the said Mortgagors do hereby bargain and sell to the said Mortgagees, as tenants by the entireties, their assigns, and unto the survivor of them, his or her heirs and assigns, all shelving, counters, showcases, meatblocks, ice boxes, coolers and

PROVIDED, that if the said Mortgagors, their heirs, executors, administrators or assigns, shall well and truly pay to the said Mortgagees, their successors, executors, administrators or assigns, the aforesaid sum of Twelve Hundred Dollars, with interest, as above set forth, and shall perform all the covenants, conditions and agreements therein on their part to be performed, 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, 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 cost 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 Mortgagees, their successors, executors, administrators or assigns, and to have the said policy or policies so framed or endorsed that the proceed arising from said policy or policies, in case of loss, shall be applied to the payment of the principal and interest secured by this mortgage, and to deliver, upon demand, to the Mortgagees, their 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 Mortgagees, their successor, executors, administrators or assigns, or J. Thomas Clark, their hereby duly constituted Attorney for the purpose, are hereby authorized and empowered to sell said premises upon giving twenty days precious 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 selling may deem expedient, for cash, or for cash or 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 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 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 foreclosure of this mortgage under the power of sale above granted the said Mortgagees, their successors, executors, administrators or assigns, or J. Thomas Clark 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 mortgaged indebtedness be accompanied by the payment of all expenses incurred under said foreclosure proceedings, including all costs of advertising, 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 costs, expenses and commissions the said Mortgagors for themselves and their heirs, executors, administrators and assigns hereby covenant to pay.

WITNESS the hands and seals of each Mortgagor on the day and year first above written.

TEST:

F. E. FLEMING  
F. E. Fleming  
F. E. FLEMING  
F. E. Fleming

LEWIS R. MAGARGAL (SEAL)  
Lewis R. Magargal

BERTHA I. MAGARGAL (SEAL)  
Bertha I. Magargal

STATE OF MARYLAND

CAROLINE COUNTY, to wit:

I HEREBY CERTIFY that on this 28th day of April in the year nineteen hundred and forty-seven, before me, the subscriber, a Notary Public of the State of Maryland in and for Caroline County aforesaid, personally appeared Lewis R. Magargal and Bertha I. Magargal, his wife, the above named Mortgagors and each did acknowledge the foregoing MORTGAGE to be their respective act.

IN WITNESS WHEREOF I do hereunto subscribe my name and affix my Notarial Seal the day and year above written.

F. E. FLEMING Notary Public  
F. E. Fleming

My commission expires May 5, 1947. Notary Public Seal.

STATE OF MARYLAND

CAROLINE COUNTY, to wit:

I HEREBY CERTIFY that on this 28th day of April in the year nineteen hundred and forty-seven, before me, the subscriber, a Notary Public of the State of Maryland in and for Caroline County aforesaid, personally appeared John E. Eveland and Cordie V. Eveland, his wife, the above named Mortgagees and they did each make oath in due form of law that the consideration stated in the foregoing MORTGAGE is true and bona fide as therein set forth.

IN WITNESS WHEREOF I do hereunto subscribe my name and affix my Notarial Seal the day and year above written.

F. E. FLEMING Notary Public  
F. E. Fleming

My Commission expires May 5, 1947 Notary Public Seal.

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Fourth day of January in the year nineteen hundred and forty nine, the following ASSIGNMENT was brought to be recorded, to wit:

We, the undersigned, John E. Eveland and Cordie V. Eveland, his wife, mortgagees named in the within and foregoing Mortgage, do hereby assign and transfer the within and foregoing mortgage unto J. Thomas Clark for collection by foreclosure or otherwise for the account of us, the said John E. Eveland and Cordie V. Eveland, her husband and wife, as tenants by the entireties.

Witness our hands and seals this 3rd. day of January, 1949.

TEST: (As to both signatures)

ETHEL E. POORE

JOHN E. EVELAND (SEAL)  
John E. Eveland

CORDIE V. EVELAND (SEAL)  
Cordie V. Eveland

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. 17, folios 93, 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 Fourth day of January, in the year nineteen hundred and forty nine.

Clerk's Seal.

NELLIE B. WHITELEY  
Clerk

Certified Copy of Bond  
Filed Jan. 31, 1949

Queen Anne's County, to wit: Be it remembered that on this Thirty First day of January, in the year nineteen hundred and forty nine, the following Bond was brought to be recorded, to wit:

KNOW ALL MEN BY THESE PRESENTS; That we, J. Thomas Clark, of Queen Anne's County, State of Maryland, and the Glens Falls Indemnity Company, a body corporate, duly authorized by its charter to become sole surety on bonds, are held 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 31st day of January, 1949.

WHEREAS, a certain mortgage from Lewis R. Magargal and Bertha I. Magargal, his wife, to John E. Eveland and Cordie V. Eveland, his wife, bearing date the 28th day of April, 1947, and recorded in Liber A.S.G. Jr., No. 17, folio 93, etc., a land record book for Queen Anne's County, Maryland, has been by assignment duly recorded, duly assigned unto the said J. Thomas Clark, which said assignment is recorded among the land records aforesaid at the foot of said mortgage; and

WHEREAS, the above bounden, J. Thomas Clark, as the Assignee as aforesaid of the above described mortgage, is about to execute the power of sale contained in the said above described mortgage by making sale of the property described in, granted and conveyed by said mortgage, default having occurred in the terms, conditions and covenants of said mortgage by reason of the non-payment of the interest and principal due on the principal mortgage debt covenanted to be paid by the terms of said mortgage at the times therein provided for the payment thereof.

NOW, THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bounden J. Thomas Clark, does 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 and premises, or the proceeds thereof, then the above obligation is to 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

Attest:-

RICHARD T. EARLE

J. THOMAS CLARK (SEAL)  
J. Thomas Clark

Glens Falls Indemnity Company

By J. H. E. LEGG  
J. H. E. Legg, Attorney

Corporate Seal Place.

And at the foot of the foregoing Bond is thus endorsed, to wit:  
Security approved and bond filed January 31st, 1949.

NELLIE B. WHITELEY,  
Clerk.

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. 1, folio 81, 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 Thirty First day of January, in the year nineteen hundred and forty nine.

NELLIE B. WHITELEY  
Clerk.

Certified Copy of Bond  
Filed Feb. 1, 1949.

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this First day of February, in the year nineteen hundred and forty nine, the following BOND was brought to be recorded, to wit:

KNOW ALL MEN BY THESE PRESENTS: That we, J. Thomas Clark, of Queen Anne's County, State of Maryland, and the Glens Falls Indemnity Company, a body corporate, duly authorized by its charter to become sole surety on bonds, are held firmly bound unto the State of Maryland, in the full and just sum of Five Hundred Dollars (\$500.00), current money of the United States of America, 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, 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 the 31st day of January, 1949.

WHEREAS, a certain mortgage from Lewis R. Magargal and Bertha I. Magargal, his wife, to John E. Eveland and Cordie V. Eveland, his wife, bearing date the 28th day of April, 1947, and recorded in Liber A. S. G. Jr., No. 17, folio 93, etc., a land record book for Queen Anne's County, Maryland, has been by assignment duly recorded and assigned unto the said J. Thomas Clark, which said J. Thomas Clark, which said assignment is recorded among the land records aforesaid at the foot of said mortgage; and

WHEREAS, the above bounden J. Thomas Clark has heretofore furnished his bond with the same security as these presents in the penalty of Two Thousand Dollars



(\$2,000.00) as required by law; and

WHEREAS, the said J. Thomas Clark, Assignee, as aforesaid, has sold said real estate pursuant to the authority conferred on him by said power of sale in said mortgage at and for the sum of Two Thousand Four Hundred and Eighty Five Dollars (\$2,485.00) so that he is required by law to furnish this additional bond, conditioned in the same manner as his original bond, in order to cover the entire purchase price.

NOW, THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bounden J. Thomas Clark, does 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 and premises, or the proceeds thereof, then the above obligation is to be void, otherwise to be and remain in full force and virtue in law.

Signed, sealed and delivered in the presence of:

LEILA M. ARMSTRONG  
Leila M. Armstrong

Attest:-

LEILA M. ARMSTRONG  
Leila M. Armstrong

J. THOMAS CLARK (SEAL)  
J. Thomas Clark

Glens Falls Indemnity Company

By J. H. E. LEGG  
J. H. E. Legg Attorney

Corporate Seal Place.

And at the foot of the foregoing Bond is thus endorsed,  
to wit:

Security approved and Bond filed Feb. 1, 1949.

NELLIE B. WHITELEY Clerk

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. 1, folio 83, 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 First day of February, in the year nineteen hundred and forty nine.

NELLIE B. WHITELEY  
Clerk

REPORT OF SALE  
Filed Feb. 1, 1949

J. Thomas Clark, Assignee of  
Mortgage

vs.

Lewis R. Magargal and  
Bertha I. Magargal, his  
wife

In The Circuit Court

For Queen Anne's County

In Equity Chy #3603

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of J. Thomas Clark, Assignee of the mortgage from Lewis R. Magargal and Bertha I. Magargal, his wife, to John E. Eveland and Cordie V. Eveland, his wife, bearing date the 28th day of April, 1947, and recorded in Liber A. S. G. Jr. No. 17, folio 93, et., a land record book for Queen Anne's County, Maryland, respectfully shows:

1. That said mortgage was duly assigned unto the said J. Thomas Clark for the purpose of collection by foreclosure or otherwise, said assignment being recorded among the land records at the foot of said mortgage.

2. That default was made by the mortgagors by reason of the non-payment of the interest and principal due on the principal mortgage debt thereon covenanted to be paid by the terms of said mortgage at the times therein provided for the payment thereof.

3. That after giving bond to the State with such security as the Clerk of this Court did approve conditioned to abide 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 and terms of sale by advertisement inserted in The Queenstown News, 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 on the premises to be sold in or near the village of Willoughby, Queen Anne's County, State of Maryland, on

Monday, the 31st day of January, 1949, beginning at the hour of 2:00 o'clock P. M. 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 offer the mortgaged property for sale 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, after first reading the advertisement of said sale as appeared in said The Queenstown News, to wit:

ALL that lot of land improved by a frame combination store and dwelling house, located in the Third Election District of Queen Anne's County, at Willoughby, Maryland, on the North side of the State Road leading from the village of Queen Anne to the village of Wye Mills: Beginning for the same at a point marked by a locust post driven in the ground at the intersection of the said Queen Anne-Wye Mills State Road and a road called "The Slag Road" which branches from said state road to lead to Willoughby Station on the railroad, and on the southwest corner of the land hereby offered for sale, and running thence with said slag road following the line of a fence now standing along said road for a distance of about 147 and  $\frac{1}{2}$  feet to a point a corner for the lands of William G. Boyles; thence in an easterly direction with the line drawn at right angles to the first line above described and along the line of the other land of William G. Boyles for a distance of 147 and  $\frac{1}{2}$  feet to a point; thence with the line drawn parallel with the first line above described and with the other land of William G. Boyles in a southerly direction a distance of 147 and  $\frac{1}{2}$  feet, and thence in a westerly direction to the place of beginning, and containing  $\frac{1}{2}$  acre of land, more or less. For a more particular description of the land to be sold reference is hereby made to said mortgage and references therein.

And said Assignee sold the above described property to Oscar Briscoe, of Queen Anne, Queen Anne's County, State of Maryland, at and for the sum of Two Thousand Four Hundred Eighty Five Dollars (\$2,485.00), he being at that sum the highest bidder addition to those advertised as will appear by reference to the certificate of advertisement of sale in said newspaper filed herewith as a part hereof), being as follows, to wit:

(a) That the final two thirds of the purchase price must be paid incash with interest upon ratification of the sale of this Court.

(b) That possession could be had when sale was ratified by the court

4. That Oscar Briscoe, the purchaser at the sale, has paid unto your Assignee the sum of Eight Hundred Twenty Eight Dollars and Thirty Three Cents (\$828.33)

Respectfully submitted,

J. THOMAS CLARK

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

I HEREBY CERTIFY, that on this 1st day of February, 1949, before me, the subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared J. Thomas Clark, Assignee of the mortgage mentioned and described in the foregoing Report of Sale, 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.

NELLIE B. WHITELEY  
Clerk

Filed Feb. 1, 1949

Certificate of Publication  
of sale.

Filed Feb. 1, 1949

Assignee's Sale of Valuable Store Property on the Premises at Willoughby, Md.

Default having occurred in the terms of the mortgage from Lewis R. Magargal and Bertha I. Magargal, his wife, to John E. Eveland and Coorodie V. Eveland his wife, dated April 28, 1947, and recorded in Liber A. S. G. Jr., No. 17, folios 93, etc., a land record book for Queen Anne's County, Maryland, and assigned to J. Thomas Clark for the purpose of collection by foreclosure or otherwise, said assignment being recorded at the foot of said mortgage, the undersign, assignee of said mortgage as aforesaid, by virtue of the power of sale contained in said mortgage, will sell at public sale to the highest bidder on the premises at Willoughby, Queen Anne's County, Maryland, on MONDAY, JANUARY 31, 1949 beginning at the hour of 2 o'clock P. M. the real estate conveyed by said mortgage, consisting of

All that lot of land improved by dwelling house, located in the Third Election District of Queen Anne's County, at Willoughby, Maryland, a frame combination store and on the North side of the State Road leading from the village of Queen Anne to the village of Wye Mills; Beginning for the same at a point marked by a locust post driven in the ground at the intersection of the said Queen Anne-Wye Mills State Road and a road called "The Slag Road" which branches from said state road to lead to Willoughby Station on the railroad, and on the southwest corner of the land hereby offered for sale, and running thence with said slag road following the line of a fence now standing along said road for a distance of about 147 and  $\frac{1}{2}$  feet to a point a corner for the lands of William G. Boyles; thence in an easterly direction with the line drawn at right angles to the first line above described and along the line of the other land of William G. Boyles for a distance of 147 and  $\frac{1}{2}$  feet to

a point; thence with the line drawn parallel with the first line above described and with the other land of William G. Boyles in a southerly direction distance of 147 and 1/2 feet, and thence in a westerly direction the place of beginning, and containing 1/2 an acre of land, more or less. For a more particular description of the land to be sold reference is hereby made to said mortgage and references therein.

TERMS OF SALE--One Third of the purchase money will be required on day of sale, and the balance thereof on ratification of sale, or all cash at option of purchaser, any unpaid balance of purchase money to bear interest from date of sale to date of ratification of sale.

All taxes and Fire Insurance premiums will be adjusted as of date of sale.

Cost of title papers, revenue stamps, and recordation stamps and charges for the same to be paid by purchaser.

Other terms will be announced at time of sale.

J. THOMAS CLARK,  
Assignee of Mortgage

J. Elmer Anthony, Auctioneer

THE QUEENSTOWN NEWS

Queenstown, Md. January 31, 1949

THE QUEENSTOWN NEWS, trading as a co-partnership between Michael W. Aker and George J. Steinfeld, do hereby certify that the Assignee Sale in the case of J. Thomas Clark, Assignee of Mortgage, Vs. Lewis R. Magargal and his wife Bertha I. Magargal, 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 31st day of Jan. 1949, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 7th day of Jan. 1949

THE QUEENSTOWN NEWS

By GEORGE STEINFELT

Filed Feb. 1, 1949.

ORDER NISI  
Filed Feb. 1, 1949

N I S I

J. Thomas Clark, Assignee of  
Mortgage

VS.

Lewis R. Magargal and  
Bertha I. Magargal, his wife.

IN THE CIRCUIT COURT

FOR QUEEN ANNE'S COUNTY

IN EQUITY

Chancery No. 3603

ORDERED, This 1st. day of February A. D., 1949, that the sale of real estate made and reported in this cause by J. Thomas Clark, Assignee of Mortgage, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 6th. 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 7th day of March next.

The Report states the amount of sales to be \$2,485.00

Filed February 1, 1949

NEELIE B. WHITELEY Clerk

STATEMENT OF MORTGAGE DEBT  
Filed April 6, 1949

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

Chancery No. 3603

J. Thomas Clark, Assignee of Mortgage

vs.

Lewis R. Magargal & Bertha I. Magargal, his wife, Mortgagors

STATEMENT OF MORTGAGE DEBT

To amount of principal mortgage debt due by mortgagors to said assignee, said mortgage bearing date April 28, 1947 and recorded in Liber A.S.G. Jr., #7, folio 93, etc. and all assignments thereto.....	\$1,037.61
To interest from 9/28/48 to 1/31/49 @5%	17.57
	<u>\$1,055.18</u>
10% commission for collection according to terms of note, mortgage given to secure.....	105.52
Total.....	<u>\$1,160.70</u>

STATE OF MARYLAND, QUEEN ANNE'S COUNTY, to wit:

I hereby certify, that on this 6th day of April, in the year nineteen hundred and forty nine, before me, the subscriber, a Clerk of Circuit Court of the State of Maryland, in and for Queen Anne's County, personally appeared J. Thomas Clark, Assignee of the aforesaid mortgage and made oath in due form of law that the foregoing statement is true, correct and just to the best of his knowledge and belief as therein stated.

Witness my hand and seal on the day and year last above written.

NELLIE B. WHITELEY  
Clerk of Circuit Court

Clerk's  
Seal.

One-One Dollar and One-Twenty Cent  
Recordation Tax Stamp.  
Endorsed TJC 4-29-27

THIS MORTGAGE, made this 28th day of April, in the year nineteen hundred and forty-seven, by and between Lewis R. Magargal and Bertha I. Magargal, his wife, of Queen Anne's County, State of Maryland, the Mortgagors and John E. Eveland and Cordie V. Eveland his wife, of Caroline County, State of Maryland, the Mortgagees.

WHEREAS, the said Mortgagors have borrowed from the said Mortgagees the full sum of Twelve Hundred Dollars (\$1,200.00), as evidenced by their promissory note bearing even date herewith, payable to the said mortgagees within two (2) years from the date these presents are executed as hereinafter set forth, with interest at five (5) per centum per annum, as follows: The Mortgagors shall pay on the 28th day of May 1947, the sum of Twenty-five Dollars (\$25.00) on said principal and interest, and the Mortgagors shall pay a like sum of Twenty-five Dollars (\$25.00) on the 28th day of every month thereafter during the rest of the calendar year 1947, on said principal and interest, and on the 28th day of January 1948, the Mortgagors shall pay the sum of Fifty Dollars (\$50.00) on said principal and interest, and the Mortgagors shall pay a like sum of Fifty Dollars (\$50.00), on said principal and interest, on the 28th day of every month thereafter in the calendar year 1948 and of the calendar year 1949, until the 28th day of April, 1949, at which time any unpaid balance of said principal and interest shall be paid, the same becoming then due and owing; and it is hereby agreed that interest shall abate on all such monthly payments from the date of payment on account; and the said Mortgagors hereby reserve the right to pay said indebtedness in larger monthly payments than those above set forth at his election; and to better secure the payment of which sum with interest as aforesaid, these presents are executed;

NOW, THEREFORE, THIS MORTGAGE, WITNESSETH: That, in consideration of the premises and of the sum of TWELVE HUNDRED DOLLARS (\$1,200.00), the said Mortgagors do hereby grant and convey unto John E. Eveland and Cordie V. Eveland, his wife, as tenants by the entireties, their assigns, and unto the survivor of them, his or her heirs and assigns, in fee simple, the following described property, to wit:

ALL that lot or parcel of land improved by a frame building situate, lying and being in the Third Election District of Queen Anne's County, State of Maryland, on the north side of the state road known as the "Boulevard" leading from Wye Mills in Talbot County to the village of Queen Anne - in the first named county, and on the east side of a road called "The Slag Road", which branches from said boulevard to lead to Willoughby Station on the railroad, bounded on the south by said boulevard, on the west by said slag road, and on its remaining sides, north and east, by land of William G. Boyles, the land hereby granted and conveyed being more particularly described as follows, to wit: BEGINNING for the same at a point marked by a large locust post driven in the ground at the intersection of the two roads above mentioned and on the southwest corner of the land hereby conveyed, and running thence with said slag road following the line of a fence now standing along said road for a distance of one hundred forty-seven feet and five-tenths of a foot to a point a corner for the lands of William G. Boyles to be marked by a concrete post to be set in the ground; thence in an easterly direction with the line drawn at right angles to the first line above described and along the line of the other land of William G. Boyles for a distance of one hundred and forty-seven feet and five-tenths of a foot to a point a corner for other land of said William G. Boyles and to be marked by a concrete post to be set in the ground; thence with the line drawn parallel with the first line above described and with the other land of William G. Boyles in a southerly direction for a distance of one hundred forty-seven feet and five-tenths of a foot to a point on said boulevard a corner also for the land of said William G. Boyles, and containing one-half an acre of land, more or less; being the same land conveyed to Lewis R. Magargal and Bertha I. Magargal, his wife, by Jacob A. Gibson and Margaret A. Gibson, his wife, by deed, dated April 9th, 1946, and recorded in Liber A. S. G. Jr. No. 13, folio 357, a Land Record Book for Queen Anne's County.

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

AND the said Mortgagors do hereby bargain and sell to the said Mortgagees, as tenants by the entireties, their assigns, and unto the survivor of them, his or her heirs and assigns, all shelving, counters, showcases, meatblocks, iceboxes, coolers and scales located in store on said premises.

PROVIDED that if the said Mortgagors, their heirs, executors, administrators or assigns, shall well and truly pay to the said Mortgagees, their successors, executors, administrators or assigns, the aforesaid sum of Twelve Hundred Dollars, with interest, as above set forth, and shall perform all the covenants, conditions and agreements therein on their part to be performed, 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, 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 cost 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 a least the insurable value thereof, in some Company or Companies approved by the said Mortgagees, their successors, executors, administrators or assigns, and to have the said policy or policies so framed or endorsed that the proceed arising from said policy or policies, in case of loss, shall be applied to the payment of the principal and interest secured by this mortgage, and to deliver, upon demand, to the Mortgagees, their 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 Mortgagees, their successors, executors, administrators or assigns or J. Thomas Clark, 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 selling may deem expedient, for cash, or for cash or credit, at the option of the person making the sale, the credits 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 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 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 foreclosure of this mortgage under the power of sale above granted the said Mortgagees, their successors, executors, administrators or assigns or J. Thomas Clark 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 advertising, 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 costs, expenses and commissions the said Mortgagors for themselves and their heirs, executors, administrators and assigns hereby covenant to pay.

WITNESS the hands and seals of each Mortgagor on the day and year first above written.

TEST:

F. E. FLEMING  
F. E. Fleming

LEWIS R. MAGARGAL (SEAL)  
Lewis R. Magargal

F. E. FLEMING  
F. E. Fleming

BERTHA I. MAGARGAL (SEAL)  
Bertha I. Magargal

STATE OF MARYLAND

CAROLINE COUNTY, to wit:

I HEREBY CERTIFY that on this 28th day of April in the year nineteen hundred and forty-seven, before me, the subscriber, a Notary Public of the State of Maryland in and for Caroline County aforesaid, personally appeared Lewis R. Magargal and Bertha I. Magargal, his wife, the above named Mortgagors and each did acknowledge the foregoing MORTGAGE to be their respective act.

IN WITNESS WHEREOF I do hereunto subscribe my name and affix my Notarial Seal the day and year above written.

F. E. FLEMING Notary Public  
F. E. Fleming

My commission expires May 5, 1947

Notary  
Public  
Seal.

STATE OF MARYLAND

CAROLINE COUNTY, to wit:

I HEREBY CERTIFY that on this 28th day of April in the year nineteen hundred and forty-

seven, before me, the subscriber, a Notary Public of the State of Maryland in and for Caroline County aforesaid, personally appeared John E. Eveland and Cordie V. Eveland, his wife, the above named Mortgagees and they did each make oath in due form of law that the consideration stated in the foregoing MORTGAGE is true and bona fide as therein set forth.

IN WITNESS WHEREOF I do hereunto subscribe my name and affix my Notarial Seal the day and year above written.

F. E. FLEMING Notary Public  
F. E. Fleming

My commission expires May 5-1947

Notary  
Public  
Seal.

We, the undersigned, John E. Eveland and Cordie B. Eveland, his wife, mortgagees named in the within and foregoing mortgage, do hereby assign and transfer the within and foregoing mortgage unto J. Thomas Clark for collection by foreclosure or otherwise for the account of us, the said John E. Eveland and Cordie V. Eveland, husband and wife, as tenants by the entireties.

Witness our hands and seals this 3rd. day of January, 1949.

TEST: (as to both signatures)

ETHEL E. POORE

JOHN E. EVELAND (SEAL)  
John E. Eveland

CORDIE V. EVELAND (SEAL)  
Cordie V. Eveland

Certificate of Publication  
of Order Nisi  
Filed April 6, 1949

Nisi

J. THOMAS CLARK  
Assignee of Mortgage

Vs.

LEWIS R. MAGARGAL and  
BERTHA I. MAGARGAL, his wife

IN THE CIRCUIT COURT  
FOR QUEEN ANNE'S COUNTY

IN EQUITY.

Chancery No. 3603

ORDERED, This 1st day of February A. D., 1949, that the sale of real estate made and reported in this cause by J. Thomas Clark, Assignee of Mortgage, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 6th day of April, next; provided a copy of this order be inserted in some newspaper printed and published in the Queen Anne's County, Maryland, once in each of four successive weeks before the 7th day of March next.

The Report states the amount of sales to be \$2485.00

NELLIE B. WHITELEY  
Clerk

True Copy:

Test: NELLIE B. WHITELEY  
Clerk.

Filed February 1, 1949

THE QUEENSTOWN NEWS

Queenstown, Md. April 6, 1949

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 J. Thomas Clark, Assignee of Mortgage Vs., Lewis R. Magargal and Bertha I. Magargal, his Wife. Chancery No. 3603 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 7th day of March 1949, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 1st day of Feb. 1949

THE QUEENSTOWN NEWS

By GEORGE STEINFELT

Filed April 6, 1949

J. Thomas Clark, Assignee of  
Mortgage

vs.

Lewis R. Magargal, and  
Bertha I. Magargal, his wife,  
mortgagors

In The Circuit Court

for

Queen Anne's County

In Equity

Chy. #3603

ORDER OF COURT

ORDERED, this 7th day of April, 1949, by The Circuit Court of Queen Anne's County, in Equity, and by the authority of said Court, that the sale made and reported in this cause by J. Thomas Clark, assignee of mortgage, 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 per certificate of publication of Nisi to the report of sale. The assignee is allowed the usual commissions and all expenses incident to said sale, not personal, upon the production of proper vouchers therefore to the auditor.

WM. R. HORNEY  
Judge

Filed April 7, 1949.

AUDIT  
Filed April 23, 1949

J. Thomas Clark, Assignee  
of Mortgage,

vs.

Lewis R. Magargal and  
Bertha I. Magargal, his wife,  
Mortgagors.

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

Cause No. 3603.

THE THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Howard Wood, 3rd, your auditor, unto your Honors, respectfully shows:

1. That this account is stated at the request of J. Thomas Clark, Assignee of Mortgage and (vendor) in this foreclosure proceeding; and it appears that the proceeds of the mortgage sale were more than sufficient for the payment of the mortgage debt, interest and costs of collection in full.

2. That in the within account said Assignee is charged with the gross proceeds of the sale made by him, per report of sale filed, and with the interest which he collected on the deferred portion thereof; and that he is then allowed thereout as follows: for his commission in accordance with the terms of said mortgage, the court costs of this cause per bill of Clerk, the fee of the auctioneer selling the land per receipted bill, the costs of the premiums on said Assignee's two corporate surety bonds per receipted bill, the costs of advertising the advertisement of sale and the several orders nisi of this cause, the auditor's fee, and the amount of his mortgage claim, including principal and interest and collection commissions, per statement of debt filed.

Your auditor has directed that the balance of the proceeds of sale be paid to the Mortgagors, Lewis R. Magargal and Bertha I. Magargal, his wife, as tenants by the entireties,

Respectfully submitted,

HOWARD WOOD, 3RD., Auditor

April 22, 1949.  
Filed April 23, 1949

Cause No. 3603.

The proceeds of the sale of land reported in this cause, in account with J. Thomas Clark, assignee of the mortgage foreclosed in these proceedings (and vendor of said land).

Cr.

1949

Jan. 31	By Gross proceeds of the sale of said land per report of said vendor, to wit: . . . . .	\$ 2,485.00
Jan. 31	By interest at 6% per annum on the deferred portion of said proceeds (\$1656.67) from the day of sale to the day of payment thereof, to wit: . . . . .	18.49
		<u>\$2,503.49</u>

Dr.

Jan. 31	To J. Thomas Clark, assignee (and vendor) for his commissions for making the sale, per terms of the mortgage . . . . .	\$144.33
	To do., for court costs of this cause per clerk's statement, as follows: Costs of Nellie B. Whiteley, Clerk . . . \$25.10 Appearance fee of J. Thomas Clark . . . . 10.00	35.10
	To do., for amount paid Ross Rhodes, auctioneer, for crying the said sale, per his receipt for same exhibited . . . . .	50.00

To do., for an amount paid J. H. E. Legg (Agent), for the premium on the both the original and additional surety bonds filed by said assignee in this cause, per receipt for same exhibited..1.....	10.00	
To do., for an amount due The Queenstown news, for cost of advertising this sale, per its account for same exhibited..1.....		16.87
To do., for an amount due The Queenstown News for cost of advertising the order nisi passed as to said sale, per its account for same exhibited.....		5.00
To do., for cost of advertising the order nisi to be passed as to this audit in The Queenstown News.....		3.50
To Howard Wood, 3rd, Auditor, for stating this audit...		9.00
To J. Thomas Clark, Assignee of mortgage in full of the mortgage debt with interest and costs of collection thereof, per statement of debt filed.....	1160.70	
To Lewis R. Magargal and Bertha I. Magargal, his wife, as tenants by the entireties, this balance, being surplus proceeds of said said.....	1068.99	
	<u>\$2503.49</u>	\$2503.49

HOWARD WOOD, 3RD, Auditor

April 22, 1949.

Filed April 23, 1949.

NISI RATIFICATION OF AUDIT  
Filed April 23, 1949

NISI RATIFICATION OF AUDIT

J. Thomas Clark, Assignee of Mortgage,	)	IN THE CIRCUIT COURT
	)	
VS	)	FOR QUEEN ANNE'S COUNTY
	)	
	)	IN EQUITY.
Lewis R. Magargal and Bertha I. Magargal, his wife, Mortgagors.	)	
	)	Cause No. 3603

ORDERED, This 23rd. day of April in the year nineteen hundred and forty nine, that the Report and Account filed in these proceedings by Howard Wood, 3rd. Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 21st. day of May, 1949; provided a copy of this order be published once a week in each of two successive weeks before the 14th. day of May, 1949, in some newspaper printed and published in Queen Anne's County.

NELLIE B. WHITELEY Clerk

Filed April 23, 1949

Petition  
Filed May 20, 1949

J. THOMAS CLARK, Assignee,	#	IN THE CIRCUIT COURT
	#	
VS.	#	FOR
	#	
Lewis R. Magargal and Bertha I. Magargal, his wife, Mortgagors.	#	QUEEN ANNE'S COUNTY, IN EQUITY
	#	Cause No. 3603.

Frederick Monroe trading as Greensboro Packers, who files this Petition not only on his own behalf but as well for all other creditors of Lewis R. Magargal and Bertha I. Magargal, his wife, who will come in and contribute to the expense of these proceedings, says:

1. That the said Lewis R. Magargal and Bertha I. Magargal, his wife, conducted a service station at Willoughby known as Willoughby Service Station, the traders license being used in the name of Lewis R. Magargal and Bertha I. Magargal, his wife, the said business being conducted by them as tenants by the entireties, and as such bought certain goods, wares and merchandise from your Petitioner, making certain payments thereon but leaving a balance due and owing of Seventy Dollars and Ninety Five Cents (\$70.95), as per itemized statement filed in this cause.
2. That your Petitioner is advised that the said Lewis R. Magargal has left his residence formerly near Queen Anne's, Queen Anne's County, several months prior to this foreclosure, and that his address is unknown to your Petitioner at present being in the State of Pennsylvania; that your Petitioner knows of no personal property or real estate, owned by the above named parties as tenants by the entireties out of which he could collect his said account, save and except the surplus proceeds of sale in this cause.
3. That an audit in this Cause has been stated in this cause in which audit the net surplus proceeds of mortgage sale is audited to the said Lewis R. Magargal and Bertha I, Margargal, his wife, which said surplus amounts to \$1,068.99.

TO THE END, THEREFORE:

1. That the excess net proceeds of sale of the real estate sold in this cause or so much thereof as may be necessary, be distributed to the payment of the claims of your petitioner and all other creditors of the said Lewis R. Margargal



and Bertha I. Margargal, his wife, as tenants by the entireties, who may come in and contribute to the expenses of these proceedings.

2. That your Petitioner may have such other and further relief as may be right and property in the premises.

RICHARD T. EARLE  
Atty. for Petitioner

Filed May 20, 1949

ORDER OF COURT  
Filed May 20, 1949

ORDER OF COURT

ORDERED this 20th day of May, 1949, that the proceedings be referred to Howard Wood, 3rd, auditor, and he shall give notice, by publication, to judgment creditors, lienors, assignees and persons claiming an interest in the quity of redemption to file their claims, with the vouchers thereof, with him on or before a certain day (which shall be sixty days from date of first publication) named in the notice, and authorizing him to take such testimony as he may find necessary to establish said claims, and to state and return to the Court an audit distributing such surplus, proceeds to said claimants, as their rights may appear.

WM. R. HORNEY  
Judge.

Filed May 20, 1949

Certificate of Publication  
of Nisi Ratification of  
Audit.

Filed May 28, 1949

Nisi Ratification of Audit

J. Thomas Clark,  
Assignee of Mortgage.

Vs.

Lewis R. Magargal and Bertha I.  
Magargal, his wife. Mortgagors.

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

Cause No. 3603.

ORDERED, This 23rd. day of April in the year nineteen hundred and forty nine, that the Report and Account filed in these proceedings by Howard Wood, 3rd, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 21st day of May, 1949; provided a copy of this order be published once in each of two successive weeks before the 14th day of May, 1949, in some newspaper printed and published in Queen Anne's County.

NELLIE B. WHITELEY  
Clerk.

True Copy:  
Test:

NELLIE B. WHITELEY Clerk.

Filed April 23, 1949

THE QUEENSTOWN NEWS

Queenstown, Md. May 27, 1949

THE QUEENSTOWN NEWS, trading as a co-partnership between Michael W. Aker and Geoge J. Steinfelt, do hereby certify that the Nisi Ratification of Audit in the case of J. Thomas Clark, Assignee of Mortgage, Vs. Lewis R. Magargal and Bertha I. Magargal his wife, Mortgagors Cause N. 3603 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 14th day of may, 1949, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 29, day of April 1949

THE QUEENSTOWN NEWS

By GEORGE J. STEINFELT

Filed May 28, 1949.

ORDER OF COURT  
Filed May 28, 1949

J. Thomas Clark, Assignee of  
Mortgage:

vs.

Lewis R. Magargal, and  
Bertha I. Magargal, his  
wife, Mortgagors.

In The Circuit Court

for

Queen Anne's County

In Equity.

Ordered this 28th. day of May, 1949, 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 the auditor 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 given as directed by the Previous Nisi Ratification of Audit passed thereon in this cause, and the Assignee of Mortgage, J. Thomas Clark, is hereby directed to apply the proceeds of the sale in accordance with and in the manner set forth in said audit, except as hereinafter set forth, with a due proportion of interest on the credit sales as the same has been or may hereafter be received by said Assignee.

It appearing that a petition in the nature of a creditor's bill has been filed since the date of the filing of the report and account of the auditor, it is further ordered that said J. Thomas Clark, assignee as aforesaid, shall retain the sum of \$1,068.99 distributed by said audit to Lewis R. Magargal and Bertha I. Magargal, his wife, as tenants by the entireties, pending the further order of this court in the premises.

WM. R. HORNEY  
Judge.

Filed May 28, 1949.

Petition for Fee  
Filed July 23, 1949

J. Thomas Clark, Assignee,

VS.

Lewis R. Magargal and Bertha I.  
Magargal, his wife, Mortgagors.

# IN THE CIRCUIT COURT FOR QUEEN  
# ANNE'S COUNTY, IN EQUITY.  
# Cause No. 3603.  
#

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Richard T. Earle, attorney at law, to your Honors respectfully shows:

That heretofore on May 20th., 1949, that your Petitioner filed for Frederick Monroe, trading as Greensboro Packers a petition on the nature of a creditors Bill, seeking to have applied the balance of \$1,068.99, surplus proceeds from a mortgage sale, made in this cause, to the payment of the debt of the said Frederick Monroe and all other creditors of the Mortgagors, who would come in and contribute to the expense thereof.

That on said petition your petitioner secured an order of Court subjecting said balance to the creditors of the mortgagors:

Your petitioner would suggest to this Honorable Court that he be a fee allowed by this Honorable Court commensurate with the Legal work invlved and suggests that a fee in the sum of \$100.00, would be such a fee.

Respectfully submitted,

RICHARD T. EARLE.

Filed July 23rd, 1949

ORDER OF COURT  
Filed Aug. 4, 1949

ORDER OF COURT:

The within petition haveing been read and considered, IT IS THEREUPON this 27th day of July, 1949, ORDERED by the Circuit Court for Queen Anne's County in Equity that a fee of \$100.00 be and it is hereby allowed Richard T. Earle, out of the surplus proceeds of the mortgage sale, as compensation for his legal services rendered in the preparation and filing of the petition in the nature of a creditors bill in this cause, and subsequent proceedings in connection therewith.

WM. R. HORNEY  
Judge

Filed Aug. 4, 1949

NOTICE TO CREDITORS  
Filed Aug. 11, 1949

Notice to Creditors

Acting under the order of the Circuit Court for Queen Anne's County, in Equity, passed on May 20, 1949, in the mortgage foreclosure proceedings entitled "J. Thomas Clark, Assignee vs. Lewis R. Magargal and Bertha I. Magargal, his wife, Mortgagors", being Cause No. 3603 on the Chancery Docket of said Court, I hereby give notice to all judgment creditors, lienors, assignees and prsons claiming an interest in the equity of redemption of the above named Mortgagors, to file their claims, with the vouchers thereof, with me on or before the 26th day of July, 1949, for the purpose of establishing their right to participate in the distribution of the surplus proceeds of sale of the land which has been sold in this Cause.

HOWARD WOOD, 3rd,  
Auditor  
Centreville, Md.

THE QUEENSTOWN NEWS

Queenstown, Md. Aug. 10, 1949

THE QUEENSTOWN NEWS, trading as a cōpartnership between Michael W. Aker and George J. Steinfelt, do hereby certify that the Notice to Creditors in the case of J. Thomas

Clark, Assignee, Vs. Lewis R. Magargal and Bertha I. Magargal, His wife, Mortgagors. Cause No. 3603 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, on ce a week for 4 successive weeks before the 26 day of July 1940, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS, was on the 27 day of May 1949

THE QUEENSTOWN NEWS

By GEORGE STEINFELT

Filed Aug. 11, 1949

Supplementary Audit  
Filed Aug. 30, 1949

J. Thomas Clark, Assignee  
of Mortgage,  
  
vs.  
  
Lewis R. Magargal and  
Bertha I. Magargal, his wife,  
  
Mortgagors.

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

Cause No. 3603.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Howard Wood, 3rd, your auditor, unto your Honors respect-  
full shows:

1. That this account is stated at the request of Richard R. Earle, Es-  
quire, Attorney for Greensboro Packers, pursuant to the order passed by the Court on  
May 20, 1949.
2. In the within account J. Thomas Clark, as assignee and vendor in this  
cause, is charged with the surplus proceeds of sale of the land sold in this Cause, the  
same having been audited unto the Mortgagors in the audit filed herein on April 23, 1949,  
being the sum of \$1,068.99; and is then allowed thereout the court's costs, cost of ad-  
vertising the notice to creditors and order nisi as to this audit, an account due Richard  
T. Earle as an attorney's fee, per this Court's order, and the fee of the Auditor, all  
of such costs, fees and expenses ha ing been incurred since the previous audit of  
April 22, 1949, and amounting to the aggregate sum of \$137.50.
3. Next, your Auditor allowed from the balance remaining the claims  
of three general creditors who have heretofore filed their claims with your Auditor,  
pursuant to the notice duly published as directed by the order passed by the Court on  
May 20, 1949.
4. Finally, the net balance remaining, or the sum of \$786.67 is audited  
to the Mortgagors, Lewis R. Magargal and Bertha I. Magargal, his wife, as tenants by  
the entireties.

Respectfully submitted,  
HOWARD WOOD, 3rd., Auditor.

August 29, 1949.

Filed August 30, 1949

Cause No. 3603.

The balance of the proceeds of the sale of the land sold under mort-  
gage foreclosure in this cause, in account with J. Thomas Clark, assignee of mortgage  
and vendor of said land.

1949		Cr.	
April 23	By balance of said proceeds as per audit filed in this cause on April 23, 1949, to wit:.....		\$1,068.99
		Dr.	
	To J. Thomas Clark, assignee and vendor for court costs since said last named audit, per statement of Nellie B. Whiteley, Clerk		\$20.00
	To do., for cost of advertising notice to credi- tors, per bill of the Queenstown News exhibited...		5.00
	To do., for cost of advertising the order nisi to be passed as to this audit.....		3.50
	To Richard T. Earle, Attorney for the attorney fee allowed him by this Court's order of July 26, 1949.....		100.00
	To Howard Wood, 3rd, Auditor, for statement this Account.....		9.00
	To balance for distribution prior to allowance of creditors' claims filed, to wit:.....		931.49
		\$ 1,068.99	\$1,068.99

Cr.

By above balance..... \$931.49

Dr.

To Greensboro Packers, in full of its claim filed under oath by Frederick Monroe, t/a Greensboro Packing Company on open account against the Mortgagors..... \$70.95
To Gulf Oil Corporation, in full of its claim filed under oath by its Assistant Manager, consisting of a balance unpaid on the Mortgagors' note..... 47.37
To The E. M. Skinner, Jr. Company, in full of its claim filed under oath by its President, on open account against the Mortgagors..... 26.50
\$144.82

To Balance for distribution after allowance of said creditors' claims, to wit:..... \$786.49
931.49 \$931.49

HOWARD WOOD, 3rd, Auditor.

Filed Aug. 30, 1949

Cr.

By last above mentioned balance..... \$786.67

Dr.

To Lewis R. Magargal and Bertha I. Magargal, hiswife, as tenants by the entāretāes, this net balance, to wit: \$786.67

HOWARD WOOD, 3rd., Auditor

August 29, 1949.

Filed Aug. 30, 1949

Nisi Ratification of Audit.
Filed Aug. 30, 1949

NISI RATIFICATION OF AUDIT

J. Thomas Clark, Assignee of Mortgage

VS.

Lewis R. Magargal and Bertha I. Magargal, his wife, Mortgagors

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

Cause No. 3603

ORDERED, This 30th. day of August in the year nineteen hundred and forty nine, that the Report and Account filed in these proceedings by Howard Wood, 3rd., Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 24th day of September, 1949; provided a copy of this order be published once a week in each of two successive weeks before the 17th day of September, 1949, in some newspaper printed and published in Queen Anne's County.

NELLIE B. WHITELEY Clerk.

Filed August 30, 1949.

NISI RATIFICATION OF AUDIT
Filed August 30, 1949

Nisi Ratification of Audit

J. Thomas Clark, Assgnee of Mortgage.

Vs.

Lewis R. Magargal and Bertha I. Magargal, his wife, Mortgagors.

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

Cause No. 3603

ORDERED, this 30th day of August in the year nineteen hundred and forty nine, that the Report and Account filed in these proceedings by Howard Wood, 3rd, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 24th day of September, 1949; provided a copy of this order be published once a week in each of two successive weeks before the 17th day of September, 1949 in some newspaper printed and published in Queen Anne's County.

NELLIE B. WHITELEY
Clerk

True Copy
Test: NELLIE B. WHITELEY Clerk
Filed August 30, 1949

## THE QUEENSTOWN NEWS

Queenstown, Md. Sept. 30, 1949

THE QUEENSTOWN NEWS, trading as a co-partnership between Michael W. Aker and George J. Steinfeld, do hereby certify that the attached Nisi Ratification of Audit in the case of J. Thomas Clark, Assignee of Mortgage vs. Lewis R. Magargal and Bertha I. Magargal, his wife, Mortgagors 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 17th day of Sept. 1949, and that the first insertion of said advertisement in said THE QUEENSTOWN NEWS was on the 2nd day of Sept 1949

THE QUEENSTOWN NEWS

By M. W. AKER

Filed Sept. 30, 1949

PETITION

Filed Nov. 21, 1949

J. Thomas Clark, Assignee of  
Mortgage

vs.

Lewis R. Magargal and  
Bertha I. Magargal, his wife.In the Circuit Court for  
Queen Anne's County  
In Equity

Cause No. 3603

## P E T I T I O N

TO THE HONORABLE, THE JUDGES OF SAID COURT:

1. We, Lewis R. Magargal and Bertha I. Magargal, his wife, do hereby agree that the Court shall ratify forthwith the audit filed in this proceeding on the 29th day of August, 1949, wherein certain funds aggregating the sum of \$144.82 when distributed to Greensboro Packing Company, Gulf Oil Corporation and the E. M. Skinner, Jr. Company, and the payment of the costs of this proceeding to end that we may be paid forthwith the amount distributed to us in said Audit, the sum \$786.67.

LEWIS R. MAGARGAL

Lewis R. Magargal

BERTHA I. MAGARGAL

Bertha I. Magargal

Petitioners

State of Maryland, County of Caroline, to wit:

This is to certify that before the subscriber, a Notary Public of the State and County aforesaid, personally appeared Lewis R. Magargal and Bertha I. Magargal, his wife, and each did acknowledge the foregoing Petition to be their act.

Witness my hand and notarial seal this 14th day of November, 1949.

Madaline C. Brown

Notary Public

Notary Public Seal  
Notary Public Seal  
Filed Nov. 21, 1949

ORDER OF COURT

Filed Nov. 22, 1949

ORDERED this 22nd day of November, 1949, by the Circuit Court for Queen Anne's County, in Equity that the within and foregoing audit stated by Howard Wood, 3rd, of the net surplus of Mortgage sale, be and the same is hereby finally satisfied and confirmed the mortgagors having specifically consented to such satisfaction, and no cause to the contrary having been shown, although notice appears to have been given in accordance with the certificate of publication of previous order nisi thereto; and J. Thomas Clark, assignee is hereby directed to make distribution thereof in accordance therewith.

WM. R. HORNEY

Judge.

Filed Nov. 22, 1949



## C A U S E N U M B E R 3643

Q U E E N A N N E ' S C O U N T Y: Be it remembered that on this Twenty-third, day of July in the year nineteen hundred and forty nine, the following Bill of Complaint was brought to be recorded, to wit:

ANNE JACOBS PHILLIPS and CHARLES  
T. PHILLIPS, her husband, FRANCES  
I. JACOBS, Guardian of FRANCES KENT  
JACOBS, a minor, and CHARLES S. QUIMBY,  
Trustee,

PLAINTIFFS

versus

FRANCES KENT JACOBS, infant,

DEFENDANT.

300 Locust St.  
Cambridge, Md.

IN THE CIRCUIT COURT

FOR

QUEEN ANNE'S COUNTY,

IN EQUITY.

BILL OF COMPLAINT.

TO THE HONORABLE, the Judges of said Court:

YOUR ORATORS, complaining, say:

(1) THAT Anne Jacobs Phillips, Plaintiff, Charles S. Quimby, Trustee as hereinafter set forth, Plaintiff, and Frances Kent Jacobs, Infant Defendant, are seized and possessed, as tenants in common, of certain real estate consisting of a farm or tract of land known as "The S. R. Emory Farm-Parcel No. 6 of the McKenney Estate", situate in Spaniards' Neck, in the Third Election District of Queen Anne's County, Maryland, containing 271 ACRES of land, more or less, their respective interests in said farm being as follows: the said Anne Jacobs Phillips owns an undivided one-fourth ( $\frac{1}{4}$ ) interest therein in fee simple; the said Charles S. Quimby, Trustee under the Will of Nannie McK. Jacobs, deceased, which Trust Estate is subject to the jurisdiction of this Honorable Court in Chancery Cause No. 3460, holds, as such trustee, an undivided one-half ( $\frac{1}{2}$ ) interest therein; and the said Frances Kent Jacobs, Infant Defendant, owns an undivided one-fourth ( $\frac{1}{4}$ ) interest therein, in fee simple.

(2) THAT the Title to the aforesaid real estate was acquired by virtue of a Decree of this Honorable Court passed on the 5th day of February 1946, in a Cause entitled "William McKenney Jacobs, Executor, versus Anne McK. Jacobs and Frances Kent Jacobs, etc." and numbered 3349 on the Chancery Docket of this Court, a certified copy of said Decree being filed herewith as a part hereof, marked "Plaintiffs" Exhibit No. 1".

(3) THAT the Infant Defendant is under the guardianship of her mother, Frances I. Jacobs, one of the Plaintiffs, who was appointed Guardian by the Orphans' Court of Queen Anne's County, a Certificate of her appointment being filed herewith Marked "Plaintiffs' Exhibit No. 2", and said infant now resides with her mother in Dorchester County, Maryland;

(4) THAT the aforesaid real estate known as the "S. R. Emory Farm -Parcel No. 6 of the McKenney Estate" cannot be divided without loss or injury to the Parties interested therein.

(5) THAT your Orators, (the said Frances I. Jacobs, Guardian, acting on behalf of her minor ward, Frances Kent Jacobs, Defendant), have entered into a written Contract of Sale of the said real estate known as the "S. R. Emory Farm" with Kenneth Wilson and Louise Forstman Wilson, his wife, Buyers, for the sum of Forty-Four Thousand Dollars (\$44,000.00), said Contract bearing date the 7th day of July, 1949, and (1) of the three (3) original executed copies thereof being filed herewith as a part hereof marked "Plaintiffs' Exhibit No. 3".

(6) THAT the selling price of Forty-four Thousand Dollars (\$44,000.00), even after payment thereof of the Brokerage Commission of Four Thousand Dollars (\$4,000.00) as provided in the Contract of Sale, is an adequate one, and it is to the interest and advantages of the Parties owning said real estate, including the Infant Defendant, that the aforesaid Contract be ratified by this Honorable Court and that the said "S. R. Emory Farm" be sold unto Kenneth Wilson and Louise Forstmann Wilson, his wife, upon the terms and conditions set forth in said Contract;

TO THE END, therefore:

(1) THAT the said real estate, known as the "S.R. Emory Farm- Parcel No. 6 of the McKenney Estate", be sold for the purpose of partition and division of the proceeds of sale amongst the Parties owning same according to their respective interests therein;

(2) THAT the Contract of Sale of said "S. R. Emory Farm" with Kenneth Wilson and Louise Forstmann Wilson, his wife, which is hereinbefore mentioned and filed as an Exhibit with this Bill, be ratified and confirmed in accordance with the terms thereof;

(3) THAT a trustee may be appointed by this Honorable Court to Execute a Deed of Conveyance of said real estate unto the Purchasers, upon their compliance with the terms of sale and payment of the purchase money;

(4) AND that your Orators may have such other and further relief as their case may require.

AND AS IN DUTY BOUND, ETC.

THOS J. KEATING JR.  
(Thos. J. Keating, Jr.)  
ATTORNEY FOR PLAINTIFFS

Filed July 23, 1949

Plaintiffs Exhibit No. 1  
Filed July 23, 1949

WILLIAM MCKENNEY JACOBS, EXECUTOR  
UNDER THE LAST WILL AND TESTAMENT,  
AND THE CODICIL THEREOF, OF NANNIE  
MCK. JACOBS, HIS DECEASED MOTHER,  
AND WILLIAM MCKENNEY JACOBS IN HIS  
INDIVIDUAL CAPACITY.

vs.

ANNE MCK. JACOBS AND FRANCES KENT  
JACOBS, MINOR CHILDREN OF J. KENT  
H. JACOBS, DECEASED.

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

Cause No. 3349

DECREE OF COURT:

This cause standing ready for hearing, and being submitted, and no exceptions having been taken to the Report and Return of the Commissioners, appointed by a decree of this Court passed on the 28th day of June, 1944, to value and make partition of, divide and allot the real estate mentioned in the proceedings in the Cause, of which Nannie McK. Jacobs, late of Queen Anne's County, Maryland, died seized and possessed, and of that property of which she, the said Nannie McK. Jacobs, had the right of testamentary disposition under the terms of the last will and testament of William McKenney, the elder, although due notice appears to have been given as required by the preceding order nisi passed in said Cause on the 5th day of November, 1945, the proceedings were read and considered.

It is thereupon this 5th day of February 1946, adjudged, ordered and decreed, by the Circuit Court for Queen Anne's County, in Equity, and by the authority of said Court, that the said Report and Return of the Commissioners as aforesaid, be and the same is hereby finally ratified and confirmed.

It is further adjudged, ordered and decreed that the tract or parcel of land described in these proceedings as "Parcel I" - "Woodlawn" to be sold for the purpose of first paying the mortgage debt which rests as a lien against said "Parcel I" - "Woodlawn" and "Parcel F" - "Little Needwood", and second paying the costs and expenses of these proceedings, including the costs of the sale thereof; and that Thomas J. Keating, Jr., and William McK. Gibson are hereby appointed trustees to make said sale, and the manner and course of their proceedings shall be as follows:

They shall first file a bond or bonds in the penalty of Eight Thousand Dollars if corporate surety be given, and double this amount, if personal surety be given, with security to be approved by the Clerk of this Court conditioned upon the faithful performance of the trust reposed in them by this decree or by any further order in the premises; they shall then proceed to make sale of said property at public sale, to the highest bidder, after having given at least three weeks previous notice of the time, place, manner and terms of sale, in a newspaper published in Queen Anne's County, Maryland, and whatever other notice the said trustees shall deem advisable, which terms shall be as follows: Cash upon final ratification of sale by this Court; and said trustees shall bring into this Court the money arising from said sale to be applied to the purposes hereinbefore set forth, and the balance, if any, to be distributed to the parties in interest according to the Report of the Commissioners.

AND it is further adjudged, ordered and decreed, that Charles S. Quimby, the trustee appointed by this Court in the Cause No. 3460 in the Circuit Court for Queen Anne's County, in Equity, entitled "In the Matter of the Trust Estate for William McK. Jacobs, created by the will of Nannie McK. Jacobs, deceased", and his successor or successors in the trust, subject to the trust engrafted thereon by the said last will and testament of Nannie McK. Jacobs, shall hold in severalty and not jointly or in common with the other parties of this suit (except as to the farm or tract of land known as "S. R. Emory Farm" being "Parcel A" of these proceedings) all the following described parcels of real estate which in the Report and Return of said Commissioners is described as "Division and Allotment No. 1", to wit:

Parcel B- The farm known as "Wakefield", or by whatsoever name or names the same may be known or called, being farm #37 of the McKenney estate, situate at Hope in the 6th Election District of Queen Anne's County aforesaid, containing about 574 acres save and except 12- $\frac{1}{2}$  acres, more or less, sold and conveyed to J. Wesley Sewell by J. Kent H. Jacobs, Trustee by deed dated July 23, 1930, recorded in Liber B. H. T. No. 11, folio 342, a Land Record Book for Queen Anne's County.

Parcel C- The Tract of land or farm known as the "Tanyard Farm", or by whatsoever name or names the same may be known, containing 372.33 Acres of land, more or less, being farm #16 of said McKenney Estate, situate in the Third Election District of Queen Anne's County, on the left side of the public road from Centreville to Carville Station.

Parcel D- The tract of land or farm known as the "Baynard Farm"



or by whatsoever name or names the same may be known, containing 317 acres, more or less, situate to the rear of the said "Tanyard" tract, in the Third Election District of Queen Anne's County, being farm #15 of the said McKenney estate.

Parcel H- The residence property known as the "Godwin Property", on the west side of Commerce Street, on the corner where what is known as Elm Street enters said Commerce Street in the town of Centreville, in the Third Election District of Queen Anne's County, being #59, of said McKenney estate.

An undivided one-half ( $\frac{1}{2}$ ) interest and estate (in common with the other parties to this cause) in Parcel A- The tract of land or farm known as the "S.R. Emory Farm", or "Conquest", or by whatsoever name or names the same may be known or called, being farm #6 of the McKenney estate, situate and located on Corsica River in the Third Election District of Queen Anne's County aforesaid, containing 271 Acres, more or less, including therewith that lot or parcel of land containing one and seven-tenths Acres (1.7), more or less, conveyed to Nannie McK. Jacobs as Annie McK. Jacobs by Alfred Green and wife by deed dated December 6, 1915, and recorded in Liber W. F. W. No. 8, folios 168, etc., a Land Record Book for Queen Anne's County.

Less an amount of cash to be paid unto Frances Kent Jacobs as per allotment No. 3 in order to equalize the awards and allotments, which amount shall be and remain a lien or charge upon the real estate embraced in this Allotment No. 1, until paid, to wit: \$688.23.

AND it is further adjudged, ordered and decreed that Anne McK. Jacobs Phillips shall hold in severalty and not jointly or in common with the other parties to this suit (except as to the farm or tract of land known as "S.R. Emory Farm" being "Parcel A" of these proceedings) all the following described parcels of real estate which in the Report and Return of said Commissioners is described as "Division and Allotment No. 2", to wit:

Parcel E- The tract of land or farm known as the "D. C. Hopper Farm" or by whatsoever name or names the same may be known, containing 185 acres, more or less, situate on the right side of the public road from Centreville to Ruthsburg in the Sixth Election District of Queen Anne's County, being farm #47 of the said McKenney estate.

Parcel G- The tract of land or farm known as the "Arlett Farm", or by whatsoever name or names the same may be known, containing 137 Acres of land, more or less, situate on the right side of the public road leading from Centreville to Carville Station in the Third Election District of Queen Anne's County, being farm #18 of the said McKenney estate.

Parcel J- The tract of land or farm known as "Briarfield", or by whatsoever name or names the same may be known, containing 202.53 Acres of land, more or less, situate in the Third Election District of Queen Anne's County, on the southerly side of the Centreville-Ruthsburg Road, SUBJECT to the mortgage against same of \$3900.00, with interest from April 1, 1943, at 5%.

An undivided one-fourth ( $\frac{1}{4}$ ) interest and estate (in common with the other parties to this cause) in Parcel A- The tract of land or farm known as the "S.R. Emory Farm" or "Conquest", or by whatsoever name or names the same may be known or called, being farm #6 of the McKenney estate, situate and located on Corsica River in the Third Election District of Queen Anne's County, aforesaid, containing 271 Acres, more or less, including therewith that lot or parcel of land containing one and seven-tenths (1.7) Acres, more or less, conveyed to Nannie McK. Jacobs as Annie McK. Jacobs by Alfred Green and wife by deed dated December 6, 1915, and recorded in Liber W. F. W. No. 8, folios 168, etc., a Land Record Book for Queen Anne's County.

Less an amount of cash to be paid unto Frances Kent Jacobs as per allotment No. 3 in order to equalize the awards and allotments, which amount shall be and remain a lien or charge upon the real estate embraced in this Allotment No. 2 until paid, to wit: \$5.36.

And it is further adjudged, ordered and decreed that Frances Kent Jacobs shall hold in severalty and not jointly or in common with the other parties to this suit (except as to the farm or tract of land known as "S. R. Emory Farm" being "Parcel A" of these proceedings) all the following described as "Division and Allotment No. 3, to wit:

Parcel F- The tract of land or farm known as the "C. C. Harper Farm" or by whatsoever name or names the same may be known, containing 277 Acres, more or less, situate on the right side of the public road leading from Centreville to Carville Station in the Third Election District of Queen Anne's County, being farm #17 of the said McKenney estate.

Parcel K- "Thurpin House"- All that lot of land improved by a two story dwelling house situate on the west side of Commerce Street, in the town of Centreville, in the Third Election District of Queen Anne's County, State of Maryland, adjoining on one side the property of Mrs. Susan Tucker, on the other side the property occupied by the said Annie McK. Jacobs, and adjoining in the rear the property of Dr. Horace M. Davis, with a width or frontage of thirty-one feet and six inches, more or less, and extending back with a uniform width of thirty-one feet and six inches, more or less, a distance of one hundred and sixty-five feet, more or less, to the said property of Dr. Horace M. Davis, containing 0.116 Acres of land, more or less.

Parcel L- "Little Needwood"- All that farm or tract of land situate, lying and being in the Third Election District of Queen Anne's County on the right side of the public road leading from Centreville to Carville Station, known as "Little Needwood", adjoining the lands of Henrietta McKenney Holton, the lands of the Queen Anne's and Kent Railroad and the lands of James T. Earle and Richard T. Earle, Trus-

tees, and containing 199.669 Acres of land, more or less.

An undivided one-fourth ( $\frac{1}{4}$ ) interest and estate in common with the other parties to this cause) in Parcel A-The Tract of land or farm known as the "S.R. Emory Farm", or "Conquest", or by whatsoever name or names the same may be known or called, being farm #6 of the McKenney Estate, situate and located on Cor-sica River in the Third Election District of Queen Anne's County, aforesaid, containing 271 Acres, more or less, including therewith that lot or parcel of land containing one and seven-thenth (1.7) acres, more or less, conveyed to Nannie McK. Jacobs as Annie McK. Jacobs by Alfred Green and wife by deed dated December 6, 1915, and recorded in Liber W. F. W. No. 8, folios 168, etc., a land record Book of Queen Anne's County.

Parcel B (1)- Cash proceeds of sale of part of "Wakefield", \$462.30.

And an amount of cash to be contributed and paid by and from Allotment No. 1, which shall be and remain a lien and charge upon the real estate embraced in allotment No. 1 until paid, \$688.23.

And an amount of cash to be contributed and paid by and from allotment No. 2, which shall be and remain a lien and charge upon the real estate embraced in allotment No. 2 until paid, \$5.36.

J. OWEN KNOTTS  
JUDGE

STATE OF MARYLAND  
QUEEN ANNE'S COUNTY, to wit:-

This is to certify that the foregoing is truly taken and copied from the original Decree of Court filed in the above entitled Cause, and the same remains on file in the office of the Clerk of Circuit Court for Queen Anne's County.

Clerk's  
Seal.

In Testimony whereof, I have hereunto subscribed my name and affixed the Seal of the Circuit Court for Queen Anne's County this 13th day of July in the year nineteen hundred and forty nine.

NELLIE B. WHITELEY  
Clerk

Plaintiffs Exhibit No. 2  
July 23, 1949

TO WHOM IT MAY CONCERN:

I, Edward E. Coursey, Register of Wills for Queen Anne's County, State of Maryland, ex-officio Clerk of the Orphans' Court of said County and, as such, the keeper of the records of said Court, DO HEREBY CERTIFY that it appears from the records in my said office THAT Frances I. Jacobs, formerly Frances I. Jacques, was appointed Guardian of Anne McK. Jacobs and Frances Kent Jacobs on July 16th, 1935, at which time she filed a Bond approved by the Court in the penalty of \$1,000.00, with the United States Fidelity and Guaranty Company as surety.

Register of Wills Seal

IN TESTIMONY WHEREOF, I hereunto subscribed my name and affixed the Seal of the Orphans' Court of Queen Anne's County, this 18th day of July, in the year of our Lord one thousand nine hundred and forty-nine.

EDWARD E. COURSEY  
Register of Wills for Queen Anne's  
State of Maryland.

Plaintiffs Exhibit No. 3  
Filed July 23, 1949

THIS AGREEMENT, made this 7th day of July 1949, by and between CHARLES S. QUIMBY, Trustee as hereinafter set forth, ANNE JACOBS PHILLIPS and CHARLES T. PHILLIPS, her husband, and FRANCES I. JACOBS, Guardian of FRANCES KENT JACOBS, a minor, hereinafter called Sellers, and KENNETH WILSON and LOUISE FORSTMAN WILSON, his wife, hereinafter called Buyers.

WHEREAS, the real estate hereinafter mentioned and described, known as the "S.R. Emory Farm"; is owned by the Sellers in the following manner: An undivided one-half ( $\frac{1}{2}$ ) interest therein is vested in Charles S. Quimby, Trustee of the Trust Estate created by the Will of Nannie McK. Jacobs for the benefit of William McK. Jacobs, for life, and is subject to the jurisdiction of the Circuit Court for Queen Anne's County, in Equity, in a Cause therein Numbered 3460 on the Chancery Docket of said Court; An undivided one-fourth ( $\frac{1}{4}$ ) interest therein is vested in the said Anne J. Phillips, in fee simple; and the remaining undivided one-fourth ( $\frac{1}{4}$ ) interest therein is vested in the said Frances Kent Jacobs, a minor, in fee simple, the said Frances I. Jacobs being the mother and guardian of said minor;

AND, WHEREAS, said Sellers, believing that said farm cannot be divided without loss or injury to them, and believing it to be to the interest and advantage of all parties owning interests in said real estate to sell the same upon the terms and conditions hereinafter set forth, have joined in the execution of this Agreement, it being fully understood by the Sellers and the Buyers that this sale is subject to the approval and ratification of the Circuit Court for Queen Anne's County;

NOW, THEREFORE, in consideration of the premises, the said Sellers do hereby agree to sell unto the Buyers, upon the terms and conditions hereinafter set forth, the following described real estate, to wit:

ALL that farm or tract of land known as the "S.R. Emory Farm, Parcel No. 6, of the McKenney Estate", situate, lying and being in the Third Election District of Queen Anne's County, Maryland, in Spaniards' Neck, adjoining the lands now belonging to the said Kenneth Wilson, the lands of the heirs of Lloyd Emory, deceased, and located upon the Corsica River, containing 271 ACRES of land, more or less; and being the same farm or tract of land mentioned and described in the Proceedings in the aforesaid Chancery Cause as "S.R. Emory Farm, Parcel No. 6 of the McKenney Estate";

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

#### TERMS OF SALE

THE PURCHASE PRICE for said property shall be Forty-four Thousand Dollars (\$44,000.00) of which the Buyer has paid a deposit of Forty-four Hundred Dollars (\$4400.00) at the time of the signing of this Agreement, said deposit to be held by Thomas J. Keating, Jr., Attorney for the Sellers, pending ratification of the sale by the Court. The remaining Thirty-nine Thousand Six Hundred Dollars (\$39,600.00) of the purchase money shall be paid in cash, or by certified check, to the Sellers or to such person as shall be appointed by the Court to receive same, within ten (10) days after ratification of this sale by the Court.

THE SELLERS agree to promptly take and prosecute such Court proceedings as are necessary to procure the authority of said Court to make this sale and the ratification thereof, the costs of which proceedings to be born by said Sellers in such proportion as the Court shall prescribe.

IT IS UNDERSTOOD and AGREED that a good and merchantable Title to the aforesaid real estate shall be conveyed to the Buyers and that said Buyers shall procure and pay for whatever examination and/or guarantee of the Title they may wish, and shall also pay for the preparation of the Deed and recording thereof, and the Revenue stamps to be affixed; and the said Anne Jacobs Phillips and Charles T. Phillips, her husband, do hereby agree to execute or join in the execution of the Deed to be passed to the Purchasers and said Deed shall contain a covenant of special warranty by Anne Jacobs Phillips as to her interest in said real estate.

IF, for any reason, the Sellers cannot convey, or cause to be conveyed, a good and merchantable Title to the Buyers, then the aforesaid deposit of Forty-four Hundred Dollars (\$4400.00) will be refunded unto them and there shall be no further liability on the part of said Sellers. If the Buyers do not make settlement of the balance of the purchase money within ten (10) days after the ratification of said sale by the Court and the tender of a proper Deed for said property, then the aforesaid deposit of Forty-four Hundred Dollars (\$4400.00) shall be retained by the Sellers as liquidated damages.

THE sale shall be made subject to the Tenancy of Royden Powell, Jr., the present tenant thereon for the remainder of the year 1949, and the Sellers shall receive the Landlord's share of all crops for the year 1949 and shall pay all Taxes for the year 1949 as well as the Insurance Premiums up to December 31, 1949. The present Policies of Insurance on the property shall be endorsed to protect the rights of the Sellers and the Buyers as their interests may appear, pending the final settlement.

SUBJECT to the Sellers' rights to receive the Landlords' share of the crops for the year 1949, the Landlords' right of possession shall be given to the Buyers as of the date of final settlement.

FINAL SETTLEMENT for said property shall be made at the office of Thomas J. Keating, Jr., Esq., in Centreville, Queen Anne's County, Maryland, at the expiration of ten (10) days from the date of the ratification of the sale by the Court, or upon such other date as may be mutually agreed upon between the parties hereto.

THE proposed sale has been brought about the firm of Eastern Shore Estates Company, and upon approval and ratification of this sale by the Circuit Court for Queen Anne's County, in Equity, the Sellers shall pay out of the proceeds of sale, or the aforesaid deposit, a commission of Four Thousand Dollars (\$4,000.00) to said Eastern Shore Estates Company.

WITNESS the hands and seals of the parties hereto in triplicate, the day and year herein first above written.

TEST (as to Charles S. Quimby, Trustee):

CHARLES S. QUIMBY (SEAL)  
(Charles S. Quimby) TRUSTEE

THOS. J. KEATING JR.

ANNE JACOBS PHILLIPS (SEAL)  
(Anne Jacobs Phillips)

TEST (As to Anne Jacobs Phillips and Charles T. Phillips, her husband):

CHARLES T. PHILLIPS (SEAL)  
(Charles T. Phillips)

M. RUSSELL EDMONSTON M. D.

FRANCES I. JACOBS (SEAL)  
(Frances I. Jacobs) GUARDIAN OF  
FRANCES KENT JACOBS, minor.  
SELLERS

TEST (as to France I. Jacobs, Guardian):

M. RUSSELL EDMONSTON M. D.

TEST (as to Kenneth Wilson and Louise Forstmann Wilson, his wife):

KENNETH WILSON (SEAL)  
(Kenneth Wilson)

ORRIE DE NOOYER

LOUISE FORSTMANN WILSON (SEAL)  
(Louise Forstmann Wilson)

Orrie De Nooyer  
Notary Public  
My Commission Expires November 18, 1951

THE UNDERSIGNED, William McKenney Jacobs, Life Beneficiary of the Trust Estate created by the Will of Nannie McKenney Jacobs, which Trust Estate is being administered by Chalres W. Quimby, Trustee, under the jurisdiction of the Circuit Court for Queen Anne's County, in Equity, in Chancery Cause #3460, does hereby consent to the execution of the foregoing Contract by said Charles S. Quimby, Trustee, in so far as such consent may be necessary or proper.

WILLIAM MCK. JACOBS  
(William McKenney Jacobs)  
LIFE-BENEFICIARY

Subpoena  
Filed Aug. 4, 1949

(EQUITY SUBPOENA)

THE STATE OF MARYLAND

Seal's Place

QUEEN ANNE'S COUNTY, TO WIT:

TO Frances Kent Jacobs  
300 Locust Street  
Cambridge, Maryland

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of September next and ending fifteen days thereafter, cause your answer or other defense to be filed to the complaint of Anne Jacobs Phillips and Charles T. Phillips, her husband, Frances I. Jacobs, Guardian of Frances Kent Jacobs, a minor, and Charles S. Quimby, Trustee, against you exhibited in the Circuit Court for Queen Anne's County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable Wm. R. Horney, Chief Judge of the Second Judicial Circuit of Maryland, the 4th day of July, 1949.

Issued the 23rd. day of July, 1949,

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office within fifteen days after the return day named in the above subpoena. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, Complaint(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

NELLIE B. WHITELEY, Clerk

Name Thos. J. Keating, Jr.

Address Centreville, Maryland

And on the back of the following subpoena is the following endorsement, to wit:

Summoned, this 2nd day of August, 1949. Copy of Subpoena read to and Copies of Subpoenas and Bill of Complaint left with Frances Kent Jacobs, Gaurdian of Frances Kent Jacobs, Infant.

WALDO H. ROBINSON  
Sheriff of Dorchester Co.

Summons

SUMMONED Frances Kent Jacobs, infant, by reading and delivering a copy of the Writ of Summons, together with a copy of the Bill of Complaint, to her, and by reading and delivering a copy of the Writ of Summons, together with a copy of the Bill of Complaint, to Frances I. Jacobs, the mother and Guardian of said Infant, on the 2nd day of August, 1949.

Filed Aug. 30, 1949

WALDO H. ROBINSON  
Sheriff.

PETITION

FILED Sept. 2, 1949

ANNE JACOBS PHILLIPS and CHARLES  
T. PHILLIPS, her husband, FRANCES  
I. JACOBS, Guardian of FRANCES  
KENT JACOBS, a minor, and CHARLES S.  
QUIMBY, Trustee,  
PLAINTIFFS,

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

versus

FRANCES KENT JACOBS, infant,  
DEFENDANT.

P E T I T I O N

TO THE HONORABLE, the Judges of said Court:

THE PETITION of Anne Jacobs Phillips and Charles T. Phillips, her husband, Frances I. Jacobs, Guardian of Frances Kent Jacobs, a minor, and Charles S. Quimby, Trustee, Plaintiffs, by Thomas J. Keating, Jr., their Attorney, respectfully shows:

(1) THAT process has been duly served upon the Infant Defendant as will appear by the Sheriff's Return on the Writ of Summons;

(2) THAT said Defendant, being an infant, cannot answer the Bill of Complaint heretofore filed herein against her by the Plaintiffs;

(3) THAT Frances I. Jacobs, the mother and duly appointed Guardian of said Infant Defendant is one of the Parties Plaintiff in this Cause;

(4) THAT it is necessary and proper to have a Guardian ad Litem appointed in this Cause to answer said Bill of Complaint for and on behalf of said Frances Kent Jacobs, Infant Defendant;

WHEREFORE, your Petitioners pray your Honors to pass an Order appointed a Guardian ad Litem to appear for the Infant Defendant and answer the Bill of Complaint.

THIS is to certify that I served a copy of this Petition upon the Defendant by mailing same to her on August 31, 1949, at her address at 300 Locust Street, Cambridge, Md., with sufficient postage attached.

THOS. J. KEATING JR.  
Attorney for plaintiffs

Respectfully submitted,  
THOS J. KEATING JR.  
(Thos J. Keating Jr.)  
ATTORNEY FOR PETITIONERS  
Filed Sept. 2, 1949

ORDER OF COURT

UPON the foregoing Petition, IT IS, by the Circuit Court for Queen Anne's County, in Equity, this 2nd day of September, 1949, ORDERED that Mary Ker Keating be and she is hereby appointed Guardian ad Litem to appear for and file and answer on behalf of Frances Kent Jacobs, the Infant Defendant in this Cause.

WM. R. HORNEY  
JUDGE.

Filed Sept. 2, 1949

ANSWER  
Filed Sept. 3, 1949

ANNE JACOBS PHILLIPS and CHARLES T. PHILLIPS, her husband, FRANCES I. JACOBS, Guardian of FRANCES KENT JACOBS, a minor, and CHARLES S. QUIMBY, Trustee,  
PLAINTIFFS,

versus

FRANCES KENT JACOBS, infant,  
DEFENDANT.

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

A N S W E R

TO THE HONORABLE, the Judges of said Court:

Frances Kent Jacobs, Infant Defendant, by Mary Ker Keating, her Guardian ad Litem, duly appointed by the Order of this Honorable Court, answering the Bill of Complaint heretofore filed herein against her, says:

THAT being an Infant, the said Defendant can neither admit nor deny the allegations of the Bill of Complaint, but submits her rights to the protection of this Honorable Court.

AND AS IN DUTY BOUND, etc.

MARY KER KEATING  
(Mary Ker Keating)  
GUARDIAN AD LITEM

Filed Sept. 3, 1949

Report of Examiner, Depositions and Exhibits #1, and #2.  
Filed Sept. 14, 1949

ANNE JACOBS PHILLIPS ET AL.  
VS.  
FRANCES KENT JACOBS, INFANT.

IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY, IN EQUITY.  
No. 3643

At the Request of Thomas J. Keating, Jr., attorney for Complainants, I went to the Office of Thomas J. Keating, Jr., in the town of Centreville, Queen Anne's County, State of Maryland, on Thursday, September 8th., 1949, at 10:15 A.M. and after swearing in Mr. Keating's Stenographer and the other witnesses, proceed to take the attached depositions.

RICHARD T. EARLE

Examiner

Filed Sept. 14, 1949.

The first witness of lawful age produced on the part of the plaintiff being CHARLES S. QUIMBY:

Q. State your name, place of residence, and occupation.

A. Charles S. Quimby. I live in the town of Centreville, Queen Anne's County, Maryland. I am a farmer. I am sixty-six years of age.

Q. Mr. Quimby, you are one of the plaintiffs in this suit, are you not?

A. Yes.

Q. You are trustee of the estate created by the will of Mrs. Nannie McK. Jacobs for the benefit of her son, William McK. Jacobs, being administered under the jurisdiction of the Circuit Court for Queen Anne's County, are you not?

A. I am.

Q. Is it not a fact that among the assets of your trustee estate there is an undivided one-half interest in the farm, known as the S. R. Emory Farm on the Corsica river in the third election district of Queen Anne's County, Maryland?

A. Yes.

Q. Who owns the other interest in said farm?

A. Mrs. Anne Jacobs Phillips and Miss Frances Kent Jacobs.

Q. Do you know both of these other parties?

A. Yes.

Q. State whether or not either one of said ladies, being the parties whom you have just mentioned, is under the age of twenty-one years.

A. Miss Frances Kent Jacobs is.

Q. Do you know whether or not she has a guardian and if so, who is such guardian?

A. Yes sir, she has her mother, Mrs. Frances I. Jacobs.

Q. Mr. Quimby, about how many acres are there in the S.R. Emory Farm, which I have just mentioned?

A. Two hundred and seventy-one, I believe - I don't know exactly.

Q. State whether or not you have been managing this farm and if so, for approximately how long.

A. About fifteen years.

Q. You managed it as trustee for Mrs. Jacobs herself, before her death, did you not?

A. Yes.

Q. How have you conducted the farm?

A. I have rented the farm on a crop share basis.

Q. In the fifteen years, how many difference tenants have you had thereon, if you recall?

A. Four.

Q. State whether or not you are familiar with the values of farm land generally in Queen Anne's County and particularly in the third election district of Queen Anne's County.

A. I believe I am. I have been an appraiser of several farms and real estate in Queen Anne's County. I own four farms in Queen Anne's County and have managed several others. I have attended several sales in Queen Anne's County and took notes of how they were sold.

Q. You, as trustee, along with Mrs. Anne Jacobs Phillips and Mrs. Frances I. Jacobs, guardian of Frances Kent Jacobs, have entered into a contract of sale for the S. R. Emory with Kenneth Wilson and Louise Forstman Wilson, his wife, have you not?

A. Right.

Q. I now hand you a paper marked "Plaintiff's Exhibit #3", which was filed with the bill of complaint, and ask you to identify it and say what it is.

- A. This is the contract between me and Mrs. Anne Jacobs Phillips and Frances I. Jacobs selling the farm on the seventh day of July, 1949, to Mr. and Mrs. Wilson.
- Q. This contract, which you have just referred to, specifies a sales price of forty-four thousand dollars (\$44,000.00), out of which the Sellers are obliged to pay a brokerage commission of four thousand dollars (\$4,000.00). Will you state whether or not, in your opinion, that is a fair value for the said S. R. Emory Farm and if so, why.
- A. Well, I have been managing the farm for several years and from the income I have received and the expenses that I have on the farm to pay out, I think that is a fair price for the farm.
- Q. Will you state whether or not the said farm could be divided amongst the parties owning interest therein without loss or injury to said parties.
- A. I would think it was hard to divide. It has a water front on it and it don't have that many good locations for building purposes and it only has one set of buildings on it, and I would think it would be hard to make it satisfactory.
- Q. State whether or not all the other parties, except Frances Kent Jacobs, are adults.
- A. All the other parties, except Frances Kent Jacobs, are adults.
- Q. State whether or not in your opinion it would be to the interest and advantage both of said infant and of all the other persons owning interest in said farm, that this contract which you have made with Mr. and Mrs. Wilson be confirmed by the Court and the sale made in accordance therewith.
- A. I should think that the sale should be made. I think that that is a good price for the farm. In other words, I think it is an excellent price for the farm for the condition it is in and the buildings and everything on it - fencing, etc. If it shouldn't be sold, there would have to be a lot of money spent on it to even have a tenant on it. The buildings and the house are in awful bad shape. It's owned by three different people and it is hard to get together to get money enough to fix it up.
- Q. Is this S. R. Emory Farm the same farm that is mentioned in the decree of the Circuit Court for Queen Anne's County in Cause #3349, which divided up the estate of the late Mrs. Nannie McK. Jacobs, a copy of which decree I now had you, and which is marked "Plaintiff's Exhibit #1"?
- A. It is.
- Q. Mr. Quimby, you are, of course, familiar with all of the other terms of the sale to Mr. and Mrs. Wilson as set forth in the contract, are you not?
- A. Yes, sir.
- Q. State whether or not you believe the contract to be fair and beneficial to all the Sellers.
- A. I do.

(Examiner's Special)

- A. The only thing that I know that hasn't been marked down is that the crops this year are reserved to the Sellers, and that is an additional advantage.

CHARLES S. QUIMBY.

- J. OLIN PIPPIN, witness of lawful age, produced on the part of the plaintiff, deposes and says:
- Q. Mr. Pippin, state your name, age, place of residence and occupation.
- A. J. Olin Pippin, Centreville, Queen Anne's County, Maryland. My occupation - I guess, farmer now. Age is fifty-four. I have other interests also, which are garage and director of the bank.
- Q. Are you familiar with the farm known as S. R. Emory Farm, belonging to the Jacobs family and situate in Spaniard's Neck in the third Election district of Queen Anne's County, Maryland?
- A. Yes, I am. I was one of the commissioners appointed by the Circuit Court to divide Mrs. Jacob's estate.
- Q. For how many years have you been somewhat familiar with the S. R. Emory Farm?
- A. Twenty-five years.
- Q. State whether or not you are generally familiar with the value of farm land in the third election district of Queen Anne's County, Maryland.
- A. Yes, I think I am. I have been appraiser on several different farms in Queen Anne's County and also own one myself and I think I know values pretty well. As a director of the bank, we also make farm loans and appraisals of farms.
- Q. Will you state what, in your opinion, is the present market value of the said S. R. Emory Farm, which is the subject of this suit.
- A. Well, I think that at the time we appraised the farm in 1944 in Mrs. Jacob's estate, I believe we appraised it a thirty or thirty-five thousand dollars (\$30,000.00 or

\$35,000.00), and the buildings on the said farm have depreciated quite some lot since that, and I believe the said sale price of forty-four thousand dollars (\$44,000.00) was an excellent price for the said farm in its present condition.

Q. State whether or not you know all of the parties to this cause.

A. Yes, I know all the parties that are interested in this farm.

Q. Do you know whether or not any of said parties is an infant?

A. Only one. That is Frances Kent.

Q. Do you know whether or not she has a guardian and if so, who?

A. Yes. I think her mother is the guardian.

Q. State whether or not, in your opinion, the S. R. Emory Farm, which is the subject of this suit, could be divided as land without serious loss or injury to the parties interested therein.

A. I don't think it could be.

Q. Will you please state some of the reasons for your opinion.

A. Well, first of all it is a water front and it would be right difficult to divide that farm the way it lays in three difference valuable pieces of property, particularly with the buildings all on one part of it. One party owns a half interest and the other two own a quarter each. It would be difficult to divide it satisfactorily.

Q. I now hand you a paper marked "Plaintiff's Exhibit #3", which has already been identified as "Examiner's Exhibit #1", being a contract for the sale of the S. R. Emory Farm. Will you please read it over and then tell me whether or not, in your opinion, it will be for the interest and advantage of all the parties owning said S. R. Emory Farm, both the infant and the other parties, to have the Court confirm this sale?

A. Yes, I think it is a good sale for all of the parties concerned, of this particular farm being in its present condition, because the farm is badly in need of repair and fences, and it is so difficult to get money from the estate and from the other parties to repair same.

Q. State whether or not the terms of the sale as set forth in the contract, are, in your opinion, advantageous to the Sellers.

A. Yes, I would say so.

Q. State whether or not you are related to any of the parties to this suit.

A. No, I am not related to any of the parties.

Q. Have you any personal interest whatever in the farm which is the subject of this suit?

A. None at all.

(Examiner's Special)

A. No, I wouldn't know of anything else.

J. OLIN PIPPIN

WILLIAM MCK. JACOBS, a witness of lawful age produced on the part of the plaintiff, deposes and says:

Q. State your name, age, place of residence, please.

A. William McK. Jacobs, Age fifty-five. Centreville, Queen Anne's County, Maryland Landowner.

Q. Mr. Jacobs, are you the William McK. Jacobs, who is the life beneficiary of the trust created by the will of Nannie McK. Jacobs and which trust estate is being administered by Charles S. Quimby, trustee?

A. Yes.

Q. As such beneficiary, you receive the net income from said trust estate, do you not?

A. Yes.

Q. Are you familiar with the farm known as the S. R. Emory Farm, which is located in Spaniard's Neck in the third election district of Queen Anne's County, Maryland?

A. Yes.

Q. What interest has the trust estate, of which you are beneficiary, in said farm?

A. One-half.

Q. Do you know the present condition of said farm?

A. Yes.



- Q. What is the approximate size of the farm?
- A. About two hundred and eighty acres, I suppose.
- Q. What is its present condition?
- A. Bad shape.
- Q. In what way?
- A. Buildings and fences are terrible.
- Q. How about ditches?
- A. They're bad, too.
- Q. State whether or not this farm is on the water.
- A. Yes, on the water.
- Q. How many decent locations are there on the water front?
- A. About two.
- Q. Do you know all of the parties to this suit?
- A. Yes.
- Q. What relationship are they to you?
- A. Anne Phillips and Frances Kent are my nieces.
- Q. Are any of the parties to this suit minors?
- A. One.
- Q. Which one?
- A. Frances Kent Jacobs. Eighteen last April.
- Q. State whether or not she has a legal guardian appointed for her.
- A. Yes. Her mother.
- Q. State whether or not in your opinion the S. R. Emory Farm, which is the subject of this suit, could be divided in kind without loss or injury to the parties interested therein.
- A. No, it couldn't be divided.
- Q. Will you give some of the reasons for your opinion.
- A. Because they only have on house there and two or three other buildings. That's all. It would difficult to allot to each of the parties a part of the water front according to their interest in the farm, and the waterfront is the principal value.
- Q. Are you familiar with the contract of sale marked "Plaintiff's Exhibit #3" filed with the bill of complaint in this case, which I now hand you?
- A. I am. I signed a written consent to it at the time it was entered into.
- Q. Will you state whether or not in your opinion it would be to the interest and advantage of all the parties owning interest in said S. R. Emory Farm, including the infant, Frances Kent Jacobs, that this contract of sale to Mr. and Mrs. Kenneth Wilson be ratified by the Court and the sale made as set forth in the contract.
- A. I do.
- Q. Will you give some of the reasons for your opinion?
- A. I don't believe that the farm would pay a reasonable income on that amount of money. It is badly in need of repairs and it would be hard to get the money to pay for the repairs from three separate owners. The farm has been in the family for many years and that is the biggest price that was ever offered for it and I doubt that we could get another such offer any time soon.

(Examiner's Special)

A. No. WILLIAM MCK. JACOBS.

Filed Sept. 14, 1949

There being no request for further depositions, and being requested to report same in, I hereby make this report.

Two witness-----\$1.50  
 Examiner's fee-----8.00  
\$9.50

RICHARD T. EARLE  
Examiner.

Filed Sept. 14, 1949

Decree  
Filed Oct. 4, 1949

ANNE JACOBS PHILLIPS and CHARLES T.  
PHILLIPS, her husband, FRANCES I. JACOBS,  
Guardian of FRANCES KENT JACOBS, a minor,  
and CHARLES S. QUIMBY, Trustee, PLAINTIFFS

X X IN THE CIRCUIT COURT  
X X OF QUEEN ANNE'S COUNTY  
X X IN EQUITY  
X X  
X X

versus

FRANCES KENT JACOBS, infant, DEFENDANT

-----  
DECREE

This cause, standing ready for hearing and having been submitted for decree upon the pleadings, exhibits and evidence, and the proceedings in the cause having been read and considered:

It is, by the Circuit Court for Queen Anne's County in equity, this 4th day of October, 1949, Adjudged, Ordered and Decreed that the real estate mentioned and described in the proceedings in this cause be sold, it appearing that such sale thereof will be to the interest and advantage of the parties owning said real estate, including the infant defendant, and it also appearing that said real estate cannot be divided without loss or injury to the parties interested therein;

And it further appearing that the proposed sale of said real estate unto Kenneth Wilson and Louise Forstmann Wilson, his wife, at and for the sum of FORTY-FOUR THOUSAND DOLLARS (\$44,000.00), and upon the terms set forth in the contract of sale filed as Plaintiff's Exhibit #3 with the Bill of Complaint, will be advantageous to all the parties interested in said real estate as aforesaid, including the infant defendant, and a better price than could be obtained for said property by now offering the same for sale at public auction, and it therefore appearing that it will be to the interest and advantage of the parties owning said real estate, including the infant defendant, that the aforesaid contract be ratified and confirmed and that such proposed sale be consummated and carried out, it is further Adjudged, Ordered and Decreed that Thomas J. Keating, Jr., be, and he is hereby appointed trustee for the purpose of making such sale and that the course and manner of his proceeding shall be as follows:

He shall first file in this cause a bond in the penalty of Forty Four Thousand Dollars if corporate surety be given and in double said amount if personal surety be given, with the surety to be approved by the clerk of this Court and conditioned for the faithful performance of the duties reposed in him by this Decree or that may hereafter be reposed in him by any future Order or Decree in the premises, and said trustee shall thereupon file in this cause a report of such sale, with an affidavit of the truth thereof, and upon the filing of such report the clerk of this Court shall pass the usual order nisi for the ratification of the sale thereupon and cause same to be published, in accordance with the rules of court; and upon final ratification of said sale by this Court, after due publication of the said order nisi, and upon payment by the purchasers of the entire amount of the purchase price of FORTY-FOUR THOUSAND DOLLARS (\$44,000.00) to said trustee, and compliance by the purchasers with all other terms and conditions of the sale, the trustee shall by a good and sufficient deed to be executed, acknowledged and recorded according to law, convey unto Kenneth Wilson and Louise Forstmann Wilson, his wife, as tenants by the entireties, the real estate so sold, free, clear and discharged from all claim of the parties to this proceeding, plaintiffs and defendant and of those claiming by, from or under them or any of them;

And it is further Adjudged, Ordered and Decreed that out of the proceeds of sale there be allowed and paid to the Eastern Shore Estates Company its brokerage fee of FOUR THOUSAND DOLLARS (\$4,000.00) for negotiating said sale as provided in the aforesaid contract;

And said trustee shall bring into this Court the money arising from such sale in order that the same, after payment of the aforesaid brokerage commission and payment of the costs and expenses incident to this suit, may be divided among the parties owning same or interested therein according to their respective interests.

WM. R. HORNEY  
JUDGE

Filed Oct. 4, 1949

CERTIFIED COPY OF BOND  
Filed October 10, 1949

QUEEN ANNE'S COUNTY, to wit: Be it remembered that on this Tenth day of October, in the year nineteen hundred and forty nine, the following BOND was filed for record, to wit:

KNOW ALL MEN BY THESE PRESENTS that we, THOMAS J. KEATING, JR., of Queen Anne's County, Maryland, as Principal, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a body corporate of the State of Maryland, as Surety, are held and firmly bound unto the State of Maryland in the full and just sum of Forty-Four Thousand (\$44,000.00) Dollars, lawful money of the United States, to be paid to the said State of Maryland, or its certain Attorney, to the payment whereof, well and truly to be made and done, 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 with our seals and dated this 6th day of October in the year 1949.

WHEREAS, the said Thomas J. Keating, Jr., has, by a Decree of the Circuit Court for Queen Anne's County, in Equity, passed on the 4th, day of October, 1949, in a Cause in said Court entitled "Anne Jacobs Phillips, et al, Plaintiffs, versus Frances Kent Jacobs, Infant, Defendant" and numbered 3643 on the Chancery Docket of said Court, been appointed Trustee to make sale and conveyance of the real estate in said Cause decreed to be sold;

NOW, the condition of the above obligation is such that if the above bounden, Thomas J. Keating, Jr., do and shall well and faithfully abide by and perform the trust reposed in him by the aforesaid Decree, or that may be reposed in him by any future Order or Decree 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:

THOMAS J. KEATING, JR. (SEAL) (Thomas J. Keating, Jr.)

MARY KER KEATING

FIDELITY AND DEPOSIT COMPANY OF MARYLAND, by

As to Surety:

KATHRYN STOLZENBACH Kathryn Stolzenbach

E. V. SHOCKEY E. V. Shockley, Attorney-in-Fact

Corporate Seals Place.

Security Approved and Bond filed October 10, 1949.

NELLIE B. WHITELEY, Clerk.

Power of Attorney is attached to the foregoing Bond.

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. 1, folio 131, 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 10th. day of October, 1949.

Circuit Court Seal.

NELLIE B. WHITELEY Clerk

REPORT OF SALE Filed Oct. 10, 1949

ANNE JACOBS PHILLIPS and CHARLES T. PHILLIPS, her husband, FRANCES I. JACOBS, Guardian of FRANCES KENT JACOBS, a minor, and CHARLES S. QUIMBY, Trustee, Plaintiffs versus FRANCES KENT JACOBS, infant, DEFENDANT

( IN THE CIRCUIT COURT ) ( OF QUEEN ANNE'S COUNTY ) ( IN EQUITY ) ( Chy. #3643 ) ( ) ( )

REPORT OF SALE

To the Honorable, the Judges of said Court:

The Report of Sale of the real estate made in this cause by Thomas J. Keating, Jr., trustee, and respectfully shows unto your honors:

That pursuant to the decree of this honorable Court passed on the fourth day of October in the year 1949 your trustee did file in this cause a bond with corporate surety thereon in the penalty of Forty-Four Thousand Dollars (\$44,000.00), approved by the clerk of this Court and conditioned for the faithful performance of the duties reposed in him by said decree and your said trustee does now report that the real estate described in this proceedings, consisting of the farm or tract of land known as the "S. R. Emory Farm - Parcel #6 of the McKenney Estate", situate in Spaniards' Neck in the third election district of Queen Anne's County, Maryland, and containing two hundred and seventy-one (271) acres of land more or less, was sold at private sale unto Kennety Wilson and Louise Forstmann Wilson, his wife, as tenants by the entireties in accordance with the terms of a written contract of sale heretofore filed in this cause with the bill of complaint as Plaintiff's Exhibit #3, at and for the sum of Forty-Four Thousand Dollars (\$44,000.00).

Your trustee further reports that the purchasers have paid unto your trustee the initial deposit of Forty-four Hundred Dollars (\$4400.00) as specified in the contract and he believes that said purchasers will, upon ratification of this sale as provided in the terms of the contract, pay unto him the balance of the purchase price of Thirty-Nine Thousand, Six Hundred Dollars (\$39,600.00), and your trustee makes this

report in order to procure ratification of the sale as provided by the terms of the contract and as directed by the aforesaid decree of this honorable Court.

The report states the amount of sales to be Forty-Four Thousand Dollars (\$44,000.00).

Respectfully submitted,

THOS. J. KEATING JR.  
Thos. J. Keating Jr, Trustee.

Filed Oct. 10, 1949

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

This is to certify that on this 10th day of October, 1949 before the subscriber, Clerk of the Circuit Court for Queen Anne's County, personally appeared Thomas J. Keating, Jr., trustee, and made oath in due form of law that the matters and things 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.

NELLIE B. WHITELEY  
Clerk

Filed Oct. 10, 1949.

NISI

Filed Oct. 10, 1949

N I S I

ANNE JACOBS PHILLIPS and CHARLES  
T. PHILLIPS, her husband, FRANCE I.  
JACOBS, Guardian of FRANCES KENT JACOBS,  
a minor, and CHARLES S. QUIMBY, Trustee,  
PLAINTIFFS

VS.

FRANCES KENT JACOBS, infant,  
DEFENDANT

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

)  
) Chancery No. 3643.  
)

ORDERED, This 10th. day of October A. D., 1949, that the sale of real estate made and reported in this cause by Thomas J. Keating, Jr., Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 13th. 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 \$44,000.00

NELLIE B. WHITELEY Clerk

Filed October 10, 1949

NISI

Filed Jan. 17, 1950

NISI

Anne Jacobs Phillips and  
Charles T. Phillips, her husband,  
Frances I. Jacobs, Guardian of  
Charles Kent Jacobs, a minor and  
Charles S. Quimby, Trustee,  
PLAINTIFFS

VS

Frances Kent Jacobs, infant,  
DEFENDANT

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

Chancery No. 3643

ORDERED, This 10th. day of October, A.D., 1949, that the sale of real estate made and reported in this cause by Thomas J. Keating, Jr., Trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 13th. 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 \$44,000.00.

NELLIE B. WHITELEY, Clerk

Filed: October 10, 1949

True Copy

Test: Nellie B. Whiteley, Clerk

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. January  
17, 1950



Court for Queen Anne's County in Equity, that the Sale of the Real Estate known as the "S. R. Emory Farm, Parcel No. 6 of the McKenney Estate" made and reported in this Cause by Thomas J. Keating, Jr., Trustee, be and the same is finally ratified and confirmed, no cause to the contrary thereof having been shown although Notice appears to have been given as directed by the preceding Order Nisi; AND, upon the facts set forth in the Petition of said Trustee heretofore filed herein respecting the Federal Estate Tax liability of the Estate of Nannie McK. Jacobs, deceased, the said Trustee is directed hold the proceeds of this sale pending final determination of the said Tax liability by the Commissioner of Internal Revenue.

Filed Jan. 17, 1950

WM. R. HORNEY  
JUDGE

PETITION  
Filed Feb. 6, 1950

ANNE JACOBS PHILLIPS, et al.,  
Plaintiffs,

vs.

FRANCES KENT JACOBS, infant,  
Defendant.

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

Cause No. 3643.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Kenneth Wilson and Louise Forstmann Wilson, his wife, by Gibson and Wood, their solicitors, unto your Honors, respectfully shows,

1. That, as will appear by reference to the Agreement marked "Plaintiffs' Exhibit No. 3" in these proceedings, your Petitioners have agreed to purchase the land decreed to be sold in these proceedings, upon the terms set forth in said Agreement.

2. That among said terms appears the provision "IT IS UNDERSTOOD and AGREED that a good and merchantable title to the aforesaid real estate shall be conveyed to the Buyers."

3. That in accordance with this provision, your petitioners, by The Maryland Title Guarantee Company, have prepared a deed for execution by Thomas J. Keating, Jr., the Trustee in this cause, for the purpose of conveying a good and merchantable title unto your petitioners, a copy of the deed so prepared marked "Petitioners' Exhibit" being filed herewith, and prayed to be taken as a part hereof.

4. That your petitioners are advised by said Trustee that he is unwilling to execute the deed in the form as prepared, unless he shall have obtained this Honorable Court's direction to do so.

WHEREFORE, your petitioners pray this Honorable Court to direct said Trustee to execute a deed unto your petitioners in the form shown by their exhibit which is filed herewith as aforesaid.

Respectfully submitted,

Gibson and Wood

By Howard Wood, 3rd.  
Solicitors for Petitioners.

Filed Fe. 6, 1950

"PETITIONERS EXHIBIT"  
Filed Feb. 6, 1950

THIS DEED, Made this            day of            in the year one thousand nine hundred and fifty, by and between, THOMAS J. KEATING, JR., Trustee as hereinafter mentioned, party of the first part; and KENNETY WILSON and LOUISE FORSTMANN WILSON, his wife, parties of the second part.

WHEREAS, by decree of the Circuit Court of Queen Anne's County passed on October 4, 1949, in a proceeding pending before said Court, entitled, Anne Jacobs Phillips, et al, vs. Frances Kent Jacobs (Equity No. 3643), said Court ratified a Contract of Sale made between the parties to said cause and the parties of the second part hereto and appointed party of the first part hereto, Trustee to convey said property to the parties of the second part hereto; and

WHEREAS, said party of the first part has duly reported said Sale to said Court in the aforesaid proceedings and has received the full amount of purchase price of \$44,000.00 from the parties of the second part; and

WHEREAS, said Court has finally ratified and confirmed said Sale after running the usual order nisi, wherefore these presents are executed.

NOW, THEREFORE THIS DEED WITNESSETH: That in consideration of the premises and the sum of FORTY-FOUR THOUSAND DOLLARS (\$44,000.00) the receipt whereof

is hereby acknowledged, the said party of the first part, Trustee as aforesaid, acting in exercise and by virtue and in pursuance of the power and authority conferred upon him as aforesaid, does hereby grant and convey unto the said parties of the second part, as tenants by the entireties, their assigns, and unto the survivor of them, his or her, heirs and assigns, in fee simple, all those two tracts of land, known as S. R. Emory Farm, situate at Spaniard's Neck, in the Third Election District of Queen Anne's County, Maryland, and also 1.70 acre tract of land conveyed by Deed dated December 6, 1915 and recorded in Liber WFW No. 8, folio 168, from Alfred Green, et al. to Annie McK. Jacobs; both tracts being described in one perimeter as follows, in accordance with recent survey by J. B. Metcalfe, dated January, 1950:

BEGINNING for the same at a point on the division line of the herein described lands and those formerly of Lloyd Emory known as "Poplar Grove" where said division line intersects the mean high water line of Bishop's Cove, (Tributary of the Corsica River) and running (1) Thence by and with the lands of "Poplar Grove" the two following courses and distances: north 56 degrees 41 minutes west 36.00 feet to a 6 inches by 6 inches concrete monument, thence continuing the same course a distance of 1439.50 feet (total distance 1475.50 feet) to a 6 inches by 6 inches concrete monument. North 20 degrees 14 minutes east 1214.80 feet to a 6 inches by 6 inches concrete monument, thence continuing the same course for a distance of 27.0 feet (total distance 1241.80 feet) to the center of a public road. (2) Thence by and with the center of the said road north 54 degrees 45 minutes east 718.50 feet to a point on the division line between the lands herein described and those of Calvin R. Richardson. (3) Thence by and with the said Richardson lands north 41 degrees 55 minutes west, 17.80 feet to a 6 inches by 6 inches concrete monument. Thence continuing the same course for a distance of 931.80 feet (total distance 949.60 feet) to a 6 inches by 6 inches concrete monument set in the lands of "Concord" now the lands of the Grantees herein. (4) Thence by and with "Concord" the four following courses and distances - south 36 degrees 42 minutes west 1213.60 feet to a point in the center of a cross ditch, south 34 degrees 05 minutes west 223.20 feet to a stone, (mentioned in a survey made in 1915), south 23 degrees 23 minutes west 223.40 feet to a point, south 29 degrees 17 minutes west 198.60 feet to a point in the center of the aforesaid mentioned public road. (5) Thence by and with the said center line of road the three following courses and distances - South 81 degrees 07 minutes West 380.20 feet to a point, North 67 degrees 11 minutes west 457.46 feet to a point, South 80 degrees 24 minutes west 1196.20 feet to a point on the division line of the lands herein described and those of "Conquest"; now the lands of the Grantees herein. (6) Thence by and with the lines of lands of "Conquest" south 22 degrees 33 minutes west 20.50 feet to a 6 inches by 6 inches concrete monument. Thence continuing the same course for a distance of 2237.90 feet. (Total distance 2258.40 feet) to a point on the mean high water line of the Corsica River. (7) Thence meandering and by and with the mean high water line of said Corsica River and also Bishop's Cove the 18 following courses and distances - south 49 degrees 57 minutes east 398.70 feet to a point; south 53 degrees 32 minutes east 310.80 feet to a point; south 71 degrees 17 minutes east 136.70 feet to a point; south 34 degrees 52 minutes east 536.00 feet to a point; south 51 degrees 47 minutes east 192.10 feet to a point, south 77 degrees 22 minutes east 338.10 feet to a point; south 86 degrees 58 minutes east 448.50 feet to a point; south 57 degrees 39 minutes east 431.60 feet to a point; north 43 degrees 23 minutes east 160.40 feet to a point; north 03 degrees 23 minutes west 231.60 feet to a point; north 32 degrees 21 minutes east 242.40 feet to a point; north 48 degrees 21 minutes east 431.10 feet to a point; north 31 degrees 00 minutes east 545.70 feet to a point; north 82 degrees 35 minutes east 659.10 feet to a point; north 61 degrees 45 minutes east 449.40 feet to a point; north 82 degrees 21 minutes east 482.00 feet to a point; north 56 degrees 37 minutes west 108.90 feet to a point; north 36 degrees 07 minutes east 306.00 feet to the point of beginning. Containing in all 261.325 acres of land, in accordance with said new survey by J. B. Metcalfe, and being the same tract of land described in Deed from Woolman I. Gibson, et al, Trustees, to William McKenney dated April 20, 1878 and recorded in Liber JW No. 8, folio 157, wherein said Farm was erroneously stated to contain 271 acres and 36 perches of land, more or less and also including parcel containing 1.7 acres described in a deed from Alfred Green, et al. to Annie McK. Jacobs dated December 6, 1915 and recorded in Liber WFW No. 8, folio 168.

FOR TITLE see the following:

1. Last Will and Testament and Codicils of William McKenney duly probated of record in the Office of the Register of Wills for Queen Anne's County in Wills Liber FR No. 2, folio 29.
2. Equity proceeding in the Circuit Court for Queen Anne's County, No. 2120, entitled, William McKenney, et al, vs. Maria M. McKenney, et al.
3. Last Will and Testament of Nannie McK. Jacobs duly probated of record in the Office of Register of Wills for Queen Anne's County in Wills Liber NSD No. 1, folio 212.
4. Equity proceeding in the Circuit Court for Queen Anne's County, entitled William McKenney Jacobs, Executor, et al. vs. Anne McK. Jacobs Phillips, Equity No. 3349.
5. Equity proceeding in Circuit Court for Queen Anne's County, entitled, in the matter of Trust Estate for William McK. Jacobs, Equity No. 3460.

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, unto and to the use of the said parties of the second part, as tenants by the entireties, their assigns, and unto the survivor of them, his or her, heirs and assigns, in fee simple, forever.

WITNESS: the hand and seal of the within named party of the first part, Trustee as aforesaid.

WITNESS:

\_\_\_\_\_  
 Thomas J. Keating, Trustee  
 as aforesaid. (SEAL)

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

I HEREBY CERTIFY, That on this \_\_\_\_\_ day of \_\_\_\_\_ in the year one thousand nine hundred and fifty, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared THOMAS J. KEATING, Trustee as aforesaid, the within named Grantor, and he acknowledged the foregoing Deed to be his act as such Trustee, and in my presence signed and sealed the same.

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

\_\_\_\_\_  
 Notary Public

Filed Feb. 6, 1950

Certificate of Release of U. S.  
 Federal Estate Tax Lien as to  
 the "S. R. Emory Farm"  
 Filed Feb. 15, 1950

Form 792  
 TREASURY DEPARTMENT  
 Internal Revenue Service  
 Revised Nov., 1942

CERTIFICATE RELEASING  
 FEDERAL ESTATE TAX LIEN

IT-EG 14194 District of Maryland Date of death April 28, 1941

Estate of Annie (Nannie) McK. Jacobs

Residence at time of death Centreville, Maryland

By direction of the Commissioner of Internal Revenue, and in accordance with the provisions of the laws applicable to the collection of internal revenue, I do hereby certify that the estate tax with respect to the above-named estate, has been fully discharged or duly provided for, wherefore and by reason whereof, I do hereby issue this certificate releasing the lien of the United States imposed by section 827 of the Internal Revenue Code, or such section as amended, or section 315 of the Revenue Act of 1926, as amended, on the following described property:

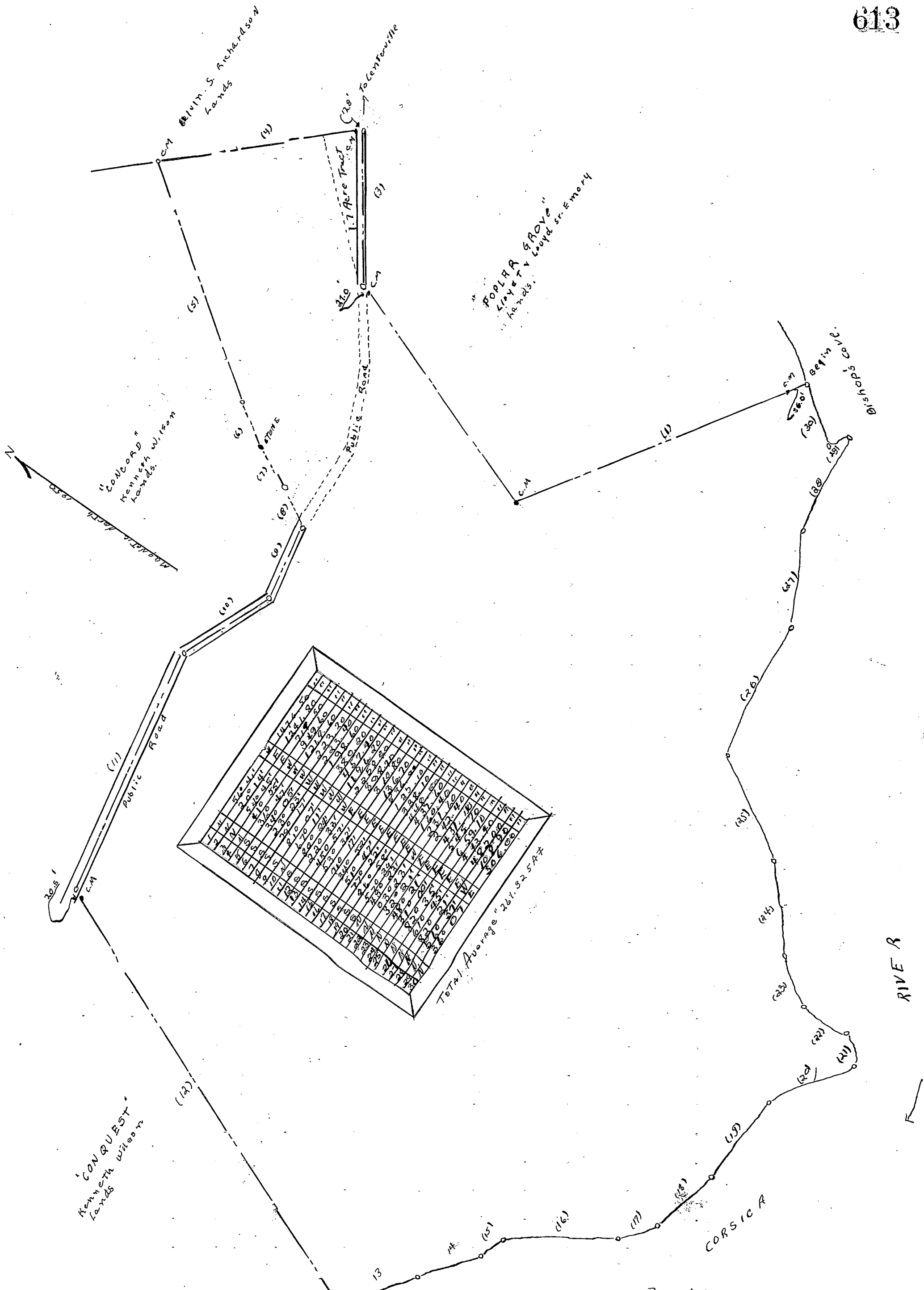
All that farm or tract of land known as the "S. R. Emory Farm, Parcel No. 6, of the McKenney Estate", situate, lying and being in the Third Election District of Queen Anne's County, Maryland, in Spaniards' Neck, adjoining the lands now belonging to Kenneth Wilson, the lands of the heirs of Lloyd Emory, deceased, and located upon the Corsica River, containing 271 acres of land, more or less; and being the same farm or tract of land mentioned and described in the proceedings in Chancery Cause No. 3460, in the Circuit Court for Queen Anne's County, in Equity, as "S. R. Emory Farm, Parcel No. 6 of the McKenney Estate".

Washington 25, D. C., Jan 4, 1950

E. I. McLanney  
 Deputy Commissioner

Plat  
 Filed Feb. 15, 1950





Parcel # 6  
 S. R. EMORY FARM  
 SPANIA RD S DECK  
 Queen Anne County, Maryland  
 Scale: 1" = 400' Jan. 1950  
 By: J. B. Metzger,  
 Reg. Land Surveyor, State of Md.  
 4667.

Certificate of Survey  
Filed Feb. 15, 1950

S. R. EMORY FARM

Certifying that I, J. B. Metcalfe, a registered land surveyor of the State of Maryland, did in January 1950 survey a farm in Spaniards Neck, the 3rd Election District of Queen Anne's County, State of Maryland, known as the S. R. Emory Farm, and also a 1.70 acres tract mentioned in a deed dated Dec. 6, 1915 from Alfred Green et al., to Annie McK. Jacobs, both tracts being included within the following description of this survey made.

Beginning for the same at a point on the division line of the herein described lands and those formerly of Lloyd Emory known as "Poplar Grove" where said division line intersects the mean high water line of Bishop's Cove, (Tributary of the Corsica River) and running

(1) Thence by and with the lands of "Poplar Grove" the two following courses and distances -

N. 56 deg. 41' west 36.00 ft. to a 6" X 6" concrete monument, thence continuing the same course a distance of 1439.50 feet (total distance 1475.50 feet) to a 6" X 6" concrete monument.

N. 20 deg. 14' East 1214.80 feet to a 6" X 6" concrete monument, thence continuing the same course for a distance of 27.0 feet (total distance 1241.80 feet) to the center of a public road.

(2) Thence by and with the center of the said road north 54 deg. 45' E. 718.50 feet to a point on the division line between the lands herein described and those of Calvin R. Richardson.

(3) Thence by and with the said Richardson Lands N. 41 deg. 55' W. 17.80 feet to a 6" X 6" concrete monument. Thence continuing the same course for a distance of 931.80 feet (total distance 949.60 feet) to a 6" X 6" concrete monument set in the lands of "Concord" now the lands of the Grantee (Kenneth Wilson).

(4) Thence by and with "Concord" the four following courses and distances -

S. 36 Deg. 42' W. 1212.60 ft. to a point in the center of a cross ditch.

S. 34 deg. 05' W. 223.20 ft. to a stone, (mentioned in a survey made in 1915)

S.

S. 23 deg. 28' W. 223.40 ft. to a point

S. 29 deg. 17' W. 198.60 ft. to a point in the center of the aforesaid mentioned public road.

(5) Thence by and with the said center line of road the three following courses and distances -

S. 81 deg. 07' W. 380.20 ft. to a point.

N. 67 deg. 11' W. 457.40 ft. to a point;

S. 80 deg. 24' W. 1196.20 ft. to a point on the division line of the lands herein described and those of "Conquest". Now the lands of the Grantee (Kenneth Wilson).

(6) Thence by and with the line of lands of "Conquest" S. 22 deg. 33' W. 20.50 ft. to a 6" X 6" concrete monument. Thence continuing the same course for a distance of 2237.90 ft. (Total distance 2258.40 ft. to a point on the mean high water line of the Corsica River.

(7) Thence meandering and by and with the mean high water line of said Corsica River and also Bishop's Cove the 18 following courses and distances -

S. 49 deg. 57' E. 398.70 ft. to a point; S. 53 deg. 32' E 310.80 ft. to a point;

S. 71 deg. 17' E. 136.70 ft. to a point; S. 34 Deg. 52' E. 536.00 ft. to a point;

S. 51 deg. 47' E. 192.10 ft. to a pt; S. 77 deg. 22' E. 338.10 ft to a point;

S. 86 deg. 58' E. 448.50 ft. to a point; S. 57 deg. 39' E. 431.60 ft. to a point;

N. 43 deg 23' E. 160.40 ft. to a point; N. 03 deg. 23' W. 231.60 ft to a point;

N. 32 deg. 21' E. 242.40 ft. to a point; N. 48 deg. 21' E. 431.10 ft to a point;

N. 31 deg. 00' E. 545.70 ft. to a point; N. 82 deg. 35' E. 659.10 ft. to a point;

N. 61 deg. 45' E. 449.40 ft. to a point; N. 82 deg. 21' E. 482.00 ft. to a point;

N. 56 deg. 37' W. 108.90 ft. to a point; N. 36 Deg. 07' E. 306.00 ft. to the point; of beginning,

CONTAINING in all 261.325 acres of land

J. B. Metcalfe

AND I further certify that the above survey was made for Kenneth Wilson and Louise Forstmann Wilson, his wife, purchasers under contract of sale from Charles S. Quimby, Trustee, and others, dated July 7, 1949, and filed in Cause No. 3643 in the Circuit Court for Queen Anne's County, in Equity; that the acreage of 271 acres, more or less, mentioned in said Contract and in a deed conveying the "S. R. Emory Farm" to William McKenney, made by Woolman I. Gibson, et al., Trustees, dated April 20, 1878, and recorded in Liber J. W. No. 8, folio 157, a Land Record Book for Queen Anne's County, is erroneous, the survey description contained in said deed having been carefully examined by me.

J. B. METCALFE  
(J. B. Metcalfe)  
Surveyor

PETITION  
Filed Feb. 17, 1950

ANNE JACOBS PHILLIPS and CHARLES  
T. PHILLIPS, her husband, FRANCES  
I. JACOBS, Guardian of FRANCES KENT  
JACOBS, a minor, and CHARLES S.  
QUIMBY, Trustee,

PLAINTIFFS,

versus

FRANCES KENT JACOBS, infant,  
DEFENDANT.

XXXXXXXXXXXXXXXXXXXX

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

P E T I T I O N

TO THE HONORABLE, the Judges of said Court:

THE PETITION of Thomas J. Keating, Jr., Trustee, respectfully sets forth:

(1) THAT the Purchasers of the real estate in this Cause have made payment of the balance of the purchase money, to wit: Thirty-nine Thousand, Six Hundred Dollars (\$39,600.00), as set forth in the Contract of filed as an Exhibit with the Bill of Complaint, having agreed to accept from your Trustee a Deed in the usual form, and your Trustee, therefore, has the entire proceeds of the sale, to wit: Forty-four Thousand Dollars (\$44,000.00) on deposit to his credit as such Trustee in this Cause in The Centreville National Bank of Maryland, awaiting payment of costs, taxes and distribution;

(2) THAT, as will appear by reference to the Petition filed herein on the 17th day of January, 1950, there is a Federal Estate Tax liability due by the Estate of Nannie McK. Jacobs, the amount of which liability has not been finally determined by the Commissioner of Internal Revenue, but which, according to the Estate Tax Return filed by the Executor of Nannie McK. Jacobs, amounts to Four Thousand Nine Hundred Two Dollars and Sixty-six Cents (\$4,902.66), with interest from July 28, 1942, to the date of payment;

(3) THAT the aforesaid Estate Tax liability was a lien against the real estate which was the subject of this Cause, but in order to make settlement with the Purchasers, your Petitioner did procure a Release of said lien upon the condition that the Tax would be paid out of the proceeds of this sale:

(4) THAT your Petitioner has been directed by the Final Order of Ratification of this sale to hold the proceeds of the sale pending the determination of the Federal Estate Tax liability;

(5) YOUR petitioner desire, however, to pay the amount of the Tax and interest as shown by the Return, to wit: Four Thousand Nine Hundred Two Dollars and Sixty-six Cents, and interest to date, and thus save the interest on said amount, and he also desires to pay the Broker's commission to the Eastern Shore Estates Company as provided in the Contract of sale, and also the Court costs, Bond premium, and publication of the Order Nisi incident to these proceedings;

WHEREFORE, your Petitioner prays your Honors:

TO pass an Order authorizing him to pay out of the funds in his hands, the following items:

Commissions to Eastern Shore Estates Company	\$4,000.00
Bond premium to Fidelity & Deposit Co.	176.00
Federal Estate Tax	4,902.66
Interest from July 28, 1942	
Queen Anne's Record-Observer, Publishing Order Nisi	7.50
Clerk of the Circuit Court for Queen Anne's County, costs in this Cause	62.10

Respectfully submitted,

THOS J. KEATING JR. TRUSTEE  
(Thos.J. Keating Jr.)

Filed Fe. 17, 1950

Order of Court  
Filed Fe. 17, 1950

ORDER OF COURT

UPON the foregoing Petition, IT IS, by the Circuit Court for Queen Anne's County, in Equity, this 18th day of February, 1950, ORDERED that Thomas J. Keating, Jr., Trustee in this Cause, be and he is hereby authorized to pay out of the proceeds of sale in his hands the Taxes, costs and expenses as follows:

Federal Estate Tax	\$4,902.66
Interest from July 28, 1942	
Commissions to Eastern Shore Estates Company	4,000.00
Bond premium to Fidelity & Deposit Co.	176.00
Queen Anne's Record-Observer Publishing Co. publishing Order Nisi	7.50

Clerk of the Circuit Court for Queen  
Anne's County, costs in this Cause

62.10

and he shall hold the balance of the proceeds of sale pending a final determination of the Federal Estate Tax liability and is authorized to keep the funds on deposit in The Centreville National Bank of Maryland in his name as Trustee in this Cause.

WM. R. HORNEY  
JUDGE

Filed Feb. 17, 1950

State of Estate Tax Due  
Filed Feb. 27, 1950

Form 880-Revised Sept. 1948  
TREASURY DEPARTMENT  
Internal Revenue Service

STATE OF ESTATE TAX DUE

DUPLICATE M

Notice is hereby given that there has been assessed against you the amount of tax, penalty and interest stated below. Demand is hereby made for the immediate payment of the unpaid balance thereof. If such tax represents a deficiency (not shown on return), and payment of the unpaid balance is not made within 30 days after date of this notice, interest will accrue thereon at the rate of 6 percent per annum from date of tax (15 months after death) until paid.

To avoid further interest the amount on this notice must be paid to Collector of Internal Revenue at Baltimore 2, Md.

Date Feb. 20, 1950

name and address	Old Balance or Remarks	Assessment	Amount Paid
ESTATE OF (NANNIE) MCK. JACOBS William McK. Jacobs, Executor Centreville, Md.	Return on Form 706 Date of Death-4/28/41 Dec. 1949 Suppl. P-0, L-0	\$4,902.66	\$4,902.66

TO INSURE PROPER CREDIT, RETURN THIS FORM WITH REMITTANCE

Paid Cashier  
Collector of Internal  
Revenue  
District of Maryland  
No. 4 Feb 23 1950 No. 4  
Baltimore Office

Statement of Estate Tax Due  
Filed Feb. 27, 1950

Form 880-Revised Sept. 1948  
TREASURY DEPARTMENT  
Internal Revenue Service

STATEMENT OF ESTATE TAX DUE

DUPLICATE M

Notice is thereby given that there has been assessed against you the amount of tax, penalty and interest stated below. Demand is hereby made for the immediate payment of unpaid balance thereof. If such tax represents a deficiency (not shown on return), and payment of the unpaid balance is not made within 30 days after date of this notice, interest will accrue thereon at the rate of 6 percent per annum from the date shown below until paid. If amount stated below represents tax shown on return (plus penalty and interest, if any), interest accrues at the rate of 6 per cent per annum from due date of tax (15 months after death) until paid.

To avoid further interest the amount of this notice must be paid to Collector of Internal Revenue at Baltimore, Maryland

Date February 20, 1950

Name and Address	Old Balance or Remarks	Assessment	Amount Paid
ESTATE OF (NANNIE) ANNIE MCK. JACOBS William McK. Jacobs, Executor Centreville, Maryland	Interest on \$4,902.66 Returned Tax from 7/28/42 to 2/20/50 Date of Death - 4/28/41 February, 1950 Suppl.		\$2,223.91

TO INSURE PROPER CREDIT, RETURN THIS FORM WITH REMITTANCE

Paid Cashier  
Collector of Internal  
Revenue  
District of Maryland  
No. 4 Feb 23, 1950 No. 4  
Baltimore Office

PETITION  
Filed May 22, 1950

ANNE JACOBS PHILLIPS ETAL  
VS  
FRANCES KENT JACOBS, INFANT

: IN THE CIRCUIT COURT FOR  
:  
:  
:  
:  
: QUEEN ANNE'S COUNTY, IN EQUITY  
:  
: CHANCERY CAUSE #3643.

-----

PETITION

To the Honorable, the Judges of said Court:

The Petition of Thomas J. Keating, Jr., Trustee, respectfully shows:

(1) That as will appear by reference to the proceedings in this cause, your Trustee heretofore filed a Petition asking authority to pay, out of the funds in his hands, the original amount of the Federal Estate Tax on the estate of Annie McK. Jacobs, which, according to the return filed by her executor, amounted to Four Thousand Nine Hundred Two Dollars and Sixty-Six Cents (\$4,902.66) with interest in the amount of Two Thousand Two Hundred Twenty-Three Dollars and Nine-One Cents (\$2,223.91) from July 28, 1942, and by the order of this Honorable Court, your said Trustee was directed to pay said tax and to hold the balance of the proceeds of sale pending a final determination of said Federal Estate Tax liability:

(2) That the field auditor of the Estate Tax Division of the Department of Internal Revenue has now made an audit of said Estate Tax return and a valuation of the assets of said estate and he has advised your Petitioner that he is recommending an additional assessment in the amount of Two Thousand Three Hundred Fifty-Two Dollars and Sixteen Cents (\$2,352.16) with interest from July 28, 1942, which interest your Petitioner calculates to be Eleven Hundred and Three Dollars and Ninety-Three Cents (\$1,103.93) or a total deficiency of Three Thousand Four Hundred Fifty-Six Dollars and Nine Cents (\$3,456.09):

(3) That your Petitioner would like to pay the above mentioned deficiency in order to stop interest running thereon without waiting for the final acceptance thereof by the Commissioner of Internal Revenue.

WHEREFORE, your Petition prays your Honors to Pass an order authorizing him to pay out of the funds in his hands the deficiency in the Federal Estate Tax above mentioned in the amount of Two Thousand Three Hundred Fifty-Two Dollars and Sixteen Cents (\$2,352.16) and interest in the amount of One Thousand One Hundred Three Dollars and Ninety-Three Cents (\$1,103.93), or a total of Three Thousand Four Hundred Fifty-Six Dollars and Nine Cents (\$3,456.09).

Respectfully submitted,

THOS. J. KEATING JR.  
Trustee

Filed May 22, 1950

ORDER OF COURT

Upon the foregoing Petition it is by the Circuit Court for Queen Anne's County in Equity this 22nd day of May, 1950, ordered:

That Thomas J. Keating, Jr., Trustee, be and he is hereby authorized and directed to pay out of the funds in his hands the deficiency in Federal Estate tax mentioned in said Petition in the amount of Two Thousand Three Hundred Fifty-Two Dollars and Sixteen Cents (\$2,352.16) with interest in the amount of One Thousand One Hundred and Three Dollars and Ninety-Three Cents (\$1,103.93), or a total of Three Thousand Four Hundred Fifty-Six Dollars and Nine Cents (\$3,456.09).

WM. R. HORNEY  
JUDGE

Filed May 22, 1950

AUDIT  
Filed Aug. 8, 1950

Anne Jacobs Phillips, et al.,

vs.

Frances Kent Jacobs, infant.

I  
I  
I  
I  
X  
I  
X  
X

In the Circuit Court for  
Queen Anne's County  
in Equity.  
Cause No. 3643

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Howard Wood, 3rd, your Auditor, unto your Honors, respectfully shows:

1. That this account is stated at the request of Thomas J. Keating, Jr., the trustee appointed by this Court's decree of October 4, 1949, (Paper No. 12).

2. That in the within account, said trustee is charged with the gross proceeds of sale of the land sold in these proceedings at private sale, per Report of Sale filed; and is then allowed the amount of brokerage commissions on this sale, the amounts paid the Collector of Internal Revenue for Federal Estate Tax, and interest thereon, on the Estate of Nannie McK. Jacobs, deceased, per orders of this Court of February 18, 1950 and May 22, 1950, the cost of his corporate, surety bond, the Court costs, the costs of advertising the several orders nisi of this cause, the sum of \$300.00 as a fee in lieu of Trustee's commissions per said

trustee's direction to your Auditor, and the Auditor's fee.

3. That the balance of said gross proceeds of sale is then distributed among the joint owners of the land sold, being the persons to whom said land was allotted by decree of this Court passed on the 28th day of June, 1944, in Cause No. 3349 on the Chancery Docket, of which a certified copy, marked "Plaintiff's Exhibit No. 1", was filed with the Bill of Complaint in this cause (Paper No. 2).

Respectfully submitted,

HOWARD WOOD, 3rd.  
Auditor

August 7, 1950

Filed Aug. 8, 1950

Cause No. 3643.

The proceeds of the sale of the Real Estate sold in this cause, in account with Thomas J. Keating, Jr., the Trustee appointed by the decree passed in said cause to sell said Real Estate.

1949

October 10	By Amount of the gross sale of the land sold by said Trustee, per Report of Sale filed, to wit: the sum of .....	Cr.		\$44,000.00
------------	--	-----	--	-------------

Dr.

To Thomas J. Keating, Jr., Trustee, for an amount paid Eastern Shore Estates company for brokerage commissions, per Contract of Sale filed, order of Court of February 18, 1950, and receipt for same exhibited, to wit:	\$4,000.00
--	------------

To do., for amounts paid to the Collector of Internal Revenue, for Federal Estate Tax on the Estate of Nannie McK. Jacobs, deceased, per receipts for same exhibited, as follows:	
(1) for amount of tax originally estimated and interest from July 28, 1942, to date of payment on February 23, 1950, per order of Court of February 18, 1950. viz:	
Amount of Tax.....	\$4,902.66
Interest.....	<u>2,223.91</u> 7,126.57
(2) For additional amount of tax and interest assessed and paid per order of Court of May 22, 1950, viz.....	
Amount of Tax.....	\$2,352.16

Interest, July 28, 1942 to date of payment, May 29, 1950.....	<u>1,103.93</u> 3,456.09
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To do., for the cost of his bond as Trustee, filed in this cause, with corporate surety thereon, per receipt for same exhibited, and per order of Court of February 18, 1950, to wit:.....	176.00
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To do., for the Court costs of this cause per receipt for same exhibited, and per order of Court of February 18, 1950, to wit:.....	62.10
---	-------

To do., for the cost of advertising the order nisi passed on Report of Sale, per receipted bill of the Queen Anne's Record-Observer exhibited and per Court order of February 18, 1950, to wit:.....	7.50
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Howard Wood, 3rd, Auditor

To do., for his fee as said Trustee for making said sale, in lieu of Trustee's commissions, per his direction to the auditor, to wit:.....	\$300.00
--	----------

To do., for the cost of advertising the order nisi to be passed as to this audit in the Queen Anne's Record-Observer, to wit:.....	5.00
--	------

To Howard Wood, 3rd, Auditor, for stating this account, the sum of .....	<u>9.00</u>
	\$15,142.26

To balance for distribution, being the net proceeds of said sale.....	<u>28,857.74</u>	\$44,000.00
	\$44,000.00	\$44,000.00

CR.

By above balance for distribution..... \$28,857.74

DR.

DISTRIBUTION AMONG JOINT OWNERS

To Charles S. Quimby, Trustee of the Trust Estate created by the Will of Nannie McK Jacobs, (for the benefit of William McK. Jacobs for life, subject to the jurisdiction of the Circuit Court for Queen Anne's County, in Equity, in Casue No. 3460 on the Chancery Docket in said court), 1/2 of said balance, to wit..... \$14,428.87

To Anne J. Phillips, 1/2 of said balance, to wit..... 7,214.44

To Frances I. Jacobs, Guardian of Frances Kent Jacobs, a minor (subject to the jurisdiction of the Orphans' Court of Queen Anne's County, Maryland), 1/2 of said balance, to wit:..... 7,214.43 \$28,857.74 \$28,857.74

HOWARD WOOD, 3rd. Auditor

August 7, 1950

Filed Aug. 8, 1950

NISI RATIFICATION OF AUDIT Filed August 8, 1950

NISI RATIFICATION OF AUDIT

Anne Jacobs Phillips, et al., VS. Frances Kent Jacobs, infant IN THE CIRCUIT COURT FOR QUEEN ANNE'S COUNTY IN EQUITY. Cause No. 3643

ORDERED, This 8th day of August in the year nineteen hundred and fifty, that the Report and Account filed in these proceedings by Howard Wood, 3rd, Auditor, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 1st. day of September, 1950; provided a copy of this order be published once a week in each of two successive weeks before the 25th. day of August, 1950, in some newspaper printed and published in Queen Anne's County.

Filed August 8, 1950 NELLIE B. WHITELEY Clerk

Nisi Ratification of Audit Filed Sept. 1, 1950

Anne Jacobs Phillips, et al., VS. Frances Kent Jacobs, infant In the Circuit Court for Queen Anne's County In Equity. Cause No. 3643

ORDERED, this 8th day of August in the year nineteen hundred and fifty, that the Report and Account filed in these proceedings by Howard Wood, 3rd., Auditor, be ratified and confirmed, unless cause to the contrary thereor be shown on or before the 1st. day of September, 1950; provided, a copy of this order be published once a week in each of two successive weeks before the 25th day of August, 1950, in some newspaper printed and published in Queen Anne's County.

Filed: August 8, 1950 True Copy Test: Nellie B. Whiteley, Clerk NELLIE B. WHITELEY, Clerk

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. August 31, 1950

THE QUEEN ANNE'S RECORD - OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Nisi Ratification of Audit in the case/estate of Anne Jacobs Phillips,

et al vs Frances Kent Jacobs, infant 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 25th day of August 1950 and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 10th day of August 1950, and the last insertion on the 17th day of August, 1950.

THE QUEEN ANNE'S RECORD AND OBSERVER  
PUBLISHING COMPANY

By CHARLOTTE M. MEARS

Filed Sept. 1, 1950

FINAL ORDER OF RATIFICATION  
Filed Sept. 2, 1950

FINAL ORDER OF RATIFICATION

ORDERED, this 2nd day of September in the year 1950, by the Circuit Court for Queen Anne's County, in Equity, that the Report and Account filed in these Proceedings by Howard Wood, III, 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 that Thomas J. Keating, Jr., Trustee is directed to apply and distribute the proceeds of the sale in accordance therewith.

WM. R. HORNEY  
JUDGE

Filed Sept. 2, 1950



## C A U S E N O. 3670

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Seventh day of March in the year nineteen hundred and fifty, the following ORDER TO DOCKET TO SUIT was filed for record, to wit:

CLAYTON C. CARTER, Assignee Centreville, Maryland	*	IN THE
	*	CIRCUIT COURT
Vs.	*	FOR
JAMES B. TARMAN and GEORGIA TARMAN, his wife Mortgagors Millington, Maryland	*	QUEEN ANNE'S COUNTY IN EQUITY
	*	Cause No. 3670
	*	

ORDER TO DOCKET SUIT

To: Nellie B. Whiteley, Clerk:

You will please docket suit as per the above titling for foreclosure of the mortgage from James F. Tarman and Georgia Tarman, his wife, to Lulu Tarman and Alberta Tarman, dated January 31, 1914, and recorded in land Liber W. F. W. No. 4 folio 552 of Queen Anne's County, default having occurred in the terms thereof by reason, among others, of the non-payment of the principal and interest due thereunder at the times therein provided for the payment thereof, and you will file in said cause a certified copy of said mortgage and all assignments thereof, as well as the accompanying affidavit.

CLAYTON C. CARTER  
Clayton C. Carter  
Assignee

Filed Mar. 7, 1950

Affidavit  
March 7, 1950

AFFIDAVIT

I HEREBY CERTIFY that on this 7th day of March, 1950, before me, the subscriber, the clerk of the Circuit Court for Queen Anne's County, personally appeared CLAYTON C. CARTER, Assignee, and made oath in due form of law that James B. Tarman and Georgia Tarman, the mortgagors named in the above mentioned mortgage, are not now, nor have either of them been, within six months prior hereto, in the military service as defined in the Soldiers' and Sailors' Civil Relief Act of 1940 and all amendments thereto; that the said James B. Tarman departed this life sometime in the year 1931 and that the said Georgia Tarman resides in a nursing home near Millington, Maryland.

NELLIE B. WHITELEY  
Nellie B. Whiteley  
Clerk

Filed Mar. 7, 1950

Certified Copy of Bond  
Filed Mar. 7, 1950

#4162 QUEEN ANNE'S COUNTY, to wit: be it remembered that on the second day of February in the year nineteen hundred and fourteen, the following MORTGAGE was brought to be recorded, to wit:-

T H I S M O R T G A G E, made this thirty first day of January in the year nineteen hundred and fourteen, by James B. Tarman and Georgia Tarman, his wife, of Queen Anne's County, in the State of Maryland.

WHEREAS, said James B. Tarman is indebted unto Lula Tarman and Alberta Tarman, (sisters), of said County and State, in the full and just sum of One Thousand Dollars, to be paid, together with interest to be paid semi-annually in the meantime at the rate of six per cent, per annum, in five years from February 24th., 1914, interest on the said principal sum of one thousand dollars to begin on, and accrue from, the twenty fourth day of February, nineteen hundred and fourteen, which said sum of one thousand dollars, together with the interest to accrue thereon as above stated, is the property of, and is owned by said Lula Tarman and Alberta Tarman as joint tenants, impressed with all the incidents of the right of survivorship, and is to pass upon the death of either to the survivor, and in the event of the death of either of said mortgagees the said mortgage indebtedness, together with the interest thereon, shall vest by right of survivorship in the survivor, and said survivor shall have full power and authority to sell, transfer, assign and release the whole and entire mortgage indebtedness, together with the interest thereon, or any part of either, or otherwise to deal with, or dispose of, the same. Nine hundred and fifty dollars of the aforesaid sum of one thousand dollars due and owing from said James B. Tarman to the said Lula and Alberta Tarman was loaned and advanced for the purpose of pay-

ing the purchase money for the tract of land herein first described, and applied by said James B. Tarman to the payment of said purchase money. And there was an express condition precedent to the loan and advance of said sum of one thousand dollars unto said James B. Tarman by Lulu and Alberta Tarman that it was to be secured and the prompt payment thereof assured by the execution of these presents.

NOW THIS MORTGAGE WITNESSETH: that for and in consideration of the premises and the sum of one dollar, the payment thereof being hereby acknowledged, the said James B. Tarman and Georgia Tarman, his wife, do hereby grant and convey unto the said Lulu Tarman and Alberta Tarman, as joint tenants, and the survivor and the heirs and assigns of the survivor of them, first, all that tract, part of a tract and parcel of land situate, lying and being in the Third Election District of Queen Anne's County aforesaid, called "Abington", or by whatsoever other name or names the same may be called or known, near Starr or Halls X Roads, on the left hand side of the public road, known as the "Manor Road", leading from Starr or Halls X Roads to Centreville, adjoining the land of Hattie Price, wife of Caspar D. Price, and the lands of others, and containing forty seven and a quarter acres of land, more or less, and being the same land which was conveyed unto said James B. Tarman by William H. Montague by deed bearing date the sixth day of January, nineteen hundred and fourteen, and recorded in Liber W. F. W. No. 4, fol. 471, a land record book for Queen Anne's County aforesaid. Second, all that tract, part of a tract and parcel of land situate, lying and being in the aforesaid District, adjoining the tract of land herein first described, and containing seventy acres of land, more or less, and being the same land which was conveyed unto the said James B. Tarman by Laura A. Tarman and John W. Tarman by deed dated the twenty first day of November, nineteen hundred and four, and recorded in Liber J. E. G. No. 7, fol. 105, a land record book for Queen Anne's County aforesaid, with the exception of that part of said tract of land which was conveyed by Georgia Tarman and James B. Tarman to George Slaughter, containing twenty acres of land, by deed dated the twenty third day of February, nineteen hundred and ten, and recorded in Liber S. S. No. 7, fol. 429, a land record book for the County aforesaid.

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 shall pass to the purchaser of said property.

PROVIDED, that if the said James B. Tarman, his heirs, executors, administrators or assigns shall well and truly pay to the said Lulu Tarman and Alberta Tarman or the survivor of them or to the said survivor's, 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 therein 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 B. Tarman, his heirs and assigns shall possess said property.

AND the said James B. Tarman 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 their insurable value in some Company or Companies approved by the said Lulu and Alberta Tarman, or the survivor of them or the said survivor's, executors, administrators or assigns, and to have the said policy or policies so framed or endorsed, that the proceeds arising from 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, or the survivor of them or said survivor's 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 Lulu Tarman and Alberta Tarman, or either of them or the survivor's, Executors, administrators or assigns, or H. B. W. MITCHELL, their 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 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 B. Tarman or whoever may be entitled to same.

Witness our hands and seals.

Witness:-

JAMES B. TARMAN (SEAL)

Wm. E. Thompson.

GEORGIA TARMAN (SEAL)

STATE OF MARYLAND,

QUEEN ANNE'S COUNTY, to wit:-

I hereby certify that on this thirty first day of January, nine-

teen hundred and fourteen, before me, the subscriber, a Justice of the Peace of the State of Maryland, in and for Queen Anne's County, personally appeared James B. Tarman and Georgia Tarman, his wife, and did each acknowledge the within and aforegoing Mortgage to be their respective act, and at the same time also personally appeared Lula Tarman and Alberta Tarman, and did both make oath that the consideration stated in the within and aforegoing mortgage was true and bona fide as therein set forth.

WM. E. THOMPSON.

Justice of the Peace.

See Deed from James B. Tarman and wife and Lulu and Alberta Tarman to Hattie Price (wife of Casper D. Price), releasing part of the land herein; releasing part of the land herein; recorded in Liber W. F. W. No. 6, folios 26 &c., a Land Record Book for Queen Anne's County, Maryland.

QUEEN ANNE'S COUNTY, to wit: Be it remembered that on the second day of June, in the year 1934, the following ASSIGNMENT was brought to be recorded, to wit:

For value received, I. Lula Tarman, one of the mortgagors named in the aforegoing mortgage and the only one of said mortgagess now living, do hereby assign and transfer said mortgage unto Georgia Tarman and I do hereby certify that Alberta Tarman, the other mortgagee died on the 23 day of Feb. 1933.

In Testimony Whereof, I do hereunto subscribe my name and affix my seal this \_\_\_\_\_ day of May, 1934.

TEST: Lola M. Hayden.

LULA TARMAN (SEAL)

STATE OF MARYLAND

QUEEN ANNE'S COUNTY, to wit:

I HEREBY CERTIFY that the aforegoing is truly taken and copied from Liber W. F. W. No. 4, folios 552, 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 Eighth day of March, in the year nineteen hundred and fifty.

NELLIE B. WHITELEY

Clerk

Seal's Place

Certified Copy of Deed of Assignment  
Filed March 7, 1950

.....  
#28,626 QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on the Sixth day of March, in the year nineteen hundred and fifty, the following Deed of Assignment was brought to be recorded, to wit:-

THIS DEED OF ASSIGNMENT, made this 23 day of February, 1950, by EDITH M. TRAINOR, ATTORNEY IN FACT OF GEORGIA TARMON.

WHEREAS, James B. Tarmon and Georgia Tarman, his wife, did on the 31st day of January 1914, execute and deliver unto Lulu Tarman and Alberta Tarman, as joint tenants, a mortgage in the amount of \$1000.00, on certain property therein described, which said mortgage is recorded in Land Liber W. F. W. No. 4, folio 552 of Queen Anne's County, Maryland; and

WHEREAS, the aforesaid mortgage was duly assigned unto Georgia Tarman by Lula Tarman, surviving joint mortgagee, in May 1934, which assignment is recorded at the foot of said mortgage;

WHEREAS, by a Power of Attorney from Georgia Tarman to Edith M. Trainor, dated the 21st day of August, 1948, the said Edith M. Trainor was given the power to recover, collect, etc. any and all debts due the said Georgia Tarman; which said Power of Attorney is duly recorded in Land Liber N. B. W. No. 1, folio 417 of Queen Anne's County aforesaid; and

WHEREAS, the principal indebtedness secured by the aforesaid mortgage and all interest accruing thereon since May, 1934, has not been paid.

NOW, THEREFORE, THIS DEED OF ASSIGNMENT WITNESSETH, that the said Edith M. Trainor, Attorney in Fact of Georgia Tarmon, in execution of the power and authority conferred upon her by the Power of Attorney above-mentioned, for value received, does hereby assign the aforesaid mortgage unto CLAYTON C. CARTER, for collection by foreclosure or otherwise.

WITNESS my hand and seal:

TEST:

J. B. TRAINOR

EDITH M. TRAINOR (SEAL)  
Edith M. Trainor

Attorney in Fact of Georgia Tarman



And at the foot of the foregoing BOND is thus endorsed, to wit:

Security approved and Bond filed  
March 8, 1950

NELLIE B. WHITELEY, Clerk

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. 1, folio 155, 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 Eighth day of March, in the year nineteen hundred and fifty.

Seal's Place.

NELLIE B. WHITELEY  
Clerk

Certified Copy of Bond  
Filed March 8, 1950

QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this Eighth day of March, in the year nineteen hundred and fifty, the following BOND was filed for record, to wit:

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

KNOW ALL MEN BY THESE PRESENTS, that we, Clayton C. Carter of Queen Anne's County, State of Maryland, as principal, and the UNITED STATES FIDELITY AND GUARANTY COMPANY, a body corporate, duly authorized by this 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 (\$1000.00) 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 8th day of March, 1950;

WHEREAS a certain mortgage from James F. Tarman and Georgia Tarman, his wife to Lulu Tarman and Alberto Tarman, dated January 31, 1914, and recorded in Land Liber W. F. W. No. 4, folio 552, has been duly assigned to Clayton C. Carter, which said assignment is recorded among said land records at the foot of said mortgage.

AND WHEREAS, the above bounden Clayton C. Carter, assignee of mortgage, is about to execute the power of sale contained in the above described mortgage by making sale of the property described in, granted and conveyed by the said mortgage, default having occurred in the terms, conditions, and covenants of the said mortgage by reason of the non-payment of the principal mortgage debt named in said mortgage and by reason of the non-payment of the interest covenanted to be paid upon said principal mortgage debt by the terms of the said mortgage at the times therein provided for the payment thereof;

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH that if the above bounden Clayton C. Carter, 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 virute in law.

SIGNED, sealed and delivered  
in the presence of:

NELLIE B. WHITELEY

CLAYTON C. CARTER (SEAL)  
Clayton C. Carter

UNITED STATES FIDELITY AND GUARANTY  
COMPANY:

by B. HACKETT TURNER, JR.  
B. Hackett Turner, Jr.  
ITS ATTORNEY-IN-FACT

Attest:

NELLIE B. WHITELEY

Corporate Seal  
Place.

And at the foot of the foregoing BOND is thus endorsed, to wit:

Security approved and Bond filed  
March 8, 1950.

NELLIE B. WHITELEY, Clerk

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. 1, folio 155, 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 Eighth day of March, in the year nineteen hundred and fifty.

Seal's Place.

NELLIE B. WHITELEY

Clerk

REPORT OF SALE  
Filed April 5, 1950

CLAYTON C. CARTER  
Assignee  
Centreville, Maryland

VS

JAMES B. TARMAN and  
GEORGIA TARMAN, his wife  
Mortgagors  
Millington, Maryland

\* IN THE  
\* CIRCUIT COURT  
\* FOR  
\* QUEEN ANNE'S COUNTY  
\* IN EQUITY  
\* Cause No. 3670  
\*

\*\*\*\*\*

REPORT OF SALE

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Report of Sale of the real estate made in this cause by Clayton C. Carter, Assignee, unto your Honor, respectfully shows:

1. That the above Mortgagors, by mortgage dated January 31, 1914, and recorded among the Land Records of Queen Anne's County in Liber W.F.W. No. 4, folio 552, a certified copy of the same being filed herein, granted, conveyed, bargained and sold certain land in said mortgage described unto Lulu Tarman and Alberta Tarman, as joint tenants, to secure unto them the payment of the debt of One Thousand Dollars (\$1000.00) in said mortgage described, and the interest therein agreed to be paid, which said mortgage contains a power of sale of the mortgaged property to be exercised by the Mortgagees, or either of them or the survivor's executors, administrators or assigns, in the event of default of the Mortgagors in their covenants contained in said mortgage.

2. That said mortgage was duly assigned by mesne assignment unto Georgia Tarman by Lulu Tarman, surviving mortgagee, by assignment dated June 2, 1934, and recorded among the Land Records of Queen Anne's County at the foot of said mortgage.

3. That default having occurred in the terms of said mortgage by reason of the non-payment of the debt secured by said mortgage and of the interest on the same at the time limited for the payment of the same, covenanted by said mortgagors to be paid, the said mortgage was duly assigned unto Clayton C. Carter, for collection by foreclosure or otherwise, by Deed of Assignment dated February 23, 1950 and duly recorded in Land Liber N.B.W. No. 5, folio 387 of Queen Anne's County aforesaid.

4. That prior to the day of sale hereinafter mentioned, said Assignee, filed with the Clerk of this Court a bond given to the State of Maryland, executed by himself and United States Fidelity and Guaranty Company (a corporation having the authority to become sole surety on bonds of this character, ) as surety in the penal sum of One Thousand Dollars (\$1000.00) containing the condition required by law relative to the foreclosure of mortgages under powers of sale contained therein, a certified copy of said bond being filed herein.

5. That thereafter said assignee gave more than twenty (20) days previous notice of sale of the mortgaged property by advertisement of sale in the Queen Anne's Record-Observer, a weekly newspaper printed and published in Queen Anne's County, a certificate of the publication thereof being filed with this report.

6. That pursuant to the advertised notice of sale aforesaid, said Assignee did attend in front of the Court House Door, Centreville, Maryland, on Tuesday, April 4, 1950, beginning at the hour of 1:35 o'clock, P.M., and then and there proceeded to make sale of the property so advertised for sale in the following manner: the advertisement of sale published as aforesaid was read aloud by said Assignee and then proceeded to offer at public sale at the time and place above mentioned, to the highest bidders, by J. Elmer Anthony, Auctioneer, the two parcels of land described in the aforesaid advertisement of sale as a unit; and after said Auctioneer had cried the sale, said Assignee at said time and place and in execution

of the power of sale contained in said mortgage, sold the said two parcels of land unto William Dorsey Foster and May L. Foster, his wife, as tenants by the entireties, they being then and there the highest bidders therefor, at and for the sum of One Thousand One Hundred Twenty-five Dollars (\$1125.00).

7. That said William Dorsey Foster and May L. Foster, his wife, have complied with the advertised terms of sale by paying unto said Assignee the sum of \$112.50.

Respectfully submitted:

CLAYTON C. CARTER  
Assignee

STATE OF MARYLAND:

To wit:

QUEEN ANNE'S COUNTY:

I HEREBY CERTIFY, that on this 5th day of April, 1950, before me, the Clerk of the Circuit Court of Queen Anne's County, personally appeared CLAYTON C. CARTER, and made oath in due form of law that the matters and facts set forth in the foregoing Report of Sale are true and bona fide, as therein stated, and that the sale made by him as Assignee, and therein reported, was fairly made; and the said CLAYTON C. CARTER, Assignee, 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 March 7, 1950, 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.

NELLIE B. WHITELEY  
Nellie B. Whiteley  
Clerk of the Circuit Court for Queen  
Anne's County.

Filed April 5, 1950

Certificate of Advertisement of Sale  
Filed April 5, 1950

Assignee's Sale of Farm Land

Default having occurred in the terms of the mortgage from James B. Tarman and Georgia Tarman, his wife, to Lulu Tarman and Alberta Tarman dated January 31, 1914 recorded in Land Liber W.F.W. No. 4, folio 552 of Queen Anne's County, and duly assigned unto the undersigned for collection by foreclosure or otherwise, the undersigned Assignee, by virtue of the power of sale contained in said mortgage, will offer at public sale to the highest bidders at the COURT HOUSE DOOR, CENTREVILLE, MARYLAND TUESDAY, APRIL 4, 1950 at 1:35 O'Clock P.M. the following described real estate, to wit: PARCEL NO. 1 ALL that tract, part of a tract and parcel of land situate, lying and being in the Third Election District of Queen Anne's County aforesaid, called "Abington", or by whatsoever other name or names the same may be called or known, near Starr, on the left hand side of the public road, known as the "Manor Road", leading from Starr to Centreville, adjoining the land formerly of Hattie Price, and the lands of others, and containing 47½ acres of land, more or less, and

BEING the same land which was conveyed unto James B. Tarman by William H. Montague by deed bearing date the sixth day of January, 1914, and recorded in Land Liber W.F.W. No. 4, folio 471 of Queen Anne's County. PARCEL NO. 2 ALL that tract, parcel of land situate, lying and being in the Third Election District of Queen Anne's County, Maryland, adjoining the tract of land hereinabove described and containing 70 acres of land, more or less, and

BEING the same land which was conveyed unto James B. Tarman by Laura A. Tarman and John W. Tarman by deed dated the 21st day of November, 1904, and recorded in Land Liber J.E. G. No. 7, folio 105 of Queen Annes' County, with the exception of that part of said tract of land which was conveyed to Georgia Tarman and James R. Tarman to George Slaughter, containing 20 acres of land, by deed dated the 23rd day of February, 1910 and recorded in Land Liber S.S. No. 7, folio 429 of Queen Anne's County.

SAVING and excepting from the above described parcels 4½ acres of land more or less, conveyed by James B. Tarman and wife unto Hattie Price by deed dated November 20, 1914 and recorded in Land Liber W.F.W. No. 6, folio 268 of Queen Anne's County.

SUBJECT, nevertheless, to the terms of a certain agreement dated April 16, 1948 and recorded in Land Liber N. B. W. No. 5 between Georgia Tarman et al and the State Roads Commission of Maryland for the sale of a strip of land along the Starr to Centreville state road.

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.

TERMS OF SALE: Possession on day of sale, Ten per centum (10%) of the purchase price on day of sale, balance upon ratification of sale by the Circuit Court for Queen Anne's County, in Equity. Taxes to be adjusted as of day of sale. Title papers, document and recordation stamps at purchaser's expense.

CLAYTON C. CARTER  
Assignee

J. Elmer Anthony, Auctioneer.

QUEEN ANNE'S RECORD - OBSERVER

Centreville, Md. April 4, 1950

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Assignee's Sale of Farm Land in the case/estate of James B. Tarman and Georgie Tarman his wife to Lulu Tarman and Alberta Tarman 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 4th day of April 1950 and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 9th day of March 1950, and the last insertion on the 23rd day of March 1950

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY

By CHARLOTTE M. MEARS

Filed April 5, 1950

ORDER NISI  
Filed April 5, 1950

N I S I

Clayton C. Carter, Assignee,  
Centreville, Maryland

VS

James B. Tarman and  
Georgia Tarman, his wife  
Mortgagors  
Millington, Maryland

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

) Chancery No. 3670

ORDERED, This 5th day of April A. D., 1950, that the sale of real estate made and reported in this cause by Clayton C. Carter, Assignee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 6th 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 6th. day of May next.

The Report states the amount of sales to be \$1125.00

NELLIE B. WHITELEY Clerk.

Filed April 5, 1950

STATEMENT OF MORTGAGE DEBT.  
Filed June 5, 1950

CLAYTON C. CARTER,  
Assignee

vs.

JAMES B. TARMAN and  
GEORGIA TARMAN, his wife  
Mortgagors  
Millington, Maryland

\* IN THE CIRCUIT COURT  
\*  
\* FOR  
\*  
\* QUEEN ANNE'S COUNTY  
\*  
\* IN EQUITY  
\*  
\* Cause No. 3670

\*\*\*\*\*

STATEMENT OF MORTGAGE DEBT

Principal amount of mortgage debt due under mortgage dated February 24, 1914 from James B. Tarman et al. and recorded in Land Liber W.F.W. No. 4, folio 552 of Queen Anne's County, at the time of assignment in May, 1934 to Georgia Tarman. . . . . \$ 1000.00

Interest due on above from May, 1934, to day of sale, April 4, 1950, at the rate of 6% per annum . . . . . 950.66  
1950.66

To Clerk of Court, Cost of Assignment of Mortgage to Assignee. . . . . 1.10  
\$ 1951.76

TO 5% attorney's commissions on \$1951.76 . . . . . 97.59  
\$ 2049.35

STATE OF MARYLAND ss,

Queen anne's County

I HEREBY CERTIFY that on this 5th day of June 1950, before the subscriber, the Clerk of the Circuit Court for Queen Anne's County, personally appeared CLAYTON C. CARTER, Assignee, and made oath in due form of law that the foregoing STATEMENT OF DEBT is true as therein stated to the best of knowledge, information and belief.

NELLIE B. WHITELEY  
Clerk of the Circuit Court  
for Queen Anne's County.

Seal's Place.





ORDERED, This 5th day of April A. D., 1950, that the sale of real estate made and reported in this cause by Clayton C. Carter, Assignee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 6th. 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 6th. day of May next.

The Report states the amount of sales to be \$1,125.00.

NELLIE B. WHITELEY, Clerk

Filed: April 5, 1950.  
True Copy  
Test: Nellie B. Whiteley, Clerk.

QUEEN ANNE'S RECORD-OBSERVER

Centreville, Md. June 2, 1950

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY, a body corporate, does hereby certify that the Order Nisi in the case/estate of Clayton C. Carter, assignee vs. James B. Tarman and Georgia Tarman, his wife Mortgagors Chancery Cause No. 3670 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 6th day of May, 1950, and that the first insertion of said advertisement in said QUEEN ANNE'S RECORD-OBSERVER was on the 6th day of April 1950, and the last insertion on the 27th day of April 1950

THE QUEEN ANNE'S RECORD AND OBSERVER PUBLISHING COMPANY

By: Barbara L. Binebrink

Filed June 7, 1950

POWER OF ATTORNEY  
Filed June 7, 1950

#####  
#26,923. QUEEN ANNE'S COUNTY, TO WIT: Be it remembered that on this First day of September, in the year nineteen hundred and forty eight, the following Power of Attorney was brought to be recorded, to wit:-

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, That I, GEORGIA TARMON, of Betterton, Maryland, do hereby constitute and appoint EDITH M. TRAINOR, my daughter of 1302 South Thomas Street, Arlington, Virginia, my true and lawful attorney for and in my name, place and stead;

To lease, let take possession, bargain, sell, assign, convey, pledge, mortgage and encumber, repair, insure and generally manage, any and all property, both real and personal, which I own, may own, or may hereafter acquire from any source; to sign, execute and deliver any and all legal documents in connection therewith, and in all ways and in every way to deal with all property real and personal which I may at any time hereafter own, and with all rights or interest any any time owned or possessed by me with respect to any such property, and with all or any part or parts of such property, rights, and interests, in every and all lawful ways in which I could myself deal with such property, rights, and interests, and each part thereof. To deposit any monies received from any source whatever for me, and in my name with any bank, and to draw and deliver checks in my named against said monies and any other monies there deposited in my name or to my credit; to endorse, discount, sell, assign, negotiate and extend upon such terms as my attorney may deem best, all checks, drafts, notes, bills of exchange, trade and bankers' acceptances, and other negotiable or paper, payable to me or to my order; and to accept and pay any note, draft, check, trade acceptances or bills of exchange drawn upon me in relation to said matters; to sell, transfer, and assign all and any stock, or certificates thereof, standing in my name, and to collect all dividends, coupons and interest on any stock, bonds, or other securities now or hereafter owned by me; to ask, demand, sue for, recover, collect, settle, compound, compromise and adjust, by payment or otherwise, any and all debts, claims or demands due or to become due to me or against me, and to make, give and execute full release, acquittance or other discharge for the same, whether under seal or otherwise; to execute vouchers in my behalf for any and all allowances and reimbursements properly payable to me by the United States; to take possession and order the removal and shipment of any of my property from any warehouse, depot, dock or other place of storage or safekeeping, government or private; to do all things necessary concerning any insurance policies, including the right to change beneficiary.

I do hereby give my attorney full power to perform all and every act and thing whatsoever requisite and necessary to be done in and about my affairs as full to all intents and purposes as I might or could do if personally present at the doing thereof, with full power of substitution of revocation, hereby ratifying and confirming all that my said attorney substitute shall lawfully do or cause to be done by virtue hereof;

I HEREBY DECLARE that any act or thing lawfully done hereunder by my said attorney, shall be binding on myself and my heirs, assigns, legal and personal representatives. I hereby ratify all that my attorney may do in the premises by virtue of this Power of Attorney, which shall remain in full force and effect until written notice of its revocation, signed by me, shall have been received by the grantee herein.

IT IS MY FURTHER INTENTION that all express words and terms, used herein granting powers and rights, be construed in their broadest sense to include all synonymous terms and implied powers thereunder.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 21 day of Aug. A.D. 1948.  
In the presence of:

EDWIN P. WENDEROTH

GEORGIA TARMON (SEAL)

STATE OF MARYLAND )  
                                  ) ss.  
COUNTY OF KENT )

BE IT REMEMBERED, that on the 21 day of Aut, A.D. 1948, personally came before me the above-named GEORGIA TARMON, to me known to be the person who executed the foregoing Power of Attorney, and acknowledged the same to be her free and voluntary act and deed, for the uses and purposes therein mentioned.

My Commission Expires 5/2/49

C. M. MELVIN JR.  
Notary Public

Notary  
Public  
Seal

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

This is certify that the foregoing is truly taken and copied from Liber N.B.W. No. 1, Folios 417 &etc., a Land Record Book for Queen Anne's County.

In Testimony whereof, I have here-  
unto 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 fifty.

Seal's  
Place.

NELLIE B. WHITELEY  
Clerk.

Final Ratification of Sale  
Filed June 7, 1950

CLAYTON C. CARTER  
Assignee  
Centreville, Maryland

VS.

JAMES B. TARMAN and  
GEORGIA TARMAN, his wife  
Mortgagors  
Millington, Maryland

\* IN THE CIRCUIT COURT  
\* FOR  
\* QUEEN ANNE'S COUNTY  
\* IN EQUITY  
\* Cause No. 3670  
\*

\*\*\*\*\*

FINAL RATIFICATION OF SALE

ORDERED, this 7th day of June, 1950, 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 Clayton C. Carter, 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 Certificate of Publication of the previous Order Nisi thereto; the Assignee is allowed the usual commissions and all expenses incident to the making of said sale, not personal, upon the productions of vouchers therefor.

WM. R. HORNEY  
Judge

Filed June 7, 1950

AUDIT  
Filed July 25, 1950

CLAYTON C. CARTER, Assignee,  
Vs.

JAMES B. TARMAN AND  
GEORGIA TARMAN, his wife.  
Mortgagors.

X  
X  
X  
X  
X  
X

In the Circuit Court for Queen  
Anne's County.  
in Equity.  
Cause No. 3670

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Howard Wood, 3rd, your Auditor, unto your Honors, re-  
spectfully shows:

1. That this account is stated at the request of Clayton C. Carter, Esq., Assignee of Mortgage (and vendor) in this foreclosure proceeding; and it appears that the net proceeds of the mortgage sale were insufficient for the payment of the mortgage debt and interest, cost of recording deed of assignment of mortgage and attorney's commissions constituting the mortgage indebtedness as of the day of sale in the sum of

\$2,049.35, per statement thereof filed herein; and that such deficiency amounts to the sum of \$1,143.35. In this connection your Auditor found no provision stating the amount of attorney's commission for collection stated in the mortgage; but has allowed the 5% commission claimed by said Assignee in his above-mentioned statement of mortgage indebtedness, believing this commission to be allowable in the absence of objection, in accordance with established practice followed in Queen Anne's County.

2. That, in the within account, said Assignee is charged with the gross proceeds of the sale made by him, per report of sale filed; and that he is then allowed thereout as follows: for his commissions in accordance with the terms of said mortgage; advertising costs of this cause per receipt of the Queen Anne's Record-Observer the fee of the auctioneer who cried this sale per receipted bill, the cost of the premium on said Assignee's corporate surety bond, per receipted bill, the amount of 1950 taxes payable by said vendor, per terms of sale and receipt of one of the Purchasers, the auditor's fee, and finally, the net proceeds of sale, in the sum of \$906.00, on account of the above mentioned mortgage indebtedness.

Respectfully submitted,

HOWARD WOOD, 3rd.

Auditor

July 22, 1950.  
Filed Jul 25, 1950

Cause No. 3670

The proceeds of the sale of the land reported in this cause, in account with Clayton C. Carter, Assignee of the Mortgage foreclosed in this proceedings (and vendor of said land).

Cr.

1950  
April 4 By gross proceeds of the sale of said land, per report of said vendor, to \$1,125.00 to wit:

Dr.

To Clayton C. Carter, Assignee (and vendor) for his commission for making the sale, per terms of mortgage, to wit:.....	\$75.00	
To Nellie B. Whitesley, Clerk, for the Court costs of this cause, per bill for same exhibited, to wit:.....	\$10.00	
Clerk's costs.....	18.75	28.75
To Clayton C. Carter, Assignee, for an amount paid J. Elmer Anthony, auctioneer for crying said sale, per his receipt for same exhibited, to wit:.....	\$15.00	
To do., for an amount paid to Turner and Turner, for the premium on said Assignee's corporate surety bonds, per their receipt for same exhibited, to wit:.....	\$20.00	
To do., for amounts paid to the Queen Anne's Record-Observer, per receipts for same exhibited, to wit:.....		
Advertising notice of sale.....	\$49.00	
Advertising order nisi on sale.....	7.50	\$56.50
To do., for an amount paid to William Foster, one of the purchasers, for State and County taxes on said land from January 1, 1950, until the day of sale, per receipt for same exhibited, to wit:.....	\$7.25	
To do., for the cost of advertising the order nisi to be passed as to this audit in the Queen Anne's Record-Observer, to wit:.....	\$7.50	
To Howard Wood 3rd, Auditor, for stating this audit.....	\$9.00	
To Clayton C. Carter, Assignee of Mortgage for collection by foreclosure or otherwise, for the account of Georgia Tarman, prior assignee, the net proceeds of this sale (on account of the mortgage indebtedness of \$2,049.35, per statement thereof filed), to wit:.....	\$906.00	
	<u>\$1125.00</u>	\$1125.00

HOWARD WOOD, 3rd.

Filed July 25, 1950

Nisi Ratification of Audit  
Filed July 25, 1950.

NISI RATIFICATION OF AUDIT

Clatyon C. Carter, Assignee,

vs.

James B. Tarman and Georgia Tarman, his wife, mortgagees

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

) Cause No. 3670



